



**SCOUTS**<sup>®</sup>  
South Africa

# Members Code of Conduct and Disciplinary Policy

Revision Date: 2014/08/01

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## **Preamble**

Members of SCOUTS South Africa (SSA) are as defined in the Constitution and Organisational Rules. (OR) of SSA. The members are volunteers but SSA also has a small number of contract and permanent employees.

Volunteers are fundamental to the success of the Scout system and the delivery of its programmes. SSA's Constitution and OR regulate all aspects of volunteering in SSA. As a group working together, conflict situations may arise and in the interests of the organisation and the individual members, it is necessary to define, in clear terms, the expected conduct and grievance procedures relating to volunteers hence the formulation of the "Members Code of Conduct and Disciplinary Policy".

Volunteers refers to any adult member who is motivated by free will to participate in any activity or programme organised by SSA to benefit the youth and their communities in accordance with the fundamental principles of the SSA.

Scouting is a value based Organisation and its sole purpose is to contribute to the development of young people. The programmes are based on the values that are embodied in the Promise and Law and all Scouting events and activities should take place in a happy, friendly and safe environment where all members and employees, are expected to exercise a "Duty Of Care" and act in accordance with the Promise and Law.

### **SCOPE**

This Policy and its Annexures applies to all Members of SSA. Any breach may result in disciplinary action (including dismissal in some instances) and, in some cases, may lead to criminal prosecution.

The conduct of Employees is governed by their contracts of employment, which invoke this Member Code of Conduct and Disciplinary Policy, but the Annexures to this policy do not apply to employees. There are separate Policies which cover Grievance Procedures, Disciplinary Procedures and other matters for Employees

### **Revision Approval**

This revision of the Members Code of Conduct and Disciplinary Policy was approved for publication at the SSA Executive Committee (Exco) Meeting held on 01/08/2014 by the committee comprising:

Dr Brendon Hausberger; Mr John Fraser; Dr Allison Griffiths; Mr Khonzaphi Mdaka; Mr Allan Petrie; Mr Darren Robinson; Mr Henry Sibande; Ms Milly Siebrits and Mr Andrew Tanner

It comes into effect on the date of this Revision, which is the publication date.

## **1. GENERAL CONDUCT**

- 1.1 All conduct of members and employees will be regulated by this Code of Conduct and Disciplinary Policy and their conduct is also governed by the Promise and Law.
- 1.2 Members and Employees of SSA are expected to;
  - 1.2.1 Respect the rights and the dignity of themselves and others.
  - 1.2.2 Declare any criminal convictions or pending charges, prior to registering as a member or accepting a Warrant.
  - 1.2.3 Notify the organization of any new criminal charges whilst a member of SSA.
  - 1.2.4 Ensure that the members for whom he or she is responsible observe the rules, regulations and policies of SSA.
  - 1.2.5 Act with consideration and good judgment in all interpersonal relationships both inside and outside the Movement.
  - 1.2.6 Not use the movement to promote interests, which are in conflict with Scout principles or for their own gain.
  - 1.2.7 Avoid unaccompanied and unobserved activities with Youth members.
  - 1.2.8 Avoid potentially compromising situations by ensuring, where reasonably possible, that at least two adults are in attendance while supervising and/or accompanying youth members.
  - 1.2.9 Respect the right of all members to personal privacy at all times with special consideration to providing separate sleeping accommodation and washing facilities for male and female Youth Members that are also different from the separate facilities provided for male and female Adult Members.
  - 1.2.10 Refrain from smoking in front of youth and/or providing tobacco products to youth.
  - 1.2.11 Refrain from drinking alcohol in front of youth and/or providing alcohol products to youth.
  - 1.2.12 Refrain from using their role as Adult Members or Employees to have relationships with youth participants outside of Scouting.
  - 1.2.13 Follow the Scouts guidelines for connecting with youth participants using technology.
  - 1.2.14 Realise that any form of bullying, physical, verbal or cultural abuse and neglect or abuse of any other form is unacceptable conduct by any member of the Movement.
  - 1.2.15 Act in accordance with the Promise and the Law, Constitution, OR and all Policies and Guideline of SSA.

## **2. DISORDERLY BEHAVIOUR**

2.1 The following behaviour is not permitted and will not be tolerated by SSA.

2.1.1 Threatening or attempting to physically injure another person.

2.1.2 Disobeying a direct instruction from a superior member at an event or in the execution of normal SSA activities

2.1.3 Fighting.

2.1.4 Any behaviour that causes or could cause danger to others.

2.1.5 Any behaviour that causes or could cause damage and or malfunction of any property or equipment belonging to or being used by SSA.

## **3. GAMBLING**

No Gambling or betting as described by the Gaming Act, as requiring a gambling licence, may be carried out on any Scout premises or be part of any Scouting activities. This does not include Bingo, Raffles or Fair type games that are played as part of a fundraising activity.

## **4. PRIVATE WORK**

No member may use the SSA's equipment, property, (Physical and Intellectual) or material for private work or the raising of funds for a private individual.

## **5. CHILD PROTECTION**

5.1 The Child Protection policy of SSA is to safeguard the welfare of its members by protecting them from physical, sexual and verbal harm, or the neglect that allows such harm to occur. It is expected that Members act in accordance with the SSA Child Protection Policy.

5.2 No form of illegal activities against children and youth will be condoned and members are to report any such known or suspected activity in accordance with SSA Child Protection Policy.

## **6. SAFETY REGULATIONS**

It is the duty of all members to observe safety regulations and instructions when he / she is leading a Scout Activity. Members must not take unnecessary risks, which potentially dangerous to themselves and others may damage the property of SSA or Members. Members must abide by the Safe Scouting Policy

## **7. MEDIA / INFORMATION / SECURITY**

### **7.1 Media Contacts**

Only the Chief Executive Officer, an appointed deputy or those otherwise so authorised may liaise with and issue statements on matters of SSA policy and related topics, to the media, i.e. Press, radio, television and social media.

No member shall discuss any matter regarding SSA Policies and members with any media representative.

All requests for authorisation in this regard shall be directed to the Chief Executive Officer.

### **7.2 Membership / Financial Data**

Membership details are strictly confidential and the divulging any personal information about members is prohibited.

Financial information may not be divulged to any source within or outside the movement except in established forums making provision for financial reporting.

## **8. LANGUAGE**

Vulgar, inappropriate language or swearing is prohibited. Language should be acceptable in terms of the Scouting ethic.

## **9. DISCRIMINATION**

No behaviour which discriminates / or is seen to discriminate on any basis will be tolerated.

## **10. ALCOHOL / DRUGS / CHEMICAL SUBSTANCES**

No member or other person who has a duty of care shall use or permit the use of alcohol, illegal drugs and chemical or related substances by any member who is supervising, participating in or presenting any facet of SSA's programmes.

## **11. FIREARMS / WEAPONS**

11.1 No member shall carry or bring onto SSA premises any dangerous or potentially dangerous or lethal weapons or articles without prior authority from their District or Regional Commissioner to do so.

11.2 Knives and / or axes may be carried by members where it is appropriate to do so.

11.3 All members must ensure that all third parties carrying firearms and / or weapons at Scouting activities have the necessary authority to do so.

## **12. AMENDMENT**

The Scout Executive is entitled to amend, add to or suspend any part of this Policy. Any Amendments, additions or suspensions will be binding on all Members and operate from the date determined by Exco.

## **13. CONSEQUENCES OF TRANSGRESSING THE MEMBER CODE OF CONDUCT**

13.1 Following the allegation of a breach of any of the regulations found in this Policy, the OR or Constitution of SSA, the appropriate disciplinary process must be followed. The procedures for youth members differ from those for adult members.

13.2 Subject to the outcome of the disciplinary process, SSA reserves the right, at its sole discretion, to apply any of the following remedies or corrective actions:

- No action against the Member;
- A verbal warning to the Member;
- A written warning to the Member;
- A Final written warning to the member
- Termination of the membership of SSA;
- Any other corrective action deemed to be appropriate and in the interests of SSA.

13.3 Should a member voluntarily resign following accusations of misconduct or the initiation of the disciplinary process, the process shall still be conducted, if deemed necessary by the appropriate authority and a finding made. Should the member decline to participate in the disciplinary process, it shall be conducted in their absence and a finding made.

The Grievance and Disciplinary Procedures form part of this Policy and are contained in Annexure A: Member Grievance Procedure, Annexure B: Adult Disciplinary Code and Procedure and Annexure C; Youth Disciplinary and Grievance Procedures. These Annexures do not apply to Employees, for whom there are separate Policies governing these matters.

## **Amendment Submission Contact Details**

While every attempt is made to ensure that the contents of this policy are correct and consistent at the time of publication, the changing nature of SSA and the communities that we serve is acknowledged, and as living documents this Policy should and will require correction and amendment from time to time.

Any proposals for amendment of the contents of this policy should be submitted in line with the process described in the standing Organisation Rules in effect at the time of submission of the proposed amendment.

The proposed amendments for this document should be submitted to:

SCOUTS South Africa

National Office

PO Box 374

Newlands

7725

[info@scouting.org.za](mailto:info@scouting.org.za)

Fax: 021 685 9050



## **ANNEXURE A: MEMBER GRIEVANCE PROCEDURE**

### **1. APPLICATION**

- 1.1. This procedure applies to all members of SCOUTS South Africa (SSA).
- 1.2. The grievance procedure aims at resolving grievances of / or amongst members at the earliest possible time.
- 1.3. Any member lodging a grievance shall be given every opportunity to have the benefit of an interpreter to enable a thorough and correct version of the grievance to be presented.
- 1.4. Suitable records will be kept of all statements and decisions.
- 1.5. The grievance procedure shall not be invoked by a member for the purpose of amending any policy or procedure of SSA as the process for such changes is clearly defined in OR.**
- 1.6. All parties may mutually consent to dealing with grievances expeditiously or to extend the time limits specified below.

### **2. STAGES OF THE PROCEDURE**

The stages of any grievance procedure shall be followed as set out below.

### **3. STAGE ONE (Grievance not involving next in-line Scouter)**

- 3.1. The member involved must first raise the grievance with his or her next in-line Scouter making it clear that the first step in the grievance procedure is being implemented. The member must complete and submit a grievance report form (attached) within two (2) days of the event or action giving rise to the grievance.
- 3.2. The person in receipt of the grievance report form shall act as the assessor and attempt to resolve the grievance within seven (7) days of the grievance being presented.
- 3.3. Should the grievance be resolved within the seven (7) days then this must be recorded on the grievance report form with copies retained by the member, RC and National Office.
- 3.4. No further action shall be taken.

### **4. STAGE ONE ALTERNATIVE (Grievance involving a next in-line Scouter)**

- 4.1. If the grievance involves their immediate superior, then the member must complete a grievance report form (attached) and submit it to the next most senior Scouter, (next in line reporting body), while retaining a copy for themselves.
- 4.2. The person in receipt of the grievance report form shall act as the assessor and attempt to resolve the grievance within seven (7) days of the grievance being presented.

- 4.3. Should the grievance be resolved within the seven (7) days then this must be recorded on the grievance report form with copies retained by the member, RC and National Office.
- 4.4. No further action shall be taken.

## **5. STAGE TWO**

- 5.1. If the grievance has not been resolved within seven (7) days from the completed forms being handed to the next in line reporting body (STAGE ONE) the grievance shall proceed to stage two.
- 5.2. The person in receipt of the grievance report form, the assessor, shall submit it to the Regional Commissioner and shall add his / her own comments and the reasons for failure to resolve the grievance.
- 5.3. The Regional Commissioner shall attempt to resolve the grievance within fourteen (14) days. A second assessor may be appointed, at the discretion of the first assessor
- 5.4. If the Regional Commissioner was already involved at STAGE ONE he/she will submit the grievance report form to the National Adult Resources Chairperson who will then be the assessor. A second assessor may be appointed, at the discretion of the first assessor
- 5.5. If the grievance is resolved, the Assessor(s) shall complete a grievance report. One copy will be handed to the member, a copy retained by the RC and another copy will be filed at the National Office.

## **6. STAGE THREE**

- 6.1. If a satisfactory solution has not been reached during STAGE TWO, the Regional Commissioner is to confer with the National Adult Resources Chairperson and the National Adult Support Chairperson within seven (7) days in an attempt to resolve the grievance.
- 6.2. The National Adult Resources Chairperson and the National Adult Support Chairperson shall use their best efforts to resolve the grievance and the result will be recorded on the grievance report form. One copy will be handed to the member, one copy to the RC, a copy retained by the National Adult Support Chairperson and another copy to be filed at the National Office.

## **7. STAGE FOUR**

Should a satisfactory solution not have been reached during STAGE THREE then the Chief Commissioner in conjunction with the Chief Scout will rule on the matter, which ruling will be final and binding.

## **8. REFERRAL HIERACHY**

**Group Issues – SGL or District Commissioner**

**District Issues – Regional Commissioner**

**Regional Issues – National Adult Support Chairperson**

**National Issues – Chief Scout**

**SCOUTS South Africa**

**Grievance Report Form: Stage One**

Date: \_\_\_\_\_

Complainant's Name: \_\_\_\_\_ Position and Region: \_\_\_\_\_

***Nature of Grievance***

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**Settlement Desired**

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Assessors Name: \_\_\_\_\_ Position \_\_\_\_\_

**Facts Found**

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**Solution Offered**

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**Reason for decision**

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Solution ACCEPTED/REJECTED by Complainant

Solution ACCEPTED/REJECTED by Defendant

If rejected, each to give reasons (on a separate page if necessary, and attach to report)

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Complainant's Signature: \_\_\_\_\_ Defendant's Signature \_\_\_\_\_

If solution is rejected, Grievance referred to: \_\_\_\_\_

Assessor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Note: all parties to sign in each other's presence.

**SCOUTS South Africa**  
**Grievance Report: Subsequent Stages: \_\_\_\_\_**

Assessor One Name: \_\_\_\_\_ Position \_\_\_\_\_

Assessor Two Name: \_\_\_\_\_ Position \_\_\_\_\_

**Additional Facts**

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**Solution offered**

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**Reason for Decision**

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Solution ACCEPTED/REJECTED by Complainant.

Solution ACCEPTED/REJECTED by Defendant

If rejected, each to give reasons (on a separate page if necessary, and attach to report)

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Complainant's Signature

Defendant's Signature

If solution is rejected, Grievance referred to: \_\_\_\_\_

\_\_\_\_\_  
Complainant's Signature

\_\_\_\_\_  
Defendant's Signature

\_\_\_\_\_  
Assessor One

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Assessor Two Name

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

Note: all parties to sign in each other's presence

# **ANNEXURE B: ADULT DISCIPLINARY CODE AND PROCEDURES**

## **1. 1.GENERAL PRINCIPLES**

- 1.1. Discipline, for the purpose of the Code of Conduct, shall be defined as the effort applied by SSA's leadership to direct member's conduct by the correction of their actions towards acceptable conduct within a system of established SSA rules. This is to prevent the spread and recurrence of misconduct, the acting outside of one's level of authority, the infringement of Constitutional rights and serious malpractices which are contrary to the interests of SSA, its good name, its volunteers and members.
- 1.2. The authority and responsibility for the Maintenance of discipline is vested in the Exco through its appointed members and shall be implemented in accordance with the Member Code of Conduct and OR.
- 1.3. The underlying aim of the procedure is to correct rather than to punish unacceptable behaviour and for discipline to be carried out in a fair, consistent, humane and prompt manner.
- 1.4. An appeal procedure is available to members dissatisfied with the outcome of a disciplinary enquiry.
- 1.5. This Code of Conduct does not compromise the authority vested in the Chief Scout and Chief Commissioner to exercise their authority as entrenched in the Constitution and OR, to cancel the warrants or the membership of any member.
- 1.6. The Guidelines contained in this document have been prepared for the guidance of Members, but the sanctions given for any offence are not mandatory, but a guide. The particular circumstances of each incident must be carefully considered.

## **2. THE DISCIPLINARY CODE**

- 2.1. The severity of disciplinary action is the prerogative of SSA's leadership and Exco, within the boundaries of laid down policy and procedures.
- 2.2. SSA may exercise disciplinary action against a member although the cause may not be referred to or described herein.
- 2.3. Whenever an offence is sufficiently serious to warrant the dismissal of the member nothing prevents the CS and CC from giving a warning instead. Conversely, whenever an offence would normally result in a warning being given, the CS and CC are not precluded from dismissing the member concerned, having followed the disciplinary process.
- 2.4. It is to be clearly understood that, in relation to the offences listed:
  - 2.4.1. it shall in no way limit SSA to only take steps set out therein;
  - 2.4.2. whenever a member has been given a final written warning, SSA may dismiss the member if a further offence is committed.
- 2.5. A previous warning may be disregarded by the panel considering a new disciplinary matter, depending on the time elapsed and the nature of the offences.
- 2.6. Warning forms need to be signed by the member to acknowledge the warning and signify that its meaning is understood. Should the member refuse to sign the form,

the issuer must record the refusal and the reason, if any. Such refusal shall not invalidate the effect of the warning or preclude the member from lodging an appeal.

- 2.7. Whenever any allegation is made against a member it must be investigated before any disciplinary action is taken. However SSA may suspend a member during the investigation if he/she is viewed to be potentially harmful to SSA's objectives; its reputation; its relationships and/ or operations, or an obstruction to the investigation.
- 2.8. SSA is entitled to amend or otherwise vary the list of the offences or the corresponding penalties referred to in the Disciplinary Code, provided however that any such amendments shall only apply from such time as it they have been approved and recorded by the Exco.

### **3. DISCIPLINARY PROCEDURE**

- 3.1. Disciplinary action will usually be a step by step process, starting with a Notice to attend Disciplinary Hearing and working through the procedures.
- 3.2. A witness should be present when official warnings are issued. All parties present should sign the documentation. If the volunteer/member refuses to sign, then the witness should sign that the warning has been issued.

### **4. DISCIPLINARY ACTION**

The major types of disciplinary action are:

- Verbal Warning
- Written Warning
- Final Written Warning
- Termination of Membership

All disciplinary actions remain on the member's personal record file.

#### **4.1. VERBAL WARNING**

Verbal warning will be issued for:

Misconduct of a nature where a disciplinary hearing (see below) has recommended a verbal warning in the first instance.

The member must be advised that this is the first step in the disciplinary procedure.

The verbal warning is usually valid for 3 months at the discretion of the Disciplinary Hearing.

**The verbal warning should be recorded in writing and kept on file.**

#### **4.2. WRITTEN WARNING**

A Written warning will be issued for:

A repeat offence for which a Verbal warning has been issued.

OR

Misconduct of a serious nature where a disciplinary hearing has recommended a written warning.

A written warning is usually valid for 3 OR 6 months at the discretion of the Disciplinary Hearing

**The written warning must be recorded in writing and kept on file**

#### **4.3. FINAL WRITTEN WARNING**

A Final Written warning will be issued for:

A repeat offence for which a written warning has been issued.

OR

Misconduct of a serious nature where a disciplinary hearing has recommended a Final Written Warning.

A Final written warning is usually valid for 6 OR 12 months at the discretion of the Disciplinary Hearing

**The final written warning must be recorded in writing and kept on file**

#### **4.4. TERMINATION**

Where a final written warning has been issued, and a similar offence is committed, a recommendation for the dismissal of the member may be made and a notice to attend a Disciplinary Hearing will be issued.

OR

Where it is deemed that an offence which may warrant termination has been committed, the member will be suspended and issued with a notice to attend a Disciplinary Hearing

### **5. DISCIPLINARY HEARING**

- 5.1. Notification of a Disciplinary Hearing and charges/complaints must be given to the member in writing prior to the hearing-taking place. The member should be given at least seven (7) days to prepare.
- 5.2. Where members in a Group are notified of a disciplinary hearing the hearing will be chaired by the District Commissioner of that District. In the case of District members being charged the hearing will be chaired by the Regional Commissioner and in the case of a Regional member the hearing will be chaired by a National member. The person laying the charge will present the arguments supporting the charge and the member charged will make his/her own defence and may be supported by another member of SSA
- 5.3. The member and his/her representative (if requested) must be present at the hearing. If the member is not present and has not given an acceptable reason for their inability to attend, the hearing will be held in absentia with the decision being binding.



- 5.4. The Chairperson must enquire whether the member wishes an interpreter to be made available. If so, then one should be supplied by SSA. The member must be advised of their right of appeal
- 5.5. All documentation must be made available to all parties with copies forwarded to National Office.
- 5.6. Witnesses may be called and questions put to them by both parties.
- 5.7. The Member should be notified in writing of the findings of the disciplinary hearing within 48 hours after the hearing has taken place.
- 5.8. The proceedings of the hearing shall be recorded in whatever manner the Chairperson directs but preferably electronically or in writing.
- 5.9. All participants at all hearings will be from within the movement.
- 5.10. The member has the right to appeal in the event of being found guilty. An appeal in writing (see attached form) needs to be presented within 48 hours of being notified of the decision and needs to be lodged with the Chairperson of the hearing. The appeal will be communicated to the Regional Commissioner and the National Office.
- 5.11. All appeals must be directed through the correct channels. The Chief Commissioner in conjunction with the Chief Scout will be the last line of appeal and their decision is final.

## **6. DISCIPLINARY ENQUIRY**

- 6.1. A disciplinary enquiry will be instituted where the outcome thereof may lead to the Dismissal of the member (Termination of the member's Membership and or association with SSA).
- 6.2. The member being charged needs to be informed that the outcome of the enquiry may lead to the termination of their membership and / or association.
- 6.3. It is preferable that the Chairperson of the enquiry be independent and unfamiliar with parties involved and the details of the charge.
- 6.4. Procedures are that of 5 above.

## SSA GUIDELINES FOR SANCTION OF ADULT MEMBERS

OFFENCE	VERBAL WARNING	WRITTEN WARNING	FINAL WRITTEN WARNING	DISMISSAL
<b>Class A</b>				
1. Defamatory language	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
2. Negligence (minor)	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
3. Rowdy, uncouth and aggressive behaviour, use of foul or derogatory or insolent language.	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
4. Poor Performance	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
5. Absence without permission	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
6. Swearing in front of youth members	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
7. Excessive shouting constituting verbal abuse.	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
8. Depriving youth members from sleep.	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
9. Inconsistent discipline.	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
10. Arranging/carrying out an activity in private that involves one leader and one youth member.	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
11. Failing to maintain the appropriate ratio of leaders to youth members.	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
12. Enforcing physical forfeits/punishments such as press-ups that are beyond the physical ability of the individual.		<b>X</b>	<b>X</b>	<b>X</b>
13. Not providing appropriate toilet facilities resulting in compromising the privacy of a mixed group.		<b>X</b>	<b>X</b>	<b>X</b>
14. Not providing single sex changing areas for youth members.		<b>X</b>	<b>X</b>	<b>X</b>
15. Failing to provide separate sleeping areas for boys and girls on the camp.		<b>X</b>	<b>X</b>	<b>X</b>

<b>OFFENCE</b>	<b>VERBAL WARNING</b>	<b>WRITTEN WARNING</b>	<b>FINAL WRITTEN WARNING</b>	<b>DISMISSAL</b>
16. Failing to provide separate sleeping areas for adults and youth members on the camp.		<b>X</b>	<b>X</b>	<b>X</b>
17. Failing to act after discovering a Scout who acquired cigarettes, illegal substances and/or alcohol		<b>X</b>	<b>X</b>	<b>X</b>
<b>Class B</b>				
18. Failure to observe safety rules.		<b>X</b>	<b>X</b>	<b>X</b>
19. Damage to and wastage of equipment. Or the unauthorised use thereof		<b>X</b>	<b>X</b>	<b>X</b>
20. Lying and acts of dishonesty		<b>X</b>	<b>X</b>	<b>X</b>
21. Attempted assault or threatening assault.			<b>X</b>	<b>X</b>
22. Discussion of a sexual nature with other adults where youth members may hear.		<b>X</b>	<b>X</b>	<b>X</b>
23. Failing to act after discovering a youth member or Adult Leader who acquired pornography.		<b>X</b>	<b>X</b>	<b>X</b>
24. Failing to act after discovering a youth member or Adult Leader who have acquired and consumed alcohol at a Scouting activity.		<b>X</b>	<b>X</b>	<b>X</b>
25. Being seen/heard engaging in sexual activity with another adult at a Scout event			<b>X</b>	<b>X</b>
26. Failing to act after discovering a youth member or Adult Leader who have acquired illegal substances.			<b>X</b>	<b>X</b>
27. Forcing a youth member to do things that go against their religion, for e.g. forcing a youth member to eat something forbidden by their religion or denying a youth member			<b>X</b>	<b>X</b>

<b>OFFENCE</b>	<b>VERBAL WARNING</b>	<b>WRITTEN WARNING</b>	<b>FINAL WRITTEN WARNING</b>	<b>DISMISSAL</b>
reasonable opportunities for religious observance				
28. Failing to stop peer initiation practices if discovered.			<b>X</b>	<b>X</b>
29. Sharing a tent with a youth member under 18 yrs. old.			<b>X</b>	<b>X</b>
30. Bullying or allowing bullying to continue.			<b>X</b>	<b>X</b>
31. Threatening, humiliating or belittling a youth member.			<b>X</b>	<b>X</b>
<b>Class C</b>				
32. Possession of dangerous weapons.			<b>X</b>	<b>X</b>
33. Endangering the safety of others			<b>X</b>	<b>X</b>
34. Unauthorised use or misuse of SSA property.			<b>X</b>	<b>X</b>
35. Unauthorised possession of SSA property.			<b>X</b>	<b>X</b>
36. Assaulting another person.			<b>X</b>	<b>X</b>
37. Consumption of alcohol at a scout event where youth members are present.			<b>X</b>	<b>X</b>
38. Possession of pornography at a Scout event.			<b>X</b>	<b>X</b>
39. Encouraging nudity e.g. nude swimming.			<b>X</b>	<b>X</b>
40. Malicious or deliberate damage to SSA or third party property.				<b>X</b>
41. Any Act of sexual harassment				<b>X</b>
42. Found guilty of a criminal offence by a court of law.				<b>X</b>
43. Use or possession of intoxicating substances (other than alcohol) for non-medicinal purposes at a scout event.				<b>X</b>
44. Allowing mixed male and female nudity.				<b>X</b>

<b>OFFENCE</b>	<b>VERBAL WARNING</b>	<b>WRITTEN WARNING</b>	<b>FINAL WRITTEN WARNING</b>	<b>DISMISSAL</b>
46. Racial verbal abuse				<b>X</b>
47. Sexual intercourse or other sexual relations with a youth member.				<b>X</b>
48. Being under the influence of drugs or alcohol at a Scout event.				<b>X</b>
49. Negligence (Gross)				<b>X</b>



## SSA NOTICE TO ATTEND A DISCIPLINARY ENQUIRY

Issued to: \_\_\_\_\_ Position: \_\_\_\_\_

In the presence of his/her

Representative: \_\_\_\_\_ Date: \_\_\_\_\_

Issued by: \_\_\_\_\_ Time issued: \_\_\_\_\_

1. Please attend a disciplinary enquiry concerning your alleged misconduct. The enquiry will take place:

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

PLACE: \_\_\_\_\_

2. THE CHARGES AGAINST YOU:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Copies of documents, which will be used against you at the enquiry, are attached for you to examine.

4. Depending on the facts that are proved at the enquiry, you may be dismissed.

5. You are /are not suspended until the outcome of the enquiry is known.

6. Advice urgently whether you choose to be represented, need an interpreter and wish to call witnesses, so we can, if necessary, make advance arrangements for them to consult with you and attend the enquiry. (These persons must be from within the Movement).

7. If you fail to arrive at enquiry without good reason being sufficiently in advance, may be held without you, and you may still be dismissed.

8. Your rights concerning a fair hearing:

- a) To be told the charge(s)
- b) To have adequate notice of the enquiry
- c) To have a supporter (for example, a fellow member)
- d) To call witnesses (excluding youth members)
- e) To be told the findings and the reasons for it
- f) To have your service considered
- g) To be told of the penalty
- h) To appeal

SIGNATURE: \_\_\_\_\_ POSITION: \_\_\_\_\_

I understand the importance of this notice, the seriousness of the enquiry, and the rights.

Member: \_\_\_\_\_ Received on: \_\_\_\_\_

(If you refuse to sign a witness may be asked to sign on your behalf.)

**SSA DISCIPLINARY ENQUIRY**

1. PRESENT

Name:

Role:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. Summary of the main points of evidence (state names and responsibilities of witness giving evidence and attached any supporting documentation).

\_\_\_\_\_

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\_\_\_\_\_

3. Chairman’s findings concerning the member’s alleged misconduct.  
The member is found GUILTY/NOT GUILTY of the following misconduct.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. IF GUILTY, record of valid previous warnings.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



5. Factors considered in mitigation.

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6. Disciplinary action taken.

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7. Does the member wish to appeal?

Yes/ No

If yes, reason for appeal:

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Signed: \_\_\_\_\_  
Chairperson

\_\_\_\_\_ Date



**SSA APPEAL HEARING**

PRESENT

Name:

Role:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Chairperson's findings concerning the appeal (any additional evidence/facts brought to light):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Chairperson's decision

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signatures:

_____	_____
CHAIRPERSON	DATE
_____	_____
MEMBER	DATE
_____	_____
MEMBER	DATE
REPRESENTATIVE /	
WITNESS	

# **ANNEXURE C: YOUTH DISCIPLINARY AND GRIEVANCE PROCEDURES**

## **1. SCOUT PROCEDURES**

### **Role of Court of Honour with respect to Scout Grievance & Disciplinary Procedures**

Scout members of SSA are expected to comply with the Scout Promise and Law & in their day to day life.

They should also abide by the statements contained in the document "I know my Rights & Responsibilities".

The age profile and maturity level of members of the Court of Honour (CoH) will have a direct impact on their ability to deal with issues. No two CoH's are the same.

The process to be followed is as follows:

- 1.1 The complaint/ grievance must be recorded and documented in writing by the SSA Adult Member receiving it.
- 1.2 The SSA Adult Member must afford the Scout Member against whom the allegation is made an opportunity to make a written statement in his/her defence.
- 1.3 Where appropriate the TS should present the complaint/grievance to a meeting of the CoH. It may be necessary to convene an extraordinary CoH meeting to deal with the matter.
- 1.4 The CoH must be provided with ALL relevant information.
- 1.5 The CoH will make a finding and recommendation of any disciplinary action to be taken against the Scout Member.
- 1.6 The TS may veto the decision of the CoH and suggest an alternative outcome.
- 1.7 When a decision has been reached by the CoH and accepted by the TS and SGL, the Scout Member must be informed of the decision reached. The decision should be recorded in writing.
- 1.8 In certain instances it may be inappropriate for the CoH to deal with matters, in which case the TS and SGL will conduct a formal Disciplinary Hearing.
- 1.9 Parents should be informed of the matter and any decisions reached.
- 1.10 In the event of the Scout Member, 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 seven (7) days of receiving the decision of the CoH or TS/SGL.
- 1.11 The District Commissioner will within fourteen (14) days review the complaint or grievance and make a ruling.
- 1.12 In the event of the Scout Member, Parent/Guardian wishing to appeal the decision of the DC, they shall be permitted to make a further appeal to the Regional Commissioner (RC). The appeal must be lodged within seven (7) days of receiving the determination of the DC. The RC shall review the matter and make a determination within seven (7) days of receiving the appeal.
- 1.13 The decision of the RC shall be final.

**NOTE: APPEALS FOR YOUTH MEMBERS TERMINATE AT REGIONAL LEVEL**

## 2. SSA GUIDELINES FOR SANCTION OF SCOUT YOUTH MEMBERS

<b>OFFENCE</b>	<b>VERBAL WARNIN G</b>	<b>WRITTEN WARNIN G</b>	<b>FINAL WRITTEN WARNING</b>	<b>DISMISSAL</b>
<b>Class A</b>				
1.Negligence (minor)	<b>X</b>	<b>X</b>		
2.Defamatory language	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
3. Rowdy, uncouth and aggressive behaviour, use of foul or derogatory or insolent language.		<b>X</b>	<b>X</b>	<b>X</b>
4. Excessive shouting constituting verbal abuse.		<b>X</b>	<b>X</b>	<b>X</b>
5. Enforcing physical forfeits/punishments such as press-ups that are beyond the physical ability of the individual.		<b>X</b>	<b>X</b>	<b>X</b>
6. Depriving fellow youth members from sleep.		<b>X</b>	<b>X</b>	<b>X</b>
7. Discussion and jokes of a sexual nature with other youth members.		<b>X</b>	<b>X</b>	<b>X</b>
8. Possession of pornography at a Scout event		<b>X</b>	<b>X</b>	<b>X</b>
9. Bullying: physical, verbal or cyber		<b>X</b>	<b>X</b>	<b>X</b>
10. Failing to report after fellow youth members have acquired tobacco, alcohol or illegal substances		<b>X</b>	<b>X</b>	<b>X</b>

<b>OFFENCE</b>	<b>VERBAL WARNING</b>	<b>WRITTEN WARNING</b>	<b>FINAL WRITTEN WARNING</b>	<b>DISMISSAL</b>
<b>Class B</b>				
11. Failure to observe safety rules.			<b>X</b>	<b>X</b>
12. Damage to and wastage of equipment. Or the unauthorised use thereof			<b>X</b>	<b>X</b>
13. Lying and acts of dishonesty			<b>X</b>	<b>X</b>
14. Attempted assault or threatening with assault.			<b>X</b>	<b>X</b>
15. Forcing a fellow youth member to do things that go against their religion, e.g. forcing a youth member to eat something forbidden by their religion or denying a youth member reasonable opportunities for religious observance			<b>X</b>	<b>X</b>
16. Failing to stop peer initiation practices if discovered.			<b>X</b>	<b>X</b>
17. Sharing a tent with a youth member of the opposite gender.			<b>X</b>	<b>X</b>
18. Threatening, humiliating or			<b>X</b>	<b>X</b>

<b>OFFENCE</b>	<b>VERBAL WARNING</b>	<b>WRITTEN WARNING</b>	<b>FINAL WRITTEN WARNING</b>	<b>DISMISSAL</b>
Belittling a fellow youth member.				
19. Possession of dangerous weapons.			<b>X</b>	<b>X</b>
20. Endangering the safety of others			<b>X</b>	<b>X</b>
21. Unauthorised use or misuse of SSA property.			<b>X</b>	<b>X</b>
22. Unauthorised possession of SSA property.			<b>X</b>	<b>X</b>
23. Assaulting another person.			<b>X</b>	<b>X</b>
24. Use or possession of alcohol at a scout event			<b>X</b>	<b>X</b>
25. Exposing other youth members to pornography at a Scout event.			<b>X</b>	<b>X</b>
26. Encouraging nudity e.g. nude swimming.			<b>X</b>	<b>X</b>

<b>OFFENCE</b>	<b>VERBAL WARNIN G</b>	<b>WRITTEN WARNIN G</b>	<b>FINAL WRITTEN WARNING</b>	<b>DISMISSAL</b>
<b>Class C</b>				
27. Malicious or deliberate damage to SSA or property.				<b>X</b>
28. Any Act of sexual harassment				<b>X</b>
29. Proven guilty of having committed a criminal offence.				<b>X</b>
30. Use of intoxicating substances (other than alcohol) for non-medicinal purposes at a scout event				<b>X</b>
31. Taking part in mixed male and female nudity.				<b>X</b>
32. Racial verbal abuse				<b>X</b>
33. Sexual intercourse or other sexual relations with another Scout at a Scout event.				<b>X</b>
34. Being under the influence of a banned substance or alcohol at a Scout event.				<b>X</b>
35. Negligence (Gross)				<b>X</b>



### **3. CUB PROCEDURE**

The Cub members of SSA are expected to comply with the Cub Promise and Law in their day to day life. Any complaint or grievance against a Cub should be based on that departure point. Pack Scouters must use their discretion and deal appropriately with the matter.

In the event of a parent or member or third party person raising a grievance or complaint of a disciplinary nature against a Cub, the following process is to be followed:

- 3.1. The complaint/grievance is to be documented in writing by the SSA Adult Member receiving it.
- 3.2. The Pack Scouter should review the complaint. The review of any grievance that has any potential punitive action must involve the parents or guardians of the Cub concerned. On the basis of their assessment of the seriousness of the complaint the Pack Scouter should convene a meeting with either the Cub concerned or with the Cub, their parents or guardians and the SGL. In the event of the meeting being with the Cub alone, the standard procedure of the engagement not being a one on one will be applied. .
- 3.3. The Pack Scouter will, after consultation with the Cub against whom the grievance or complaint has been laid, make the decision on the outcome of the complaint or grievance.
- 3.4. In the event that the 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 seven (7) days of receiving the decision
- 3.5. The District Commissioner will within fourteen (14) days review the complaint or grievance and make a ruling.
- 3.6. In the event that the Cub or their parent/guardian wishes to appeal the ruling of the District Commissioner, they will have seven (7) days from the date of being informed of the decision to be permitted to lodge an appeal with the Regional Commissioner.
- 3.7. The decision of the Regional Commissioner will be final.

NOTE: APPEALS FOR YOUTH MEMBERS TERMINATE AT REGIONAL LEVEL

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