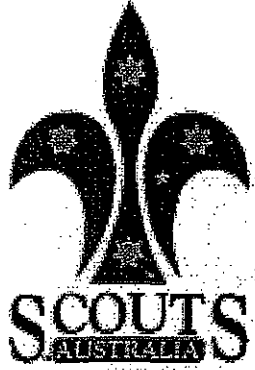


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# Organisation and Information Handbook

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those presented by Municipal Councils and Service Clubs (including RSL) for community service.

## BEHAVIOURAL MANAGEMENT

### 1. PERSONAL PROTECTION POLICY AND PROCEDURES

- 1.1 All Adult Leaders are briefed on this prior to or at the time of their appointment as well as being provided with a booklet containing full details which include policy statement, code of behaviour, protective practices, rights and responsibilities as well as guidelines for actioning including media contact.
- 1.2 Whenever called upon to become involved in any matter of behavioural management, due regard needs to be had to such policy and procedures that are complimentary to this chapter.
- 1.3 This policy extends to cover youth members as well as adults. The procedure involving suspension or dismissal of a youth member is set out in the GROUP ORGANISATION chapter under para 2.23.

### 2. DUTY OF CARE

#### 2.1 Introduction

The Scout Association in its role of training, educating and the development of young people so that they may take a constructive place in society as responsible citizens uses the following criteria:

- Scouting Aim - To encourage their physical, mental, social and spiritual development.
- Principles - As defined by the Founder, Lord Baden-Powell, that Scouts should serve their God, act in consideration of the needs of others and develop and use their ability to the betterment of themselves and their families and the community in which they live.
- Method - There are 7 principle methods used by the Association, one of which states:

*The provision of a wide range of attractive constructive and challenging activities, including opportunities for adventure and exploring both indoors and outdoors.*

#### 2.2 Leaders' Responsibility

A Duty of Care therefore exists on all Leaders to ensure that:

- They sufficiently attend training courses so that they are competent to carry out their role as Leaders.
- They know the Association's rules regarding special activities, eg Camping, Water Activities, Boating, Abseiling etc.
- Youth are properly trained and tested before engaging in activities.
- Badges are earned and not just given. Remember the skills and knowledge required to achieve the badge may be required in the saving of a person in real life.
- The Association's requirement is there for YOUR protection, not just something else to do.
- Parents' consent is obtained.
- The Group Leader and responsible Commissioner are aware of where you are going.

- If a person is injured whether it be in the Scout Hall or in the bush then medical treatment is immediately obtained. Remember when the parent signed the form permission was given to do so in case of injury.
- In case of an unfortunate accident record what happened, where, time, date, witnesses. You never know when this information may be required. Today, tomorrow, next year, 6 years time or hopefully never.

### 2.3 The Scout Association's Responsibility

- To arrange adequate training courses so that Leaders may gain knowledge or be informed where that knowledge can be obtained.
- To ensure that the rules applying to activities are widely circulated to ensure that Leaders are aware of their responsibilities.
- To ensure that all members of the Association, be they Youth, Leaders or Supporters are protected for any injury or damage, for which they may be negligent. The Branch has in force a Public Liability Policy for \$50,000,000 for this purpose.

The Branch has ensured that its members are protected in the event of an accident in which they may be deemed to have been responsible. It is the Members' responsibility to ensure that they adequately acquire the knowledge, or obtain the services of those who do, so that our youth members enjoy attractive constructive and challenging activities, including opportunities for adventure and exploration both indoors and outdoors.

## 3. CONFLICT RESOLUTION

### 3.1 Overview

Adult membership of The Scout Association is granted under the conditions outlined in MEMBERSHIP OF THE NEW SOUTH WALES BRANCH (page 158) and ADULT LEADER APPOINTMENT PROCEDURES (page 11).

In the NSW Branch adult appointments are "determined" (issued, withdrawn, resigned, transferred, suspended or cancelled) by resolution of the Branch Executive Committee on the recommendation of the Chief Commissioner. The BEC having made such a "determination" shall not be under any obligation to state the reasons for such actions.

On all occasions when conflict arises the procedures used to resolve the situation must ensure that youth members are protected and that natural justice is not denied to parties concerned.

### 3.2 Handling of Minor Behavioural Problems or Differences of Opinion

On those occasions where a conflict, dispute or situation arises which is contrary to P&R or is considered to be detrimental to the Association or its members, and cannot be resolved by the persons involved in the dispute, the matter will be referred to an Adult Leader responsible for the next higher level of management who, after hearing from both sides in the dispute, will mediate.

If this does not successfully resolve differences or satisfactorily settle the matter, then the Regional Commissioner will be fully briefed when he/she will use best endeavours to resolve the matter.

In the event that the matter cannot be resolved at this level, the RC will initiate action to have the alleged offending party or parties either warned, disciplined, suspended or have their membership cancelled using the procedure set out in para 3.3.

### 3.3 Handling of Major Behavioural Problems

The process to be used where it is alleged that a Member has acted in a manner contrary to P&R, or the policies and rules of the NSW Branch, or in a manner which is considered to be detrimental to the Association or its members, is as follows:

#### 3.3.1 Step One

A warning must be given in the presence of a witness who can verify the details of the discussion. The warning must be specific to the misdemeanour and the discussion must be recorded.

### 3.3.2 Step Two

If there is no improvement in the behaviour, or the situation, or if there is a repeat of the same misdemeanour then a final warning shall be given to the individual concerned. The Adult Leader responsible for the next higher management level or their delegate must be present when this occurs; the individual must be advised that this is a final warning and the discussions must be recorded in writing.

### 3.3.3 Step Three

If there is still no improvement in the behaviour or the situation gets worse then a recommendation for disciplinary action is to be made to the RC or his/her delegate. The Adult Leader making this recommendation to the RC must advise the accused person of his/her intention to do so.

### 3.3.4 Step Four

The RC or his/her delegate will investigate the matter and review the recommendation. If the RC endorses the recommendation then the action will be referred to the Chief Commissioner for review and "determination". However, if suspension is contemplated then the procedure set out in para 3.4 is to be followed.

### 3.3.5 Step Five

The offending person will be advised of the decision. Upon receipt of this advice, the Leader may appeal to the Chief Commissioner.

### 3.3.6 Step Six

Where the Chief Commissioner deems appropriate, a Commissioner or other responsible person or persons may be appointed to investigate the matter further, to consider an appeal or clarify any related aspect they deem appropriate.

### 3.3.7 Step Seven

A Leader involved in making an appeal shall have the right to be heard in person to state his/her case.

### 3.3.8 Step Eight

The Chief Commissioner will, following that investigation, review the matter and where a recommendation for cancellation of an Adult Leader appointment is not involved, advise the parties concerned of his/her final decision. This could include lifting of a suspension or terminating Association membership of any person other than an Adult Leader.

### 3.3.9 Step Nine

Where the Chief Commissioner's recommendation is cancellation of an Adult Leader appointment, then the determination is the prerogative of the Branch Executive Committee. This decision will be final.

### 3.3.10 Step Ten

In the event of the Branch Executive Committee deciding to cancel an appointment, the Leader concerned will be immediately advised in writing by the Chief Commissioner that membership of the Association has been revoked.

## 3.4 **Procedure for Suspension**

In circumstances where the conflict, dispute or situation is such that it is alleged that an individual by his/her actions:

- has infringed the Associations "Duty of Care" to one of its members or a member of the public,
- committed a significant breach of the "Code of Conduct", and or
- is considered to have brought the Association into disrepute,

the RC or his/her delegate upon receipt of advice of such allegation will immediately suspend the appointment of the Adult Leader concerned.

The Leader must be advised in writing of this suspension, which must be regarded as a temporary measure. A person thus suspended must refrain from participation in any activity connected with the Movement, and must not wear uniform or badges. Any appointment held in the Movement by such a person is to be considered vacant for the time being. Any case of difficulty arising in this regard should be referred to BRANCH HQ.

The RC shall immediately upon enacting the suspension advise Branch HQ in writing.

### **3.5 Special Procedure for Sponsored Groups**

In the case of a sponsored Group, the Sponsoring Authority is entitled to be heard by the RC in any matter concerning the suspension or cancellation of the appointment of any Adult Leader of the Group.

Where the Sponsoring Authority of a Church Group expresses dissatisfaction with an Adult Leader of the Group, the RC shall give effect to his or her views, provided that the objection is based solely on the ground that the Adult Leader is not fulfilling his or her religious duties either by example or precept. Where, however, any other question, such as moral character or technical efficiency, is involved the matter must be dealt with in accordance with the Branch procedure previously described.

### **3.6 Delegated Authority to a Contingent or Major Activity Leader**

Where members of the Association are participating in an activity at Regional, Branch, National or International level such as Regional Camp, Branch Scout Rally, Dragon Skin or Jamboree, the person appointed to take charge of that activity has the authority to withdraw any members from the activity for inappropriate behaviour. This may include making suitable arrangements for their return home. Any further disciplinary action will be referred to the appropriate RC or Chief Commissioner.

## **4. GRIEF AND TRAUMA COUNSELLING**

### **4.1 Disaster and Accident Procedure for all Formations**

All Scouting activities carry some risk. The safety of all youth members engaged in Scouting activities is our Number One Priority. Despite the very best efforts of all our Adult Leaders to minimise and manage risk, there may be accidents causing serious injury and even deaths of youth members.

In the event of such a circumstance, all Adult Leaders must be aware of what to do and if in doubt contact the RC, Chief Commissioner or Chief Executive.

### **4.2 Medical Advice and Guidance**

Coping with grief and sorrow is a major issue in the event of serious accidents and death. It is recommended that Adult Leaders, parents and children urgently seek professional advice and care when confronted with a major traumatic incident. This may extend to persons who are not related but have a close connection through involvement in Scouting.

The Association can provide guidance concerning counselling to help Adult Leaders, parents and youth members cope with the trauma.

### **4.3 Parent Contact**

Parent contact is another important issue. This role is one of informing the parents of a child, that their son or daughter has been seriously injured or killed during a Scouting activity.