

The Scout Association's Adult Suspension Process

Operating the process

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Contents

1	Introduction.....	2
2	Entering Suspension.....	2
2.1	When Suspension is Permitted.....	2
2.2	How to Initiate Suspension.....	2
2.3	Telling the Suspended Person.....	2
2.4	Informing UKHQ.....	4
2.5	Who Else Needs to Know?.....	4
2.6	Assigning a Liaison Person.....	4
2.7	Keeping Scouting Running.....	5
2.8	Information to an Employer.....	5
3	Access to Scouting During Suspension.....	5
3.1	Temporary Access to Scout Premises.....	5
3.2	Access for a Parent or Carer of a Youth Member.....	6
4	During the Suspension Period.....	7
5	Ending a Period of Suspension.....	7
5.1	Deciding What Happens.....	8
5.2	Telling the Suspended Person.....	8
5.3	Debriefing the Liaison Person.....	8
5.4	Debriefing the Other People Involved.....	8
6	Checklist.....	9
7	APPENDIX A: Example Suspension Letter.....	10
8	APPENDIX B: Example Return from Suspension Letter.....	11
9	APPENDIX C: Example Suspension Modification Letter.....	12

1 Introduction

This document provides advice about how to operate the adult suspension process (including members of the Scout Network) in the best way possible. Note that the rules applying to the adult suspension process are given in POR chapter 15 (rules 15.2 and 15.3) and should always be followed. This document provides some additional information and help to implement those rules.

Suspension of adults in all cases is intended to protect Scouting and the individual concerned. It allows time and space for an investigation or enquiry to take place in as fair and objective manner as possible by preventing situations which could give rise to further concerns or allegations or which could potentially cause further compromise.

Suspension is intended as an impartial act and does not imply that the allegation has either been proven or will be proven, although it is very hard for it to feel this way to the suspended person. Everyone involved in a suspension, particularly the Commissioner making the suspension (the “suspending Commissioner”), should remember that this process will feel difficult to a suspended person.

Suspension applies to the individual for all roles in Scouting – so if an individual has multiple roles across Districts or Counties (or whatever) then **all** roles are suspended. It is more problematical addressing what happens across multiple areas at the end of suspension (see later in this document for advice on this).

Note that in Wales, Scotland and Northern Ireland there are procedures in place to include the relevant County HQ as well as UKHQ.

2 Entering Suspension

2.1 When Suspension is Permitted

There are number of circumstances in which suspension is permitted – these are described completely in rule 15.2b. It is important to note that there is one circumstance in which suspension **must** be immediately implemented: specifically from rule 15.2b(i) “*when an allegation is made that an individual involved in Scouting has committed a serious criminal offence*” (this includes, of course, allegations of offences against young people).

2.2 How to Initiate Suspension

The process to suspend an adult from Scouting requires the suspending Commissioner and that Commissioner’s line manager (the “approving Commissioner”) to agree (for example, the District Commissioner and the County Commissioner in the case of suspending an adult in a District). This is a simple process as there are many cases where it is important to undertake a suspension quickly. The process for suspending adults is described in rule 15.2c and its accompanying table that defines the suspending Commissioner and the approving Commissioner in all cases.

The request for a suspension and the approval must be recorded on Compass. Detailed guidance on this process can be found [HERE](#).

If the suspension arises out of a suspected safeguarding incident, then the headquarters’ safeguarding team will provide advice (and may in some cases require someone to be suspended to protect the safety of young people or the reputation of the Movement).

2.3 Telling the Suspended Person

Once the decision to suspend an adult has been made, it is important to tell the suspended person in a timely manner. There are a number of items to consider.

- a) It may be important to tell the person quickly if you need to stop that person’s involvement with an upcoming activity (this is most often the case when there is an allegation about a serious criminal offence).
- b) The person should be told about the suspension in person in the first instance – whilst it might be difficult, it may be possible to do this face-to-face or on the telephone. The details that will be given in the suspension letter should be explained.

- c) Whilst the protection of young people is the most important aspect to consider, we also need to consider the impact on the suspended person (remember that suspension does not imply that any allegation is true). This will mean that the suspending Commissioner should consider how and when the suspended adult is told. For example, if it is necessary to suspend an adult whilst the adult is attending a Scout activity, it will be important to consider how that adult returns home (perhaps someone else should drive the person home if the person might not be in a good state to drive). There are no absolute rules here, just the need to remember to treat the suspended person with dignity and consider their wellbeing.
- d) It is important to maintain confidentiality in this process and therefore the suspended person should be told about the suspension in private.

It is very important that the suspended person is quickly given a letter to confirm the suspension and its terms and implications (see rule 15.2f). Where an individual is being suspended for failing to have a valid disclosure, and “no valid disclosure” has been chosen on Compass as the reason for suspension, a standard suspension letter will be automatically sent to the individual concerned. For all other cases an example letter is provided in Appendix A. The key items to consider for the letter are as follows.

- a) **Write in clear English.** It is important that the suspended person understands what is being said.
- b) Ensure that the letter is marked as being provided **in confidence**. Whilst this will not necessarily stop the suspended person from telling others about the suspension letter, it does signal the intention of the suspending Commissioner to maintain confidentiality.
- c) Clearly state the **date that the suspension started**.
- d) Explain **why the suspension is in place**, particularly with reference to the relevant item in rule 15.2(b) and the circumstance that led to the suspension. It is only fair that the suspended person knows why the suspension is taking place. It is important not to break any other confidence associated with the suspension (for example, if there is an allegation of serious criminal offence then it may not be appropriate to mention how the allegation has come to the attention of the Scout Association).
- e) Note that **regular reviews of the suspension will take place** and the suspended person will be kept updated by the suspending Commissioner (or whoever is handling the suspension).
- f) Be very clear that the **suspension is only considered revoked when informed in writing** by the person initiating the suspension. This is important because suspended people have, in the past, claimed that the suspension was lifted because someone told them verbally.
- g) List the **limitations that are imposed** on the suspended person. The suspended person needs to be clear what is not allowed as breaking these limitations can lead to dismissal.
- h) If it is appropriate, then instruct the suspended person to **forward to you the appointment card**. This is allowed in POR and ensures that the suspended person cannot pass off as a current member using the appointment card.
- i) **Do not say anything you might later regret.** You might know the suspended person very well and might believe that it is a truly temporary issue that will be resolved; however it might not be the case. So, for example, it is best to avoid saying anything that implies you believe the person is either innocent or guilty of some alleged offence (e.g. “As you have given outstanding service to Scouting, I am sure that this confusion will be sorted out soon and I look forward to welcoming you back to Scouting.” – avoid this sort of statement).

Before sending the letter, read it through carefully to ensure that it is correct and has the right tone. You can use the example letter later in this document as the starting point.

The suspended person must also be provided with a copy of the information sheet “*Notes for a person under suspension*”. (see rule 15.2f).

The suspended person might be very surprised at the suspension; it may come with no warning to the individual from an allegation about which the person is not yet aware. So remember to treat the suspended person with respect.

The suspended person may respond broadly in one of two ways apart from, understandably, being upset about the suspension.

- a) Some suspended people keep quiet about the suspension and co-operate with a plausible public reason for not being able to attend Scouting (pressure of work or family reasons). This allows the suspension itself to not be broadcast and, if the suspension ends with the reinstatement of the person, then it is easier for them to reintegrate back into Scouting.
- b) Some suspended people tell everyone about the suspension (and its perceived unfairness). This tends to make the situation challenging. It might prompt complaints to the suspending Commissioner about the situation. In these cases additional thought may need to be given to the process of reintegration into Scouting if the person is reinstated.

2.4 Informing UKHQ

When requesting a suspension through Compass it is vital to remember to complete the reasons for suspension accurately and to reflect the cause of the suspension by recording facts only (and not subjective interpretation).

2.5 Who Else Needs to Know?

In general, it is best to maintain confidentiality about the suspension; however there are some people who need to know what is happening in order to carry out their roles properly. It is important to keep to a minimum the number of people who are told about the suspension – the suspending Commissioner should maintain a review of who is to be informed and to what extent confidentiality can, or should, be maintained.

Clearly the line manager of the suspended person needs to know in confidence something about what is happening – the line manager may not need to know all the details of course (that will depend on the situation). In the case of people suspended for not having a valid disclosure, the line manager will receive an automatic notification of the suspension.

If the suspended person is a Group Scout Leader, District Commissioner or County/Area/Region(Scotland) Commissioner then the relevant Executive Committee Chair should be told in confidence. This is important as there is a strong working relationship between these two posts and there will need to be some interim arrangements put in place.

Headquarters must be informed of all suspensions through the suspension process on Compass.

If the matter becomes common knowledge, it may be desirable for the suspending Commissioner to provide an accurate statement of the facts for public information. If at all possible, the suspended person should be informed of this statement beforehand and allowed a chance to comment (however, remember that the statement belongs to the suspending Commissioner issuing it who must determine what the statement says).

2.6 Assigning a Liaison Person

Rule 15.2g requires the suspended person to be offered an independent Scouting colleague to act as a liaison point. The information sheet “*Supporting a person under suspension*” provides relevant guidelines and explains the role of the liaison person.

The liaison person is assigned by the suspending Commissioner – **not** by the suspended person. This is important as it can be intimidating for someone to be approached by the suspended person and asked to take this role. The suspending Commissioner should discuss with the suspended person the assignment of someone as a liaison point as it will be unhelpful if the person chosen is not appropriate for the suspended person.

If the suspension is a result of an alleged safeguarding incident that is being handled by the HQ safeguarding team, then the selection of a liaison person should also be discussed with the safeguarding team as there may be other factors to take into account.

It is best to formally inform the suspended person of the assignment of the liaison person – this might be by email or in a letter. If the case involves the HQ safeguarding team, ensure that the team is informed of the liaison person's details (taking into account the paragraph above).

2.7 Keeping Scouting Running

The suspending Commissioner will need to consider what arrangements need to be put in place to cover the role that the suspended person was undertaking. In some cases this might not be too difficult (for example if it is an Assistant Leader from a team of four Leaders with sufficient help to run the Section). In other cases it may need someone assigned to cover some duties and relevant people informed of the new contact details and arrangements.

2.8 Information to an Employer

In some instances, a suspension from Scouting might impact on a suspended person's employment. In these cases the suspended person may ask for a letter or information from Scouting to explain to the employer the nature and reason for the suspension. What is possible will be determined by the circumstances and, in some instances, legal considerations. The suspended person might also ask for similar information for another organisation with which they are involved (possibly as a volunteer).

If you are asked to provide a letter, take care to consider carefully what can be said and to keep clearly to the facts only. If the case has any involvement from the Association's safeguarding team, you must take advice from the team and follow it. In all cases it is prudent to consult with the Appointments Advisory Committee on the content of the letter.

You should only contact the employer on the request of the suspended person.

If you have any questions regarding the content of a letter to an employer then contact Scout HQ for advice.

3 Access to Scouting During Suspension

The default arrangements when suspended is that the suspended person has no access to Scouting, including Scout premises or paces where Scouting is taking place.

The process allows two, carefully controlled, exceptions to this default position: if there is need to enter Scout premises for a particular reason; or if the suspended person is the parent or carer of a young person who is in Scouting to allow the suspended person to attend certain functions with the child.

3.1 Temporary Access to Scout Premises

Rule 15.2e states that the suspended person must not... "*enter Association premises unless specifically given permission by the appropriate Commissioner*".

The Commissioner can therefore allow the suspended person to enter Scout premises so long as it does not compromise the suspension and the exact conditions are carefully explained to the suspended person (and should be done so in writing for the record). Whether the Commissioner allows access in certain conditions will depend on what access is being requested and the circumstances surrounding the suspension (for example, if the police are involved and the Scout premises are part of the investigation then clearly the advice of the police must be followed). If the suspension is a result of a safeguarding incident then the advice of the HQ safeguarding team must be sought and followed.

There are broadly two conditions in which access to Scout premises might be permitted:

a) if a non-Scouting activity takes place in Scout premises (e.g. election polling station); or

- b) if the suspended person properly needs access for some reason such as collecting personal items, or completing the ID check needed submit a disclosure application (in which case this should take place under supervision).

This rule allows us some latitude to allow access where it is reasonable and does not compromise the suspension, but the decision on whether to allow access remains with Scouting, it is not an automatic right for the suspended person.

3.2 Access for a Parent or Carer of a Youth Member

If the suspended person is also a parent or carer of a youth member in Scouting, then rule 15.2e allows the suspending Commissioner to modify the list of prohibited activities. Great care must be taken when modifying the list of prohibited activities to ensure that the suspension is not compromised. The rule gives specific criteria that must be strictly followed.

Remember that Scouting has the right to maintain the prohibited item without modification – it is not an automatic right for a suspended person.

The modifications are only to allow a parent/carer to attend specific, important events such as the presentation of an award to the child. The modifications are not to allow the suspended person unfettered access to Scouting.

There is an example suspension modification letter at appendix C of this document that might provide a useful starting point.

The key points are:

- a) In safeguarding cases the guidance of the Safeguarding Team at headquarters must be sought and followed.
- b) All modifications must be agreed with the approving Commissioner (the same Commissioner that approved the suspension in the first place). If the Commissioner does not agree with a modification then it must not be made.
- c) The modifications must be kept to a minimum and are only to enable the suspended person as a parent or carer to participate to some extent in Scouting with their child (for example, to attend award presentations or to drop off and pick-up the child).
- d) The modifications must not compromise the safety and wellbeing of youth members. In some circumstances, the presence of the suspended person at a Scout activity might intimidate a youth member – this will depend on the circumstances that led to the suspension. In all cases, we must consider the safety and wellbeing of youth members as the highest priority.
- e) Where someone has been suspended for not having a valid disclosure, any modifications to the suspension criteria must not allow them to engage in regulated activity (e.g. to care for, teach, train or supervise young people or to be involved in any overnight activity).
- f) The suspending Commissioner must inform the suspended person in writing with very clear instructions regarding what is permitted. For example, the modification might be for a one-off activity:

“You are authorised to attend the County Chief Scout’s Award presentations on Saturday 4 October in the capacity of a parent only, remember that all other restrictions of the suspension remain in place and you must not wear uniform.”

Or for an on-going activity:

“You are authorised to take the minimum time necessary to drop-off and pick-up your child from Cub meetings on Wednesday nights at the Scout HQ provided that you do not enter the main hall and do not interfere in any way in the running of the meeting.”

- g) The suspending Commissioner should keep the modifications under careful review and may change or remove the modifications during the period of suspension and must notify the suspended person in writing.

4 During the Suspension Period

A period of suspension may be fairly quick (for example, in cases of disagreement between individuals where time is required to investigate the issues and determine the right actions to take), or might be longer (for example, in cases where a court case is involved). In any case, there are some items for the suspending Commissioner to consider during the period of suspension.

- a) Keep the suspended person regularly informed of progress (even if, at points, there is nothing new to report as otherwise it can feel as if the suspended person is being ignored). This is very important; just imagine what it feels like for the suspended person.
- b) Keep careful attention to the modifications to the suspension (if any). Remember to keep records of what modifications are granted (and indeed, always inform the suspended person of the granting and removal of modifications by letter so that it is clear and recorded).
- c) Ensure that the liaison person is managing with the role – it can feel a lonely position at times.
- d) Ensure that Scouting is continuing for everyone else, that a focus remains on providing great Scouting for young people.
- e) If you have commissioned an investigation, ensure that it progresses in a timely manner.
- f) If the suspension is as a result of a disagreement or dispute between adults then the suspension must be reviewed every 90 days and the result communicated to the suspended person (rule 15.2b(ii)).

The suspended person is prohibited from doing certain things in Scouting and, if these conditions are breached, the person can be removed from Scouting. The list of prohibitions is given in rule 15.2e.

5 Ending a Period of Suspension

The suspension period can end with one of three outcomes. The suspended person's appointment(s) might be reinstated, modified in some way (perhaps with some restrictions or a requirement for undertaking training); or revoked (see rule 15.3).

In case of someone suspended for failing to have a valid disclosure, they will be automatically reinstated once they have obtained a valid disclosure and have successfully completed the vetting process. The suspending commissioner and their line manager will be informed directly and they will need to inform the individual concerned.

If a valid disclosure is not obtained within 90 days of suspension, the individual's roles(s) will be automatically closed. If they wish to re-join Scouting after that point they will need to complete the appointment process as normal.

In certain circumstances, headquarters is permitted to directly end a period of suspension by excluding an individual if the individual is unsuitable to participate in Scouting. This is most likely to happen in very few cases and the local Commissioner will be informed. Note that this is *exclusion* from Scouting and will automatically cancel all roles and Membership.

In some cases, we have found it better for another Appointments Advisory Committee to undertake the decision (with the original Commissioner) – particularly if the local committee thinks that it is in some way compromised in making the decision. We have seen County AACs working on a District suspension for example. This is perfectly acceptable and in the future we will reflect this formally in the rules.

The process is more difficult if the suspended person has roles in multiple Districts, Counties, Areas or Regions(Scotland). In these cases, the rules are not specific and we will

work on this for a future change. Of course, because one area chooses to terminate an appointment at the end of a period of suspension does not mean that automatically all appointments and involvement must be cancelled. But if the person is found to be unsuitable to be in Scouting (for example as a result of a conviction for a serious offence against children) then the removal of that person from all Scouting is obvious and sensible. The important point is that all Districts, Counties, Areas and Regions(Scotland) in which the suspended person has a role must consider carefully whether that person can continue with that role. This will require discussion between people so that the relevant facts are taken properly into account.

5.1 Deciding What Happens

The suspension period outcome is determined by the suspending Commissioner and the Appointments Advisory Committee (consulting with the Group Scout Leader and the Sponsoring Authority as appropriate) – see rule 15.3.

The suspending Commissioner and the Appointments Advisory Committee must agree a recommendation for action as outlined above and then seek approval from the approving Commissioner. The action can only be taken once agreed by the approving Commissioner.

There are some cases where the various parties might disagree:

- a) If the Appointments Advisory Committee and the suspending Commissioner disagree on the recommendation for action then the final decision lies with the approving Commissioner.
- b) If the approving Commissioner disagrees with the recommendation for action (following discussion with the Appointments Advisory Committee and the appropriate Commissioner), then the final decision lies with the approving Commissioner.

In any case, to resolve a difference of opinion, it is sensible in the first instance for the suspending Commissioner and the approving Commissioner to discuss the issue and may find it helpful to discuss with a third party (in the case of suspension for a safeguarding incident, this might include some advice from the safeguarding team).

5.2 Telling the Suspended Person

Once the outcome of suspension has been agreed, the suspended person must be informed.

An example letter is provided in Appendix B to cover the case where the person is being reinstated (perhaps with some restrictions or conditions).

If the person is being reinstated or having an appointment modified in some way, it is important to meet the person and debrief the experience from the suspended person's perspective.

5.3 Debriefing the Liaison Person

The liaison role can be difficult and feel isolated. It is important for someone to meet the liaison person, to say thank you and to find out how the role went.

5.4 Debriefing the Other People Involved

There may be others who need a chance to say how they felt about the experience. The exact list will depend on the situation but, for example, if a section Leader was suspended, it would include the Group Scout Leader.

6 Checklist

#	Area	Specific item
1	Entering suspension	Ensure conditions for entering suspension are met (rule 15.2b).
2		Agreed suspension between the suspending Commissioner and the approving Commissioner.
3		Complete the suspension process on Compass including providing the reasons for suspension.
4	Telling the suspended person	Consider how and when to tell the suspended person. Do it in person (or on the phone) first.
5		Write a clear letter to the suspended person.
6	Telling others	Consider who else needs to know locally (line manager and relevant Executive Chair if applicable) and then tell them in confidence.
7	Liaison	Assign a liaison person if the suspended person would like one. If this is a safeguarding case, then discuss also with the safeguarding team before assigning someone.
8	Keeping Scouting running	Consider if interim cover is needed for the role of the suspended person and put in place appropriate arrangements.
9	During suspension	Keep the suspended person informed of progress.
10		Review and apply modifications to the suspension if necessary.
11		Ensure the liaison person is coping and has the required support.
12		Ensure normal Scouting is running.
13		Ensure any locally instigated investigation is running.
14		Regularly review who is informed of the suspension.
15		Review every 90 days if suspended because of disagreement.
16	Ending suspension	Determine the outcome of suspension and gain approval from the approving Commissioner.
17		Ensure a letter is sent to the suspended person. If the person is reinstated then debrief the individual.
18		Inform UKHQ of the outcome.
19		Debrief the liaison person.
20		Debrief other people involved such as the Group Scout Leader.
21		If the suspended person is removed from Scouting, inform the relevant people.

7 APPENDIX A: Example Suspension Letter

The exact content of the letter will depend on the circumstances that led to the suspension.

[date]

In Confidence

Dear [name]

I write following our [telephone] conversation to confirm that in accordance with The Scout Association's rules, your involvement in Scouting has been suspended with effect from [date]. Suspension itself does not imply that any allegation is true but it is necessary in view of [the serious concerns raised / the accusation against you / your arrest in connection with serious offences].

The suspension will be reviewed at regular intervals while enquiries continue, but you should note that it will remain in force until you are formally advised in writing that it has been lifted.

I remind you that during the period of your suspension, you must not:

- participate in any activity connected with the Movement (whether or not young people are present) including administrative activities;
- contact youth members of The Scout Association directly or indirectly (including communicating with their parents/carers or other family members). This includes electronic communications such as text, email, Facebook, Twitter etc.;
- enter Association premises unless specifically given permission by me;
- be present at any place at which Scouting activities are taking place (including all types of activity whether or not young people are present);
- wear uniform or badges.

Will you please also forward your appointment card to me for safekeeping.

I enclose a copy of guidance notes for adults under suspension, which I hope you will find helpful. Please contact me if you have further queries or if you wish to discuss the appointment of an independent Scouting colleague as a liaison point, as suggested in the guidance notes. Please note that the appointment of a Scouting colleague must be undertaken by me.

[As your child is a [Beaver Scout], I might be able to allow you to attend certain, limited events such as a badge presentation. If you wish to do so, you must contact me and any permission will only be in effect when notified by me in writing in advance and in my sole discretion.] *Consider carefully if this paragraph is necessary and also, given the circumstances, whether you would be prepared to allow even this sort of access – if not, then do not include the paragraph!*

Yours sincerely,

[Area/County/District/Region] Commissioner

8 APPENDIX B: Example Return from Suspension Letter

The exact content of the letter will depend on the circumstances – particularly if any conditions have been applied to the return from suspension.

[date]

In Confidence

Dear [name]

I write following our [telephone] conversation to confirm that in accordance with The Scout Association's rules, your suspension from Scouting has ended and your involvement in Scouting is reinstated with effect from [date].

I enclose your appointment card that you gave to me at the start of the suspension period.

[The next paragraph is only required if conditions are applied to the reinstatement – edit accordingly]

As we discussed, the following conditions have been attached to your reinstatement:

- a) You must attend the [topic] training by [date].
- b) You must keep only the [xxx] appointment – all other appointments must be surrendered.
- c) You must not take part in [xxx].
- d) You will be supervised doing [xxx] until [date] to ensure that everything is carried out satisfactorily.
- e) [something else]

I appreciate that the suspension period will have been difficult for you, but I hope that you will now feel able to continue with your Scouting.

Yours sincerely,

[Area/County/District/Region] Commissioner

9 APPENDIX C: Example Suspension Modification Letter

The exact content of the letter will depend on the circumstances that led to the suspension and the exact modifications being put in place.

[date]

In Confidence

Dear [name]

As a result of your request of [date] to modify the items prohibited under the terms of your suspension, I write to confirm that, in accordance with the Policy, Organisation and Rules of The Scout Association (rule 15.2e), I am granting the following modification to the items prohibited during your suspension:

- You may attend the District awards ceremony on Wednesday 3rd September at the District HQ to see your daughter receive her Chief Scout's Award.

I remind you that all other aspects of your suspension remain in place and you are permitted to attend this specific event as a parent and not in any Scout capacity and therefore you must not wear uniform.

Yours sincerely,

[Area/County/District/Region] Commissioner