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# Scouting Ireland – Procedure for Suspension without Prejudice

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## Definitions

- In this document, “member” refers to an individual adult member of Scouting Ireland as opposed to a Scout Group which is a member of the Company, for governance and related purposes, in the Constitution of the Company.
- In this document, “the Board” refers to the Board of Directors of Scouting Ireland.
- A “Delegated Officer” is the holder of a specific position to whom the Board, through this procedure, has delegated certain powers subject to this procedure.
- A member who is suspended, without prejudice, may not attend or participate in any meetings or activities relevant to the role/roles or duty/duties they have been suspended from.

## Suspension without Prejudice

The Board reserves the right to suspend, without prejudice, any member from all or part of their scouting roles or duties at any level including Group and international.

### Pre-Board Procedures

- It is accepted that there are times when important decisions are required regarding the suspension of a member, without prejudice, where there is a clear risk to the welfare of a child or adult, or to the reputation of Scouting Ireland as a whole, exists and such decisions are required to be made with the utmost expediency. This can happen on a Group or Section outing, at a County event or in a Provincial or National setting. The following sets out the procedure for dealing with such cases where it is inappropriate for the organisation to await the convening of a meeting of the Board to instigate such a suspension.
- Where a case can await a convening of a meeting of the Board to instigate a suspension, without prejudice, or where there is no clear risk to the welfare of a child or adult or to the reputation of Scouting Ireland, the matter should be referred, by a Delegated Officer, to the Board for decision.

### Delegated Officers

- Delegated Officers are delegated the authority to suspend, without prejudice, any member from all or part of their scouting role or duties where their continued participation poses a clear risk to the welfare of a child or adult or to the reputation of Scouting Ireland.
- Where a Delegated Officer suspends a member, without prejudice, a full report should be immediately provided, by the Delegated Officer, to the Board stating the grounds for the suspension and level of suspension imposed. The Board will examine, at its earliest opportunity, each case and may approve, amend or reverse the decision made by the Delegated Officer.
- It should be noted by Delegated Officers that this report to the Board regarding a suspension, without prejudice, does not constitute nor replace the normal reporting responsibilities for safeguarding or Disciplinary matters to the Disciplinary Panel.

Delegated Officer	Level of Delegation
Group Leader	Group level only
County Commissioner	County and Group levels only
Provincial Commissioner	Provincial, County and Group levels only
The Disputes Resolution and Appeals Panel	All levels
Safeguarding Manager	All levels
Disciplinary Panel	All levels
Chief Executive Officer	All levels

## Board Procedure

- On receipt of a report regarding a decision by a Delegated Officer to suspend a member, without prejudice, from all or part of their scouting roles or duties, the Secretary of the Board will add same to the agenda for the next available Board meeting.
- On receipt of a request for the Board to consider suspending a member, without prejudice, the Secretary of the Board will add same to the agenda for the next available Board meeting.
  - For clarity, a member of the Board may request the Board to consider suspending a member, without prejudice.
- Board members will be apprised of the identity of the member in question, the Delegated Officer and the *prima facie* grounds for the suspension, without prejudice. The Board may endorse the suspension and approve same or it may amend or reverse the decision.
- The degree of confidentiality surrounding such matters should be of the highest order and efforts should be made to minimise the risk of reputational damage to individuals prior to full and fair procedures being engaged. Minutes recording the outcome of such decisions should be anonymised to protect the identity of the parties involved.
- It will be borne in mind by Board members that such a suspension is without prejudice, based merely on *prima facie* evidence. The Board will judge any subsequent recommendations from the Safeguarding Manager, Disputes Resolution and Appeals Panel or Disciplinary Panel, following their processes, on their own merits at that time.
- The Board may extend, reinstate, amend or reverse any suspension at any time. All such decisions should be documented in the Board minutes with any accompanying rationale.