

## YOUTH AND ROVER MEMBERS: DISCIPLINARY PROCEDURES

### 1. Youth and Rover Code of Conduct

- 1.1. The Member Code of Conduct and Disciplinary Policy apply to all members. However, it is useful to set out, in this Practice Note the particular expectations that SCOUTS South Africa has concerning Youth and Rover behaviour. It is based upon the Cub and Scout Promises and Laws that all Youth and Adults make, when they are invested. They are expected to keep the Promise and obey the Law in their day to day life.
- 1.2. The SCOUTS South Africa (SSA) Code of Conduct for Cubs, Scouts and Rovers, (SCOUTS) is as follows:
  - 1.2.1. A SCOUT will always treat others with respect.
  - 1.2.2. A SCOUT will conduct themselves in a 'Scout like' manner and carry out all reasonable duties assigned by their leaders (both Youth and Adult).
  - 1.2.3. Language should be civil and polite. Language that is foul (cursing) will not be accepted, especially when it is directed towards another person.
  - 1.2.4. Behaviour should be courteous and respectful. Obscene, threatening, bullying, derogatory or demeaning behaviour will not be tolerated at any time.
  - 1.2.5. SCOUTS will not engage in vexation behaviour, as set out in the Member Code of Conduct and Disciplinary Policy.
  - 1.2.6. Personal property and that which belongs to others, or SSA, should always be respected. Nothing shall be taken or used without permission.
  - 1.2.7. No form of abuse of or malicious pranks against others will be tolerated.
  - 1.2.8. SSA embraces diversity and inclusivity. Racial discrimination and any harassment of another SCOUT are not acceptable.
  - 1.2.9. The possession of illegal drugs or harmful chemical substances by SCOUTS is not allowed and will not be tolerated.
  - 1.2.10. The possession of alcohol or cigarettes by Youth Members is not allowed and will not be tolerated.

## 2. Meerkat and Cub Procedure

- 2.1. Any inappropriate conduct by, or complaint against, a Meerkat/Cub by other Meerkats/Cubs, Den/Pack Scouters or Den/Pack Helpers, should initially be addressed by the Den/Pack Scouter who must use their discretion and deal with any non-compliant behaviour appropriately.
  - 2.1.1. The Den/Pack Scouter shall decide on the action required and determine whether or not to notify the parents/guardian, at a meeting, or in writing.
  - 2.1.2. If the offence is such that the Den/Pack Scouter considers that suspension of the Meerkat/Cub, for a fixed period or permanently, may be appropriate, the SGL shall be notified and be party to the investigation and decision. The parents/guardians shall be informed of the complaint.
- 2.2. Wherever the parents/guardians are involved, the decision made must be given in writing to the parents/guardians.
- 2.3. In the event of a parent/guardian, Adult Member or third-party person raising a complaint of a disciplinary nature against a Meerkat/Cub, the following process is to be followed:
  - 2.3.1. The complaint is to be documented in writing by the SSA Adult Member receiving it.
  - 2.3.2. The Den/Pack Scouter will review the complaint. The review of any complaint that has any potential punitive action must involve the parents or guardians of the Meerkat/Cub concerned.
- 2.4. Based on their assessment of the seriousness of the complaint the Pack Scouter should convene a meeting with the Meerkat/ Cub and their parents or guardians and if required, in the opinion of the Pack Scouter, the SGL.
- 2.5. The Den/Pack Scouter will, after consultation with the Meerkat/Cub and the parents or guardians of the Meerkat/Cub against whom the complaint has been laid, decide on the outcome of the complaint and notify the complaint and the parents/guardians in writing.
- 2.6. If the Meerkat/Cub or their parent/guardian wishes to appeal the outcome, they shall be permitted to make an appeal to the District Commissioner. This must be lodged within five (5) days of receiving the decision
- 2.7. The District Commissioner will within ten (10) days review the complaint or grievance and make a ruling. The decision of the District Commissioner shall be final and binding.

### **3. Scout Grievance and Disciplinary Procedure**

- 3.1. Any inappropriate conduct by, or complaint against, a Scout by other Scouts, adult members or parents/guardians of Scouts, will initially be investigated by the Troop Scouter (TS).
- 3.2. The process to be followed is normally as follows:
  - 3.2.1. The complaint or incident must be documented in writing by the SSA Adult Member seeing it or receiving a complaint and given to the TS.
  - 3.2.2. Where applicable the procedures in the Child Protection Policy must be adhered to.
  - 3.2.3. The TS must afford the Scout, against whom the allegation is made, an opportunity to make a written statement in their defence.
  - 3.2.4. The TS shall present the complaint/grievance to a meeting of the Court of Honour (CoH) unless there is a very good reason why that is inappropriate. It may be necessary to convene an extraordinary CoH meeting to deal with the matter.
  - 3.2.5. The CoH and TS must use their discretion and deal with any non-compliance appropriately.
  - 3.2.6. The age profile and maturity level of members of the CoH will have a direct impact on their ability to deal with issues. No two CoHs are the same.
  - 3.2.7. The CoH must be provided with ALL relevant information. The Scout will be required to attend the meeting of the CoH to present their version of events.
  - 3.2.8. The CoH record the facts and make recommendation to the TS of any disciplinary action to be taken against the Scout.
  - 3.2.9. The TS may endorse the decision of the CoH or suggest an alternative outcome to the CoH.
  - 3.2.10. The final decision rests with the TS but shall give full consideration to the recommendation of the CoH.
  - 3.2.11. When a recommendation has been made by the CoH and accepted by the TS, the Scout must be informed of the decision reached. The decision should be recorded in writing.
- 3.3. In certain instances, it may be inappropriate for the CoH to deal with matters or the CoH may request that the TS and SGL deal with the matter. In this case the TS and SGL will conduct a formal Disciplinary Hearing, as set out in Practice Note 2.
- 3.4. Where the Scouter deems it appropriate, a meeting is arranged between the relevant Scout Leader(s), the Youth and their parents/guardian. The youth's behaviour is discussed, and an agreement made regarding what is acceptable behaviour. Included in the agreement will be consequences arising from the breaking of the agreement.

- 3.5. If a formal Disciplinary Hearing is to be held, the parents/guardians must be informed of the matter and advised in writing of decisions reached.
- 3.6. In the case of a serious offence (offences covered in Points 1.2.4 to, 1.2.7, may be considered serious and offences covered in 1.2.8 to 1.2.10 are always considered serious) there is automatic suspension of the Youth Member from Scout activities, pending an investigation of the incident(s). The sanctions can include suspension of involvement of the Youth in Scout activities for a fixed period or termination of SSA membership.
- 3.7. In the case of physical or sexual assault (Point 1.5), the Scout's membership in SCOUTS South Africa shall be suspended pending an investigation. Where necessary, if the facts established in relation to an alleged incident require it, the police will be contacted.
- 3.8. In the event of the Scout, parent/guardian wishing to appeal the outcome, they shall be permitted to make an appeal to the District Commissioner (DC). This must be lodged within five (5) days of receiving the decision of the TS/SGL.
- 3.9. The District Commissioner will, within ten (10) days of the appeal, review the complaint or grievance and make a ruling. The District Commissioners ruling will be final and binding.

#### **4. Rover Grievance and Disciplinary Procedure**

- 4.1. All Rover Scout Members of SSA are expected to comply with the Promise and Law in their day to day life. Any complaint or grievance against a Rover should be based on that departure point. Rover Scouters and/or the Crew Council must use their discretion and deal with the matter appropriately
- 4.2. It is an accepted principle that a Crew must draft its own Charter for approval by the RTC Rovers prior to the registration of the Crew and that the discipline of crew members must be managed by the Crew Council in terms of the Charter. A Crew may only manage the discipline of Members in their conduct as a Rover. The conduct of Scouters (who may also be Rovers) shall follow the requirements of Practice Note 1 or 2.
- 4.3. Should a crew not have a Charter the following disciplinary process shall be applicable to Rovers:
  - 4.3.1. The complaint is to be documented in writing by Chairman of the Crew.
  - 4.3.2. The Crew Chairman should review the complaint. The review of any grievance that has any potential punitive action must involve the parents or guardians of the Rover concerned.
  - 4.3.3. Based on their assessment of the seriousness of the complaint the Crew Chairman should convene a meeting with the Rover.
  - 4.3.4. The Crew Chairman will, after consultation with the Rover against whom the grievance or complaint has been laid, make the decision on the outcome of the complaint or grievance.
  - 4.3.5. If the Rover wishes to appeal the outcome, they shall be permitted to make an appeal to the District Commissioner. This must be lodged within five (5) days of receiving the decision
  - 4.3.6. The District Commissioner will within ten (10) days review the complaint or grievance and make a ruling. The decision of the District Commissioner shall be final and binding.