



Scouts Australia (New South Wales Branch)
LEADER NEWS - ON THE WEB

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HOW DO I ?

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This Leader News is designed to give simple and brief direct answers to the more common questions.

The Leader Support Guides are also available as a resource; they go into each of their topics in greater detail covering the more complex and involved questions frequently encountered over the years.

E ARE STUMPED FOR A SOLUTION WHAT CAN WE DO?

Use your resources! Firstly, check online. Is the issue covered in the Organisation & Information Handbook (www.nsw.scouts.com.au/leaders/ScoutsSectionContent.aspx?Id=431) Policies (www.nsw.scouts.com.au/leaders/ScoutsSectionContent.aspx?Id=432) or the Leader Support Guides (<http://www.nsw.scouts.com.au/leaders/ScoutsSectionContent.aspx?Id=430>)?

If not, discuss amongst yourselves, and the Group Council. To obtain further ideas or help then the next person is your District Leader for your section. No District Leader? Then the Region Commissioner for the Section is the next best and he/she, if uncertain, will get the answers. Another good resource is to use the collective wisdom of discussing it at your District leaders meetings, this way everyone learns.

WHY NOT GO DIRECT TO THE STATE OFFICE AND ASK?

The State Office mainly handles administration and accounts and whilst they can give answers to questions on the policies associated with uniform or sectional matters, they prefer you go to your Region who can give qualified answers and knowledge and are geared to handle your questions.

Also assists in alerting them to information that might need to be circulated to their Leaders.

HOW DO I SUSPEND OR RESIGN A YOUTH MEMBER?

Easy! It is clearly set out step by step in the Organisation & Information Handbook on the web. In the section on Group Organisation sections 2.23.3 to 2.23.6 at page 106. The advantage of following the correct procedure is that it's the Troop/Unit Council who makes the initial decision, parents become less feral toward the leader, and it minimises allegations of bias toward their child.

HOW DO I DISCIPLINE A YOUTH MEMBER OR HANDLE AN UNRULY SECTION?

You must rely on the Patrol System and the Troop/Unit Council plus a Code of Conduct that THEY set up. Joeys and Cubs can involve the Leaders and parents. This system relies on a method that has the strongest effect on youth, it's called peer pressure. Remember the best solution is to discuss it at the regular meetings of Leaders at the District Leader meetings. If you want to know more or how it's done read Leaders Support Guide 11 or 12.

WHAT DO I DO IF I FIND INAPPROPRIATE/UNACCEPTABLE CONDUCT OR BULLYING?

As above, you must rely on the Patrol System and the Troop/Unit Council plus a Code of Conduct that THEY set up.

WHAT SHOULD A TROOP/UNIT CODE OF CONDUCT INCLUDE?

The very things that go to the heart of a good Section: The attitude of youth members as to what they consider as acceptable behaviour for all members, including their leaders, things such as: bullying; putting others down; basic behaviour; caring for others; language. Start with a discussion of the Scout Promise and the Scout Law. These should all form the very basics of a Code of Conduct.

WHAT SHOULD HAPPEN AT MAJOR EVENTS SUCH AS JAMBOREES, TOWARD THE END, WHEN "TROUBLE MAKERS" TAKE ON THE ATTITUDE THAT "YOU CAN'T DO ANYTHING TO ME BECAUSE I AM GOING HOME ANYWAY"?

Experience over many years, at the Jamboree or other such events, shows that when the Troop Leader in charge of the youth members continues to follow the Patrol System and ensures matters are

handled by the Troop Council (with, if necessary, passing relevant information on to the 'back home' Leader and the youth members own Troop Council) discipline is maintained.

Things are more likely to fall over when you get Leaders who 'run the show' themselves and don't even use a Troop Council as outlined in Support Guide 11 or 12. This is not scouting.

DO I HAVE TO ACCEPT EVERY MEMBERSHIP APPLICATION?

From time to time parents insist their child, who is challenged in some way, has a right to be in Scouts and not to admit the child is discrimination. It is not uncommon for leaders to be confronted with a youth member who has an alleged history of unacceptable behaviour or significant physical or mental challenges. It's essential you read Leader Support Guide 20.

Accepting a child on probation is a good idea and after discussions with the parents set measurable goals that must be written down and met. E.g Fits in and is accepted by other youth (Troop Council to decide); no physical risk to either; group remains harmonious. Etc.

HOW DO I SUSPEND A LEADER?

YOU can't. The only person who can 'SUSPEND' is the Chief Commissioner, or his appointed delegate.

Regional Commissioners can 'STAND DOWN' a person.

The only option open to Leaders in general is to 'EXCLUDE' a person from a particular event. Even then it must be a joint decision of all the Leaders present and only when there is risk to the person themselves; others or the Association. Such an action **MUST** be reported to the Regional Commissioner within 48 Hours. (See details in *Behavioural Management in the O & I on the web*)

HOW DO I DEAL WITH MATTERS OF VIOLENCE OR OF A SEXUAL NATURE?

This can have serious legal repercussions for you AND the victim if not handled correctly.

The correct way to handle this, without ending up in court yourself is to follow the procedures in Behavioural Management in the Organisation & Information Handbook on the Web.

All complaints that involve allegations of a Sexual, or a Physical nature; or those that could tend to cause harm to Members; bring disrepute on Scouts Australia, or which may result in the cancellation of an Adult Member's Appointment or a person's Membership.

THEY MUST NOT BE INVESTIGATED but immediately reported directly to the State Executive Officer usually via your District/Region Commissioner or by email to childprotection@nsw.scouts.com.au, DO fill out an M6 - Incident / Accident Report Form as well as the one on the web.

(NB. An investigation by you may "taint" evidence and ruin a criminal prosecution.)

WHAT ABOUT LESSER LEVELS OF BEHAVIOURAL PROBLEMS BY LEADERS AND ADULTS?

- A.** Handling of Major Behavioural Problems, Infringements of the Association's "Duty of Care", or Breaches of the "Code of Conduct" (Except those by youth members.)

These are usually escalated direct to District/Region but only to State through the Regional Commissioner. (See LSG 15 and the Behaviour Management section of the O&I)

- B.** Issues surrounding the handling of Minor Behavioural Problems or Differences of Opinion (Except for youth members)

These are normally handled by the Group or escalated to District if, after attempts to resolve it have failed. (See LSG 15 and the Behaviour Management section of the O&I)

ARE WE MANDATORY REPORTERS?

No! Regardless of your profession or calling, you are NOT considered a mandatory reporter when acting as a volunteer leader, it's only when you are actually working in that calling or profession. For more detail see Leader Support Guide 3.

WHY NOT REPORT STRAIGHT TO AUTHORITIES?

The Privacy Act prevents the authorities from passing on the information to anyone other than the reporter. The requirement, even for mandatory reporters, is to report through their organisation, and in this way the organisation will be kept in the loop by authorities and can take steps to protect the clients. (Applies to schools, hospitals, scouts to everything)

WHAT IS REASONABLE DUTY OF CARE"? HOW CAN WE SIMPLY DEFINE THIS

Only a Judge and jury can really answer that - there is no magic answer.

However, to explain your decision in Court as being reasonable you would ensure you made a considered decision with sound judgement, which was in line with our Policies and the general thinking of other leaders with similar experience and background. Giving consideration to what the community or average group of parents would expect

Ensure you have looked at the risks involve to those involved and ensure you feel the safety steps you put in place are reasonably practicable to avoid those risks.

Don't be put off by the one person. There will always be the one who has distorted views/ demands

AT WHAT LEVEL OF INJURY DO I HAVE TO COMPLETE AN INCIDENT REPORT?

A sprained ankle or wrist can turn out several days later to be a nasty fracture; a small blow to the head that ends up the next day with convulsions, there are many small incidents that have become major concerns.

You have a level of responsibility for the care of those in your care. One should always keep details of events and your actions, for your own peace of mind. Details of what happened; what you did; did you consider if you needed to do anything to minimise the risk of it happening again; for an injury how did you care for it and of course when did you tell the parents.

Use protection; fill in an M6 - Incident / Accident Report Form at the least, (<http://www.nsw.scouts.com.au/leaders/ScoutsSectionContent.aspx?id=429>) no matter how small.

The new internet based reporting system (<http://www.proclaim.com.au/client-login/> Login scoutsnsw Password: member) is easy to use and a copy can be printed by you before you submit it.

WHY DO INCIDENT REPORTS HAVE TO BE SENT SO SOON?

Insurance companies require official notification within a set time frame of incidents. The State/Regional Office needs to be able to deal with inquiries etc in a prompt, factual and efficient manner. In addition it's important to record the details whilst they are fresh in people's minds.

DO I HAVE TO COMPLETE AN INCIDENT REPORT IF I USE THE ON-LINE ACCIDENT FORM?

Common sense tells you to keep a copy of any form you fill in. Especially if it shows details such as witnesses; action you took; your assessment of any action you might need to take to minimise a similar incident in the future; the care shown to any victim; and when you notified the parents. If you are in the habit of regularly recording ALL incidents, that can assist the Association defending fraudulent claims if they are made many months after the event.

99% of the time you will never need to rely on it, BUT if you do need to refer to notes, recorded at the time, you will be glad you stored it away.

HOW LONG DO WE KEEP ACCIDENT/INCIDENT FORMS?

Five years should be sufficient. If the accident/incident occurred in or after 2002 a person or parents must take action within a period of 3 years running from the date on which the cause of action first accrues to the plaintiff or to a person through whom the plaintiff claims. This was as a result of a very significant change to the Limitations Act of 1969.

WHAT INSURANCE COVER DO WE HAVE REGARDING PERSONAL ACCIDENTS AND WHAT AMBULANCE COVER DO WE HAVE?

This can vary each year but in 2010 ambulance cover is to a maximum of 75% and medical reimbursements AFTER claims from Medicare and private funds. See www.nsw.scouts.com.au/leaders/ScoutsSectionContent.aspx?id=434 and click on the Insurance Summary for more information.

CAN I STOP 'P' PLATE DRIVERS FROM TRANSPORTING MY YOUTH MEMBERS, I HEARD IT'S DISCRIMINATORY?

There have been such rulings/decisions, because they are legally licensed drivers. BUT you can talk about the experience of drivers. See Leader Support Guide 25.

CAN THE LEADER (IE CUB LEADER OR SCOUT LEADER) TRANSPORT SOMEONE ELSE'S CHILD TO MEETINGS AND ACTIVITIES?

Not advisable for legal reasons, offering to drive a child has a number of legal implications. We get a number of complaints each year alleging a leader behaved improperly or by their driving endangered their child. If it is only the one child in the car have them sit in the back. See Leader Support Guide 25.

HOW MUCH INFORMATION SHOULD BE INCLUDED IN THE DETAILS BOX OF THE A1?

Enough so that a REASONABLE person can understand the risks and give informed consent, before they approve and sign the form. See Leaders support Guide 29 which is now just below the A1 forms on the Forms section of the web.

WHY DO PARENTS AND LEADERS HAVE TO COMPLETE THEIR MEDICAL DETAILS ON THE APPLICATION FORM? ADULTS CAN LOOK AFTER THEMSELVES?

- a. We have a duty of care to all activity participants.
- b. Medical details can change even from two days ago.
- c. We have had leaders and parents have accidents and been rushed to hospital unconscious. It's easy just to hand over the form to the ambulance or doctor and they have all the medical details of the ill or unconscious patient. Youth members are renowned for hiding medical details. P.S. We have had leaders die in camp; diabetic comas; epileptic fits; and strokes.

WHY DO PARENTS AND LEADERS HAVE TO FILL OUT APPLICATION FORMS?

Gives us permission to act and seek help if there is an accident etc. Also proves they were able to make an informed decision and knew the details.

WHY DO PARENTS HAVE TO COMPLETE THE MEDICAL DETAILS OF THEIR CHILD - THEY ARE OLD ENOUGH TO TELL YOU IF THEY HAVE AN ALLERGY, TAKE MEDICATION ETC?

Ever heard of youth members being unconscious; of fever and delirious, or even fibbing about taking tablets? There are Coroner's records of children dying because they denied they had an allergy (peanuts). If a parent fails to provide Scouts with relevant information, it can assist us in defending a legal claim should the parents say we negligently exposed their child to risk.

HOW DO I FIND OUT WHAT ACTIVITIES MY REGION CONDUCTS?

Contact your District people or your Region or look in the Region's newsletters or website

DOES THE ASSOCIATION HAVE A GRIEVANCE PROCEDURE?

Yes, see Leaders Support Guide 15.

WHAT DO WE DO IF WE HAVE NO LEADERS FOR ONE OF OUR SECTIONS?

Suggest that the youth meet with another group until a new leader can be found. If no new leader found, help youth to transfer across to another group.

The GL/LIC's and the group committee should be advised of the situation and begin urgent recruiting processes to assist the group leader to replace the leader.

I AM ALONE AND HAVE DESPERATELY TRIED TO GET A SECOND LEADER TO HELP, CAN I STILL HOLD MEETINGS?

All that is asked is that you take reasonable and genuine steps to get someone and/or develop a **parent roster**. If you can show newsletters – notes – a special meeting etc that in the last 6 months the Group has been appealing for help this would satisfy most people and 3.4.1 in the Membership of Scouting (about page 147) Organisation & Information Handbook on the Web.

Your GL and Committee should be concerned about the ongoing risk to youth members if there is only one person in attendance – it is a GL/LIC responsibility to ensure there are at least two adults present at meetings. There is a need for the Group Committee to meet its responsibility to find another Leader, OR the GL/LIC, with the section Leader's assistance at least set up a parent roster thus ensuring the Group and Leaders don't leave themselves exposed legally. See Leaders Support Guide 28.

WHAT TO ASK PARENTS TO DO ON A PARENT ROSTER?

Simple, just be there. They can help if you want, or they can just sit and read or knit, and keep out of your way. Mostly it is someone to drive to hospital/home or if you are involved in an emergency, to virtually mind the youth members until parents arrive. **NB. Remember generally parents have not been police checked; reference checked or cleared so cannot be left alone.** They must be directly supervised at all times, and not in control of youth members, except in an emergency.

WHAT ARE PARENT HELPERS?

These are parents and other adults who have been invited, with the GL/LIC's approval, by the Leader to assist during the running of meetings and on activities. They often have particular skills and abilities that enhance the sections program. Like schools they often are those who attend outings to increase the number of adults per child ratio. **NB. Remember generally parents have not been police checked; reference checked or cleared and cannot be left alone.** They must be directly supervised at all times, and not in control of youth members, except in an emergency. Of course, it may be an opportunity to get the keen ones, interested in becoming Associate Leaders.

HOW DO I GET ON A TRAINING COURSE?

Ask you GL, DC or Region or look in the Training Calendar, check prerequisites and suitable dates, <http://www.nsw.scouts.com.au/leaders/ScoutsSectionContent.aspx?id=243> , complete the form and add a cheque, (Note: Leader Scout training courses are usually paid for by the Group, ask your GL) and send the form and cheque to the Region running the course, for State Courses direct to the State Office.

WHAT DOES A MEMBER SUPPORT PERSON DO?

Assist with information and provide suggestions for dealing with those in need. See Leader's News On The Web Dec 2008.

WHERE DO I GET ADVICE ABOUT YOUTH WITH SPECIAL NEEDS OR DISABILITIES?

Contact one of the two State Commissioners Special Needs, or a Members Support person. Check the Leader Support Guides for information on some of the issues.

WHAT IS THE CHILDREN'S COMMISSION AND ITS ROLE?

The Commission is a Government Department set up to police and supervise the various Child Protection Acts. It oversees the screening of people involved with youth and also looks into the welfare of young people.

WHERE DO WE GET COUNSELLING?

Scouts DON'T/CANNOT provide clinical counselling, just SUPPORT; people should see their own qualified medical or religious advisor. See Leaders Support Guide 34.

CAN GROUP LEADERS RUN SECTIONS?

This should only happen in emergency. The GL training doesn't include the finer details of running a section, however in an emergency its better for a GL to run a meeting than to cancel it. If it's going to be an ongoing thing there is an expectation that the GL will undertake some extra training to ensure the section is run as it's meant to.

DO LEADERS HAVE TO READ ALL THE 30 PLUS LEADER SUPPORT GUIDES?

The Leader Support Guides (LSGs) are designed as reference material and as such it is expected Leaders would select those that interest or concern them. Each LSG addresses each topic in detail, also covering the more complex and involved questions encountered over the years.

There are only ten basic LSG's that all leaders should have copies of, most distributed on Basic Training courses. These contain information that maximises the protection of members and are readily identified by the fact that they are listed in bold type on the web page, plus there is a download (470k) which contains all ten.

CAN SOMEONE UNDER 6 BECOME A JOEY AND AS A RESULT A MEMBER?

NO. The minimum age for a Joey, and therefore a member, is listed in the Policy and Rules as "**Joey Scouts must have had their sixth birthday**" Also see *Leaders News on the Web July 2010*

IF SOMEONE UNDER SIX ATTENDS JOEYS ARE THEY COVERED BY OUR MEMBERSHIP ACCIDENT INSURANCE ETC?

NO. Only by our Public risk Insurance. They have to take action against Scouts NSW.

ARE LEADERS COVERED BY SCOUTS NSW IF THEY ACCEPT YOUTH WHO HAVE NOT YET REACHED THEIR 6TH BIRTHDAY AND THERE IS AN ACCIDENT OR INJURY?

PROBABLY NOT. It's out of scouts' hands as any action would be most likely taken against the Leader personally, as the Leader could be considered *(a) outside the scope of the activities authorised by the community organisation concerned, or (b) contrary to instructions given by the community organisation* Also see *Leaders News on the Web July 2010*

CAN'T WE USE DISCRETION WITH JOEYS JOINING? OUR NSW O&I ALLOW LEADERS USE DISCRETION WITH AGES ?

NO. The discretion is only for those already members moving up to the next section. In often this is to hold back immature youth members Also see *Leaders News on the Web July 2010*

GROUP COMMITTEE.

WHERE DO I FIND INFORMATION REGARDING SECTIONAL MATTERS, GROUP COMMITTEES ETC?

The best resource is from you GL/LIC, DC or Region. This information can be found Group Organisation or Sectional chapters in the Organisation and Information (O&I) handbook on the web. Also see Leaders Support Guide 32. There are also a series of Group Management booklets which can be downloaded from the National Website at:
<http://www.scouts.com.au/main.asp?iMenuID=17003501#policies>

IS THE GL/LIC OR GROUP CHAIRPERSON RESPONSIBLE FOR THE WHOLE GROUP?

The GL/LIC has the overall responsibility for the entire Group.

It's similar to a school. The Principal runs the school, the Parents Committee have no say in the teaching and so it is with Scouts on the uniform side, the Group Committee is there to provide support.

The Group Committees provide funds, equipment, maintain the hall and equipment and find new leaders for the GL to approve. The GL should also ensure accounts are being kept properly and they operate within the Associations guidelines. (see Group Organisation and also Group Committee rules sections of the Organisation and Information (O&I) Handbook on the web.).

WHAT HAPPENS IF THE GROUP COMMITTEE START TO EXCEED THEIR AUTHORITY OR DO THINGS THAT ARE NOT CORRECT?

The GL/LIC should make attempts to correct the situation. This is often done in conjunction with the DC or Region.

HOW ARE MEMBERS OF THE GROUP COMMITTEE ELECTED OR REMOVED?

Membership of the Group Committee is usually by vote at the AGM or by simple majority of the members of the Committee present at a properly convened meeting, OR by the Group Leader, subject to the approval of the Region Council and the Region Commissioner. . (see Group Organisation and also Group Committee rules sections of the Organisation and Information (O&I) Handbook on the web.).

WHO COLLECTS WHAT FEES, AND WHO IS RESPONSIBLE FOR BANKING MONEY WITHIN GROUPS?

ALL monies collected by all sections of the Group, and the bank account is the responsibility of the Group Treasurer, in some Groups the LIC/GL might do this if they cannot get a Treasurer.

All monies including subscriptions must go to the Treasurer. In some Groups this doesn't include monies collected for supplies for a camp or outing, but even then the leader must account for it.

The Group Leader/Leaders are usually allocated 'petty cash' to meet incidental expenses.