Implementing Boundary Changes

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This Factsheet follows on from the one on "Boundary Reviews" and provides guidance on the implementation of boundary changes following a review.

Due to differences in the relevant legislation, the details given in this Factsheet relate predominantly to England and Wales. Advice on the procedures applicable in Scotland and Northern Ireland may be obtained from the relevant Country HQ.

Implementation

Once a decision has been made to change boundaries a clear change process needs to be devised and implemented.

The details of the process will depend upon the nature of the boundary changes involved. In all cases, the rules governing the specific changes can be found in Policy Organisation and Rules. Ultimately the County/Area Executive Committee decides how Scouting Districts are organised within any County/Area.

District boundary changes

There are two ways in which District boundaries may be changed; merger or closure. Each method has its own advantages and disadvantages however in either case the outcome is the same.

If two (or more) Districts are to be merged, one District takes over the other. The District remaining incorporates the funds and assets of the closing District and the closing District is wound up both as a Scout District and as a charity. The main drawback of this method is that since the merger is a takeover, one District may be perceived as being the "winner" and the other the "looser". It can be difficult to deal with the sensitivities of Members involved in the merger.

In summary, the merger process is easier at a practical level but more difficult to achieve without an emotional impact.

The alternative is to close the current Districts and to open a new District to cover the same geographical area. In this case the original Districts need to be closed (both as Scouting entities and as charities), and new District(s) should be opened (both within Scouting and as charities). The disadvantage of this method is that it is procedurally more complex than a merger, for example in this case finances from the original Districts should be transferred to the County/Area who then gives them to the new District as appropriate. The advantage of this approach is that all of the original Districts are treated equally and so it is emotionally easier to achieve.

County/Area boundary changes

The process to change a County/Area border is different to that of Districts. The decision to change County/Area borders rests with the Trustee Board of The Scout Association. In these cases the County/Area concerned should present a paper to the General Purposes sub-Committee. Advice must be sought from the Secretary's Department at Gilwell Park or the relevant Country HQ.

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The Change Process

There are many resources available which discuss the theory and implementation of change management. This factsheet suggests six key areas for consideration when devising your plan for change.

The key areas for consideration are:

- Decision Making
- Procedural Requirements
- Financial Matters
- Change Process
- Appointment of key volunteers
- Communication

Decision Making

Decisions need to be made about the proposals, the appropriate Executive Committees need to be consulted about the process and agree to a process of change.

Other decisions need to be made including things like the name of the new District and the badges. Although these things seem trivial, they can be very emotive. It may be helpful (if it is true) to state early on in the process that Group names and scarves will not change, as often once this is known people are happier to support the change.

Procedural Requirements

The Executive Committee making the decision should consult with the Executive Committees affected by the change. This gives these Executive Committees an opportunity to voice concerns or problems.

The decision must be formally made, minuted and communicated to the Records Department at Gilwell Park. The Records Department will then send a list of adult Members for any Group/District that is closing in order to allow the relevant Commissioners to check this information.

Closing meetings then need to be held (similar to the first half of an AGM – reports and accounts) followed by an opening meeting of the new District(s) (similar to the second half of an AGM – elections etc…) The new District should be registered both with HQ and as a charity.

Finances

Consideration needs to be given to how funds should be dealt with. For example if two Districts are closing and a third opening it may be fairly straightforward how the money is dealt with.

However, consider the example where three Districts are closed, three Groups go to two neighbouring Districts and new District opened to cover the rest. In this case the County Executive would need to decide upon and minute how they will divide up the money from the closing Districts. This could be on a pro-rata basis based upon the number of Members, or may be on a proportional basis based upon the number of Groups. Either way, the guiding principle is that the money was given / raised for the benefit of young people and by the end of the process it should still be available for the benefit of young people.

District assets also need to be considered. The District should examine any property documents very carefully. If a property is held by The Scout Association Trust Corporation (SATC) as custodian trustee on behalf of the Scout Units, the SATC **must** be contacted as soon as a change is contemplated. The SATC will then need to change/update its record accordingly.

If there is any doubt over the management of any property issues the District will need to instruct a local solicitor. It is important for the District to know that the Legal Department of the Association is only able to offer its member organisations very general legal advice and are unable to act as solicitor for members and/or scout units

Should there be excess assets after a merger that are of no use to the new District or that cannot reasonably be divided up, they need to be disposed of in a way that maximises their benefit and achieves a true market value. This can be done in a number of ways, for example an auction may be appropriate, this may be open to anyone or restricted to Scout bidders only. It is not appropriate for one charity simply to give assets away to another charity. In any event the new District will need to contact the Charities Commission for guidance on proper compliance of Charity law.

Once a process is agreed, it should be shared with the stakeholders to ensure that everyone can sign up to it. The overseeing Executive Committee should monitor expenses during this process; experience shows that once decisions are made about change, few funds are raised, whilst expenses can be significant. There will be some added expenses to cover but it is important that these are not allowed to get out of control.

Districts should produce interim accounts for the closing General Meetings, and the District Scout Council should mandate the District Executive Committee to close off the final (audited) accounts based on them being similar to the interim accounts presented at the closing meeting. It is easiest if the County can offer the new District an advance against the funds of the old Districts, this will be regained once the closing Districts funds are available.

When the Districts affairs are wound up, the money goes to the County and the County then pays that out to the new District. It is important to ensure that there is an audit trail to show the movement of this money through the County account. The County can audit / scrutinise the final District accounts and pay the money to the new District (accounting for the repayment of any advance).

Change process

A change team should be formed and a series of meetings planned to keep the team on track. The team might include the Change Manager, their team, the overseeing Commissioner, their line manager and any available local HQ support.

Their role is to aid negotiations (especially relating to finance and District names), to communicate the changes with their rationale to stakeholders, to support Commissioners affected by the changes, advise on process, solve problems and address any local issues.

Key volunteer recruitment

This process is outlined in the DC/CC recruitment materials available from HQ.

Communications

It is critical that a strategy for communication is devised and managed, as this may make the difference between people supporting or opposing the changes.

The order in which people are informed is important as is their responsibility to cascade information to the people they line manage or support. Regular updates particularly to line managers and Members should be planned. This may be by way of an update e-mail / letter to ensure that everyone is kept aware of the progress of the change. Other stakeholders (line managers, HQ etc…) should be kept informed periodically.

Summary

Each boundary change will need a slightly different process, and the above guidance is only offered as a starting point rather than as a definitive guide.

Support material

Other Factsheets that might prove useful in implementing boundary changes are:

- Boundary Reviews
- Approaching Tasks & Problems – Diagrams – FS310600
- Managing Change – FS310602
- Project Management – FS310603
- Generating Ideas – FS310604

- Objective Trees – FS310605
- Force Field Analysis – FS310606
- How to Prioritise – FS310607
- Questionnaires, Focus Groups & Interviews – FS310608

In addition, for England & Wales the Charity Commission produces a range of publications on Collaborative Working and Mergers. These may be downloaded from: http://www.charity-commission.gov.uk