



Club Constitution

CLUB RULES

1. NAME

1. The name of the Club shall be Kidlington and Gosford Swimming Club. All members shall be amateurs as defined by Swim England.
Club colours shall be Royal Blue and Yellow. (Gold thread maybe used on Club clothing)

2. OBJECTIVES

1. The objectives of the club shall be the teaching, development and practice of swimming, diving, life-saving and survival.
2. The Club is committed to treat everyone equally within the context of its activity and with due respect to the differences of individuals. It shall not apply nor endorse unlawful or unjustified discrimination, and shall act in compliance with the protections afforded by the Equality Act 2010.
3. The Club shall implement the SWIM ENGLAND Equal Opportunities Policy (as may be amended from time to time).

3. AFFILIATIONS

1. The club shall be affiliated to SWIM ENGLAND South East Region and shall adopt and conform to the rules of this Association and to such other bodies which the Management Committee shall from time to time determine. The business and affairs of the Club shall be conducted in accordance with the laws of the Amateur Swimming Association and to such other bodies as the Club may determine from time to time.
2. The business and affairs of the Club shall at all times be conducted in accordance with the Laws, Regulations and Technical Rules of the Swim England ("SWIM ENGLAND Laws") and in particular:
 - 2.1 all competing members shall be eligible competitors as defined in SWIM ENGLAND Laws; and
 - 2.2 the Club shall in accordance with SWIM ENGLAND Laws adopt the SWIM ENGLAND Child Safeguarding Policy, Regulations and Procedures; and shall recognise that the welfare of children is everyone's responsibility and that all children and young people have a right to have fun, be safe and be protected from harm.
 - 2.3 members of the Club shall in accordance with SWIM ENGLAND Laws comply with the SWIM ENGLAND Child Safeguarding Policy, Regulations and Procedures
3. By virtue of the affiliation of the Club to SWIM ENGLAND South East Region, the Club and all members of the Club acknowledge that they are subject to the laws, rules and constitutions of:
 - SWIM ENGLAND South East Region
 - British Swimming (in particular its Anti-Doping Control Rules and Protocols and Disciplinary Code)
 - FINA, the world governing body for the sport of swimming in all its disciplines (together "the Governing Body Rules").In the event that there shall be any conflict between any rule or by-law of the Club and any of the Governing Body Rules then the relevant Governing Body Rule shall prevail

4. MEMBERSHIP

1. The total membership of the Club shall not normally be limited. If however the Committee considers that there is a good reason to impose any limit from time to time (e.g. given restricted pool availability) then the Committee shall put forward appropriate proposals for consideration at a General Meeting of the Club.
 2. Candidates for Membership: Junior – under 18, Senior – 18 and over) and for Associate Membership (Over 18 non-swimming) shall apply by means of a fully completed membership application form. A candidate under the age of eighteen shall have this form endorsed by his/her parent or guardian. Note: 17 year olds may be invited to attend masters at the discretion of coaches / committee
 - 2.1 Election to membership shall be determined by the Membership Secretary but other person(s) authorised by the Committee may make recommendation as to the applicant's acceptability.

The Membership Secretary shall be required to give reasons for the refusal of any application for membership.

Any person refused membership may seek a review of this decision before a Review Panel appointed by the Committee ("Review Panel") comprised of not less than three members (who may or may not be members of the Committee).

The Review Panel shall [wherever practicable] include one independent member nominated by the SWIM ENGLAND SE Region.

The person refused membership shall be entitled to make representations to the Review Panel.

The procedures for review shall be at the discretion of the Review Panel whose decision shall be final and binding.
 - 2.2 In its consideration of applications for membership, the Club shall not act in a discriminatory manner and in particular, shall adhere to the Equality Act 2010 (as may be amended).

Accordingly, the Club shall not refuse membership on the basis of a Protected Characteristic within the Act, such as disability; gender or gender identity; pregnancy; race; religion or belief; or sexual orientation. Neither may refusal be made on the grounds of political persuasion.
 - 2.3 The Club may refuse membership only for good and sufficient cause, such as conduct or character likely to bring the Club or the sport into disrepute, or, in the case of a swimmer, being unable to achieve the entry standards as laid down and provided by the Club to the applicant for membership.
3. Membership shall be by annual subscription

The annual members' subscription and coaching and squad fees (as applicable) shall be determined from time to time by the Committee and the Committee shall in so doing make special provision for different classes of membership as it shall determine.

The annual subscription shall be due on joining the Club and thereafter on the 1st day of January each year and must be paid by January 31st.
4. Any member whose subscription is unpaid by the date falling 30 days after the due date for payment may be suspended by the Committee from some or all Club activities from a date to be determined by the Committee and until such payment is made.
5. All persons who assist in any way with the Club's activities shall become members of the Club and hence of the SWIM ENGLAND and the relevant SWIM ENGLAND membership fee shall be paid. Assisting with the Club's activities shall include, but not be restricted to, administrators, associate members, voluntary instructors, teachers and coaches, Committee members, helpers, Honorary members, life members, Officers, patrons, Presidents, technical and non-technical officials, temporary members, Vice Presidents and verifiers or tutors of the SWIM ENGLAND's educational certificates.

Any member wishing to resign from the club must do so in writing to the Membership Secretary. Any member who resigns from the Club in accordance with the above

shall not be entitled to have any part of the annual membership fee or any other fees returned.

6. Notwithstanding the above, a member whose membership subscription and / or training fees and /or Meet entry fees are more than two months in arrears shall be deemed to have resigned. Where the membership of a member shall be terminated in this way he/she shall be informed in writing that he/she is no longer a member by notice handed to him/her or sent by post to his/her last known address.
This 'last resort' procedure will only be implemented after undertaking a comprehensive communication process with the member informing them of this situation and its consequences and with the agreement of the Committee.
7. The SWIM ENGLAND Membership Department shall be informed should a member resign when still owing money or goods to the Club.

5. EXPULSION AND OTHER DISCIPLINARY ACTION

1. The Committee shall have power to expel a member when, in its opinion, it would not be in the interests of the Club for the individual to remain a member. The Club in exercising this power shall comply with the provisions of Rules 5.3 and 5.4 below.
2. Upon expulsion the former member shall not be entitled to have any part of the annual membership fee to be refunded and must return any Club or external body's trophy or trophies held forthwith. Clubs in exercising this power are required to comply with the provision of Rules 5.3 and 5.4 below.
3. The Club shall comply with the relevant Judicial Regulations for handling Internal Club Disputes ("the Rules") as the same may be revised from time to time. (A copy of the current Rules may be obtained from the website at <http://www.swimming.org/Swim England/about-us/Swim England-handbook-2013-and-extracts-of-laws/> or from the SWIM ENGLAND Department of Legal Affairs).
4. A member may not be expelled or (subject to Rule 5.5 below) be made the subject of any other penalty unless the panel hearing the complaint shall by a two-thirds majority vote in favour of the expulsion of (or other penalty imposed upon) the member.
5. The Officers of the Club (or any person to whom the Committee shall delegate this power) may temporarily suspend or exclude a member from particular training sessions and/or wider club activities, when in their opinion, such action is in the interests of the Club. Where such action is taken the incident or matter will thereafter be dealt with in accordance with the appropriate Judicial Regulations.

6 MANAGEMENT

1. The Club shall be managed by a Management Committee composed of the five officers of the club elected at the Annual General Meeting.
2. The Management Committee shall consist of the Chairman, Club Secretary, Treasurer, Officials Secretary and Events & Membership Secretary, all of whom must be members of the Club. All Committee members must be not less than 18 years of age though the Committee may allow younger member(s) to attend their meetings without power to vote.

3. The Committee shall appoint a member of the Club as Welfare Officer who must be not less than 18 years of age, who should have an appropriate background and who is required to undertake appropriate training in accordance with SWIM ENGLAND Child Safeguarding courses. The Welfare Officer will have a right to attend Committee meetings without a power to vote.
4. The Committee members shall be proposed, seconded and elected at the Annual General Meeting. Election to an Executive post or Committee shall be for three years. The newly elected Executive Officers and Committee members will take office when the Chairman has closed the meeting. One third of those holding an Executive post and the members of the Committee shall retire annually but shall be eligible for re-election. The members so retiring being those who have been longest in office. Any casual vacancy occurring by resignation or otherwise may be filled by the Committee but any member so chosen shall retire at the next Annual General Meeting but shall be eligible for re-election at that Meeting.
5. The Management Committee shall meet at least quarterly and at such times as the Chairman in consultation with the Secretary may deem necessary (save where the Committee itself shall by a simple majority resolve not to meet), and the quorum of that meeting shall be such number as shall represent not less than a simple majority of the Committee members.
The Secretary shall give all the members of the Committee not less than seven days' notice of a meeting.
Decisions of the Committee shall be made by a simple majority (and in the event of equality of votes the Chairman (or the acting Chairman of that meeting) shall have a casting or additional vote.)
The Secretary, or in his/her absence a member of the Committee, shall take minutes.
6. In the event that a quorum is not present within 30 minutes of the published start time, a meeting shall stand adjourned to the time and date falling seven days after the date of the meeting, or such other date and time as may be determined by the Chairman.
If a quorum is not present at the adjourned meeting then those Committee members attending may act for the purpose of calling a Special General Meeting of the members, to which the provisions as to minimum notice regarding SGM's shall not apply.
7. The Committee may from time to time appoint from among their number such sub-committees as they may consider necessary and may delegate to them such of the powers and duties of the Committee as the Committee may determine. All sub-committees shall periodically report their proceedings to the Committee and shall conduct their business in accordance with the directions of the Committee.
8. Any member of the committee who absents himself/herself without due reason from three consecutive meetings may be replaced at the option of the committee.
9. The Committee shall be responsible for the management of the Club and shall have power to enter into contracts for the purposes of the Club on behalf of all the members of the Club. The Committee shall be responsible for ensuring that the Accounts of the Club for each financial year be examined by an independent examiner
10. The members of the Committee shall be indemnified by the members of the Club against all liabilities properly incurred by them in the management of the affairs of the Club.

11. The Club shall maintain an Incident Book in which all accidents to Club members at swimming related activities shall be recorded. Details of such accidents shall be reported to the SWIM ENGLAND Membership Department.
The Club shall make an annual return to the SWIM ENGLAND Membership Department indicating whether or not an entry has been made in the prescribed form, which is to be found on the membership renewal form.
12. The Management Committee shall have the authority to make regulations within the framework of the club rules and SWIM ENGLAND Laws and to deal with any matter not provided for in these rules and laws.

7 ANNUAL GENERAL MEETING

1. The Annual General Meeting shall be held on a date fixed by the Management Committee during May or June of each year.
 2. Any Member or Associate Member wishing to make a proposal to the Annual General Meeting must do so in writing to the Secretary on or before twenty one days prior to the AGM date.
 3. Each member and associate member shall be given notice of the Annual General Meeting not less than fourteen days before the meeting. Such notice shall include an agenda containing all items for discussion or decision.
 4. The quorum at an Annual General Meeting shall be seven. Voting shall be limited to Senior Members and Associate Members.
 5. The purpose of the Annual General Meeting is to transact the following business:
 - to receive the Chairman's report of the activities of the Club during the previous year;
 - to receive and consider the accounts of the Club for the previous year and the report on the accounts of the independent examiner and the Treasurer's report as to the financial position of the Club;
 - to remove and elect the independent examiner (who must not be a member of the Committee or a member of the family of a member of the Committee) or confirm that he/she remain in officeto elect the Executive Officers and other members of the Committee;
- to decide on any resolution which may be duly submitted in accordance with Rule 6.2;

An Honorary President may be elected every second year at the Annual General Meeting and shall be a non-voting member of the committee.

8 SPECIAL GENERAL MEETING

1. A Special General Meeting may be called at any time by the Committee.
A Special General Meeting shall be called by the Club within 28 days of receipt by the Secretary of a requisition in writing signed by not less than seven members entitled to attend and vote at a General Meeting or, if greater, such number as represents one-tenth in number of such members, stating the purposes for which the meeting is required and the resolutions proposed.

8. PROCEDURE AT THE ANNUAL & SPECIAL GENERAL MEETINGS

1 The Secretary shall personally be responsible for the handing out or sending to each member at his/her last known address a written agenda giving notice of the date, time and place of the General Meeting together with the resolutions to be proposed thereat at least fourteen days before the meeting and in the case of the Annual General Meeting a list of the nominees for the Committee posts and a copy of the examined accounts. The Secretary may, alternatively, with the agreement of member(s) concerned distribute these materials by e-mail or similar form of communication. The Notice of Meeting shall in addition be displayed on the Club Notice Board.

2 The quorum for the Annual and Special General Meetings shall be seven members entitled to attend and vote at the Meeting or, if greater, such number as represents one-tenth in number of such members.

3 The Chairman, or in the Chairman's absence a member appointed by the Committee, shall take the chair. Each member present shall have one vote and resolutions shall be passed by a simple majority. For the procedures for submitting resolutions to be considered at a General Meeting members are referred to Rule 9.3. In the event of an equality of votes the Chairman shall have a casting or additional vote.

Only paid up members who have reached their 16th birthday shall be entitled to be heard and to vote on all matters. (Members who have not reached their 16th birthday shall be entitled to be heard and vote only on those matters determined by the Chairman as matters concerning juniors, such as the election of club captains.)

4 The Secretary, or in his/her absence a member of the Committee, shall take minutes at the Annual and Special General Meetings.

5 The Chairman shall at all General Meetings have unlimited authority upon every question of order and shall be, for the purpose of such meeting, the sole interpreter of the Rules of the Club.

9 FINANCE

1. All moneys payable to the Club shall be received by the Treasurer and deposited in a bank account in the name of the Club. No sum above £500 shall be drawn from that account (except for Gala / Meet entries where the limit shall be £1000) by cheque signed by two signatories who shall be the Chairman or Secretary and Treasurer. Any moneys not required for immediate use may be invested as the Committee in its discretion think fit.
2. The income and property of the Club shall be applied only in furtherance of the objectives of the Club and no part thereof shall be paid by way of bonus, dividend or profit to any members of the Club.
3. The Committee shall have power to authorise the payment of remuneration and expenses to any officer or member of the Club and to any other person or persons for services rendered to the Club.
4. The financial transactions of the Club shall be recorded by the Treasurer in such manner as the Committee thinks fit.
5. The financial year of the Club shall be the period commencing on 01 January and ending on 31 December.
6. Any change to the financial year shall require the approval of the members in a General Meeting.
7. The Committee shall retain for a minimum period of six years all financial records relating to the club and copies of Minutes of all meetings.

10. ALTERATIONS OF THE RULES AND OTHER RESOLUTIONS

1. The Rules may be altered by resolution at an Annual or Special General Meeting provided that the resolution is carried by a majority of at least (two-thirds) of members present and entitled to vote at the General Meeting. No amendment(s) to the Rules shall become effective until such amendment(s) shall have been submitted to and validated by such person as is authorised to do so by the County Association/SWIM ENGLAND SE Region.

11. LIABILITIES

The Club shall not be responsible for any loss of property or wilful damage caused by any member.

12. DISSOLUTION

1. A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be carried by a majority of at least three - quarters of the members present and entitled to vote. A specific date for the dissolution shall be included in the resolution.
2. The dissolution shall take effect from the date specified in the resolution and the members of the Committee shall be responsible for the winding-up of the assets and liabilities of the Club.
3. Any property remaining after the discharge of the debts and liabilities of the Club shall be held in trust until another Club is formed.

13. ACKNOWLEDGEMENT

1. The Members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.
2. The following statement must appear on Club membership forms and is to be signed by the member. It must also be countersigned by the parent, or a person having parental responsibility for the member, if under 18 years of age:

"I acknowledge receipt of the rules of Kidlington & Gosford Swimming Club and confirm my understanding and acceptance that such rules (as amended from time to time) shall govern my membership of the Club. I further acknowledge and accept the responsibilities of membership upon members as set out in these rules."