

# HADDINGTON & DISTRICT AMATEUR SWIMMING CLUB

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# **CONSTITUTION**

## **C 1.0 NAME**

The Club shall be called Haddington & District Amateur Swimming Club (Hereinafter referred to as the Club)

## **C2.0 OBJECTS**

The objectives of the Club shall be to :-

Advance the public participation in Aquatic Sports by promoting and managing the teaching, knowledge and practice of competitive swimming at all levels, in accordance with paragraph C2.2 & C2.5 of the SASA Constitution

## **C3.0 MEMBERSHIP**

C3.1 The membership shall consist of the following categories :-

(a) Adult Member

An Adult is an individual 16 years and over, as recognised in Law

(b) Junior Member

A Junior is an individual not recognised in law as an adult and not as defined in SASA Company Rule R13.5.6

(c) Life Member

C3.2 Membership fees shall be as agreed at each Annual General Meeting.

C3.3 All Club Members (other than Life Members who do not play an active part in the Club) must be Registered with the SASA in accordance with the sub-categories defined in SASA Bye-Law BL3.2.

C3.4 All members joining the Club shall be deemed to accept the terms of this Constitution, the Club Bye-Laws and any Regulations from time to time adopted by the Club.

C3.5 The Management Committee shall have the power to turn down an application for membership, provided they act in accordance with Bye-Law BL3.6.

## **C4.0 GOVERNANCE**

- C4.1 The Club shall be subject to and bound by, the Constitution and Bye-Laws of the SASA, Memorandum, Articles and Rules of SASA Ltd. and the appropriate SASA District Rules.
- C4.2 The Club shall comply with the SASA Code of Conduct, the SASA Code of Ethics and the SASA Child Protection Guidelines.
- C4.3 The Club shall be governed by its Constitution, Bye-Laws and Regulations.
- C4.4 Amendments to the Constitution shall only be made at a General Meeting, provided at least a two thirds majority of those present and voting is secured.
- C4.5 Amendments to the Bye-Laws shall only be made at a General Meeting provided a simple majority of those present and voting is secured.
- C4.6 The Executive Committee shall have the power to publish and enforce such Regulations as the Committee feels necessary to govern the activities of the Club.

## **C5.0 MANAGEMENT**

- C5.1 The affairs of the Club shall be conducted by a Management Committee which shall consist of the Officers of the Club plus no more than twelve other Adult or Life Members and ex-officio members set out in Bye-Law BL5.1.
- C5.2 The Officers of the Club, who shall be honorary, shall consist of a President, Vice-President, Treasurer and Secretary who shall be elected at an Annual General Meeting, as shall be the said Adult or Life Members.
- C5.3 If the post of any Officer or Adult/Life committee member should fall vacant after such an election, the Management Committee shall have the power to fill the vacancy.

C5.4 All Management Committee members shall be Adult or Life members of the Club.

## **C6.0 MEETINGS**

### **C6.1 General Meetings**

#### C6.1.1 Notices

At least 30 days notice and the Agenda shall be given to all Adult members of any General Meeting.

#### C6.1.2 Attendance

All Adult and Life Members and a parent or guardian on behalf of a junior member are entitled to attend, take part and vote.

#### C6.1.3 Voting

- With the exception of changes to the Constitution, decisions put to a vote shall be resolved by simple majority at General Meetings.
- Voting shall be by a show of hands unless decided otherwise by a majority of those attending the meeting.

#### C6.1.4 Quora

The quorum at General Meetings shall be two Officers of the Club plus thirteen members eligible to vote.

#### C6.1.5 Changes to the Constitution and Bye-Laws.

A proposal to change the Constitution or Bye-Laws must be submitted in writing to the Secretary, signed by two members eligible to vote at a General Meeting.

### **C6.2 Annual General Meeting (AGM)**

C6.2.1 The Club shall hold an Annual General Meeting in the month of September to :

- Approve the minutes of the previous year's AGM
- Receive reports from the President and Secretary
- Receive a report from the Honorary Treasurer and approve the Annual Accounts
- Receive a report from the Auditors
- Elect Management Committee Members
- Appoint Auditors for the Club's Accounts
- Consider changes to the Constitution
- Consider changes to the Bye-Laws
- Award Life Membership
- Deal with other relevant business

### **C6.3 Extraordinary General Meeting (EGM)**

C6.3.1 An Extraordinary General Meeting shall be called by an application in writing to the Secretary supported by at least fifteen Adult or Life Members of the Club. The Management Committee shall also have the power to call an EGM by decision of a simple majority of its members.

### **C6.4 Management Committee Meetings (MCM)**

C6.4.1 The club shall hold Management Committee Meetings no less frequently than every three months.

C6.4.2 A Management Committee Meeting shall be called by the Secretary when there is business to transact or on request of a Officer of the Club or by an application in writing by at least seven Adult Members of the Club.

C6.4.3 A quorum for Management Committee Meetings shall be at least one Officer of the Club and four Committee members.

C6.4.4 The business of the meeting shall be enacted in accordance with Section 6 of the Bye-laws.

## **C7.0 FINANCE & ACCOUNTS**

C7.1 The financial year shall run from 1<sup>st</sup> August to 31<sup>st</sup> July each year

C7.2 The honorary Treasurer shall be responsible for the preparation of Annual Accounts of the Club.

C7.3 The Accounts shall be audited by an independent person(s) elected annually at the Annual General Meeting.

C7.4 All cheques drawn against the Club's funds shall be signed by the Treasurer and one other authorised signatory

C7.5 The Management committee can enter into contracts and/or partnerships, on behalf of the Club, provided each proposal is fully discussed at and recorded in the minutes of a quorate committee meeting prior to the commitment being made.

C7.6 All members of the Club shall be jointly responsible for the financial liabilities of the Club.

C7.7 Any surplus of the Club's income will be re-invested in the Club and not distributed to its members.

## **C8.0 DISCIPLINE**

C8.1 The Management Committee may take action (eg. fine, suspend or cancel membership) against any Club Member proved guilty of infringing the Club Regulations or acting in such a manner as to bring disrepute to the Club. Such action shall only be taken if the principles and procedures embodied in the Complaints, Appeals and Suspension & Fines sections of the SASA Constitution Bye-Laws and the SASA Rules, have been applied.

C8.2 All Grievances, Complaints and Appeals, except for doping, child abuse or alleged criminal offences, shall be dealt with in accordance with Section 8 of the Club Bye-Laws.

C8.3 Grievances and Complaints involving doping, child abuse or other criminal offences shall be referred to the SASA Chief Executive within 48 hours, in accordance with SASA Ltd. Rule R16.1.3.

## **C9.0 AWARDS**

C9.1 Nomination and selection procedures shall be in accordance with Section 9 of the Bye-Laws

## **C10.0 TROPHIES**

C10.1 All trophies belong to the Club in perpetuity and cannot be won outright.

C10.2 The Club Honorary Treasurer shall act as Trustee of Club Trophies.

## **C11.0 DISSOLUTION**

C11.1 In the event of the dissolution of the Club, any funds, property and other assets shall not be distributed amongst the members of the Club in any way whatsoever, but shall be applied-towards the objective of the SASA

C11.2 So long as five members agree to support the Club it cannot be dissolved.

## **BYE-LAWS**

BL1.0 Not used

BL2.0 Not used

### **BL3.0 MEMBERSHIP**

BL3.1 The subscription of existing members (agreed at the AGM) shall become due on 1 October in each year and those of new members on the date of acceptance for membership.

BL3.2 At the discretion of the Management Committee, members who have made no monthly payment by 30 November, will be deemed to be non-members and will be notified in writing accordingly.

BL3.3 At the discretion of the Management Committee, members who are more than 2 months in arrears, may be excluded from taking part in any of the Clubs activities, competitions or meetings.

BL3.4 A member wishing to resign from the Club shall inform the Secretary in writing.

BL3.5 A Junior/Swimming member wishing to change their 1<sup>st</sup> or 2<sup>nd</sup> Claim Club must do so in accordance with SASA Bye-Law BL8.2.4.

BL3.6 When an application for membership is turned down by the Management Committee, the applicant must be advised of the reason and their right of appeal to the SASA, in writing.

BL3.7 All monthly payments will require to be made by standing order, at the discretion of the Treasurer cheque payments may be accepted.

BL4.0 Not used

### **BL5.0 MANAGEMENT**

- BL5.1 The Management Committee shall comprise the Officers of the Club (as defined in paragraph C5.2), Competition Secretary plus no more than eleven other Adult or Life members. The Head Coach, Club Boy and Girl Captains will be ex-officio members.
- BL5.2 The term of office for President, Vice President, Secretary and Treasurer shall be two years.
- BL5.3 The term of office for the other Management Committee members shall be one year.
- BL5.4 Retiring members of the Management Committee may offer themselves for re-election.
- BL5.5 Management Committee member(s) elected or co-opted to fill a vacancy part way through a term of office shall retire in sequence with the original order of rotation.
- BL5.6 Management Committee members co-opted by the committee shall be subject to endorsement at the first EGM or AGM thereafter.
- BL5.7 A boy captain and girl captain shall be elected annually in September by Swimming Members who have been members for at least 12 months and shall be ex-officio members of the Management Committee.
- BL5.8 The Management Committee shall be responsible for :-
- a) The organisation and control of all members during Club hours.
  - b) The appointment of coaches and instructors.
  - c) Presenting annually their nominations for Hon. President, Hon.Vice President(s), Hon. Secretary and Hon. Treasurer plus other Adult or Life Members to the AGM for ratification.
  - d) Co-opting any member(s) to their committee as ex-officio member(s)
- BL5.9 The Management Committee shall appoint such sub-committees as may be considered necessary.

BL5.10 The Management Committee shall appoint a Child Protection Officer (CPO) who has attended an SASA approved training course.

## **BL6.0 MEETINGS**

### **BL6.1 General**

- BL6.1.1 At all meetings, if a quorum is present, the Chair shall be taken not later than fifteen minutes after the appointed time of the meeting.
- BL6.1.2 All members when called to order at any meeting or gathering of the Club and not complying to the “rule of order” shall be expelled from the meeting.
- BL6.1.3 The Chairperson at all meetings of the Club shall be the President. In the absence of the President, the Vice President shall substitute. In the absence of the President and Vice President, those in attendance shall appoint a substitute.
- BL6.1.4 In the event of equality of votes in any resolution before the meeting which requires a choice to be made for the continued good governance of the Club, the Chairperson of a meeting shall have a second or casting vote.
- BL6.1.5 The Chairperson of a meeting, shall be the sole judge of questions of order and interpreter of the “rules” governing the Club.
- BL6.1.6 The Chairperson shall not speak to, oppose or move any motion from the Chair. In order to do so, they shall vacate the Chair until that business is concluded. The meeting shall be presided over by a substitute Chairperson elected from among those present.
- BL6.1.7 The minutes of all meetings will be available from the Secretary after approval by the Management Committee at the next meeting as being a true and accurate record.

### **BL6.2 Annual General Meeting (AGM)**

- BL6.2.1 The Secretary shall give written notice of not less than 30(thirty) days prior to the date of the AGM. This notice shall be published on the Club notice board and circulated to all Adult and Life Members.
- BL6.2.2 Appended to the notice of intimation of a AGM shall be the Agenda, minutes of the last AGM, a note of the process governing alteration to the Constitution, Bye-Laws and nomination for the Management Committee.
- BL6.2.3 Nominations for Officers of the Club and other members of the Management Committee shall be submitted in writing, signed by two Adult or Life Members and the nominee, to the Secretary no later than 14 (fourteen) days before the meeting.
- BL6.2.4 Proposed alterations to the Constitution and Bye-Laws and notices of motion must be received by the Secretary not later than 14 (fourteen) days before the meeting.
- BL6.2.5 Having received all nominations and proposed alterations, the Secretary shall arrange for this information to be displayed on the Club notice board at least 7(seven) days before the meeting
- BL6.2.6 The order of business for a AGM shall be :
- Presidents Remarks
  - Apologies for Absence
  - Approval of minutes from previous AGM & matters arising.
  - Hon. Secretary Report
  - Swimming Coach(s) Report
  - Financial Report
  - Proposed changes to Constitution
  - Proposed changes to Bye-Laws
  - Election of Management Committee Members
  - Appointment of Coaching Representative
  - Report Club Boy and Girl Captains election result
  - Appointment of Auditors
  - Presentation of Life Membership(s)

Other competent business

### **BL6.3 Extraordinary General Meeting (EGM)**

BL6.3.1 The Secretary will give notice, in writing of all Extraordinary General Meetings, stating the Agenda, to all Adult and Life Members at least 21 days prior to such meetings being held.

BL6.3.2 The order of Business for an EGM shall be :  
President's Remarks  
Apologies for Absence.  
Business to be transacted of which due notice has been given.

BL6.3.3 No business shall be transacted at the EGM other than business of which due notice has been given.

### **BL6.4 Management Committee Meetings (MCM)**

BL6.4.1 Notice of the date, time and venue of each MCM shall be published on the Club notice board at least 7(seven) days prior to the meeting.

BL6.4.2 Adult and Life Members who are not members of the MCM, may attend, but may only participate with the agreement of the Chairperson.

BL6.4.3 All, except ex-officio members shall have a deliberative vote.

BL6.4.4 No decision of the MCM may be altered or revoked without 14(fourteen) days prior notice of intent, in writing, being given to the Secretary.

### **BL7.0 FINANCE & ACCOUNTS**

BL7.0.1 The Treasurer shall arrange for the Auditor(s) to examine and certify the Club accounts and balance sheet before presentation of an audited summary to the AGM.

BL7.0.2 The Treasurer shall submit a budget, to the last meeting of the MCM prior to the AGM, for the following financial year.

BL7.0.3 The Treasurer shall submit a financial statement to the MCM no less frequently than every 3 (three) calendar Months.

BL7.0.4 All outgoing payments shall be made by cheque, signed by the Treasurer and one other authorised signatory.

## **BL8.0 DISCIPLINE**

BL8.0.1 Any member guilty of conduct or breach of the Constitution, Bye-laws, Regulations which is detrimental to the interests or aims of the Club may be disciplined by the MCM, provided Paragraph C8.1 of the Constitution has been satisfied.

### **BL8.1 Suspensions and Fines**

BL8.1.1 The MCM may Suspend, from activities wholly within its own jurisdiction, impose a Fine or Expel a member as a means of discipline.

### **BL8.2 Grievances**

BL8.2.1 A Grievance, which is a formal expression of dissatisfaction or allegation of unfair practice in connection with the management of the Club can be made by :

Any member of the Club

A parent or guardian on behalf of a member under the age of 16 years

Any Individual.

BL8.2.2 A grievance is made in writing to the Club Secretary, not later than 30(thirty) days after the incident.

BL8.2.3 An Enquiry Panel will be set up by the club to consider the grievance in accordance with the Club Regulations.

BL8.2.4 If the decisions of the Enquiry Panel do not satisfy the person who made the grievance, that person shall have a right of appeal to SASA in accordance with Club Bye-Law BL8.4

### **BL8.3 Complaints**

BL8.3.1 A complaint is a formal expression of dissatisfaction or allegation of unfair practice in connection with aquatic sports as governed by the SASA.

BL8.3.2 A complaint must be made in accordance with Section 16 of the SASA Ltd. Rules.

### **BL8.4 Appeals**

BL8.4.1 An appeal may be made against decisions taken by the Club in respect to the outcome of a submitted grievance or against decisions taken by a National Enquiry Panel

BL8.4.2 An appeal must be made in accordance with Section 18 of the SASA Ltd. Rules

## **BL9.0 AWARDS**

### **BL9.1 Life Membership**

BL9.1.1 The MCM may award life membership to persons who have given outstanding service, over many years, to the Club. Life membership shall be presented at the Annual General Meeting or at any other time decreed suitable by the MCM.

BL9.1.2 A recommendation for Life Membership may be made by any Adult or Life Member to the Secretary for submission to the MCM. Full details of the nominee's service should be included with the recommendation.

## **BL10.0 TROPHIES**

BL10.1 The winner of a trophy shall guarantee safe custody and return of the trophy when requested by the MCM.

BL10.2 The Club shall be responsible for arranging and funding the engraving of the winners name on all trophies.

BL11.0 Not Used

## **REGULATIONS**

### **1 Club Rules**

- 1.1 Swimmers will be expected to represent the club in competitions when selected. Swimmers who cannot attend a competition must call off in good time and any unexplained non-attendance may result in future non-selection.
- 1.2 When representing Haddington in competitions swimmers should wear the current Club kit.
- 1.3 On attaining a suitable standard swimmers will be expected to enter appropriate SASA competitions and time trials such as East District Championships etc.
- 1.4 Swimmers are expected to train regularly with the club. An unexplained absence of three weeks or more may result in them being removed from the register.
- 1.5 Swimmers must behave appropriately on poolside at all times and in particular they must:
  - Always obey coaches instruction
  - Never leave poolside without coaches permission
  - Observe all East Lothian Councils rules for poolside behaviour
  - Use the lockers for clothes and belongings
  - Shower thoroughly before entering the pool
  - Not sit or hang on the lane ropes
- 1.6 SASA rules must be obeyed at all times

- 1.7 The committee reserves the right to change the above rules at any time without prior notice.
- 1.8 The colours of the Club shall be Blue, Red and White.

## 2 Financial Assistance For Swimmers

### 2.1 Waiver of Club Annual Subscription

The Club operates a policy to waive the annual subscription for East Lothian Council Leisure Pass Plus holders and this will be reflected in a reduced monthly payment. In order to apply for this assistance, the following procedure should be followed

- Parents or guardians of swimmers, in respect of whom the subscription is to be waived, should contact either verbally or in writing the Club Treasurer who will verify the East Lothian Council Leisure Pass Plus.
- The request will be treated in confidence by the Treasurer and the Club helpers responsible for collecting subscriptions as they will need to be aware of the arrangement.

### 2.2 Hardship Fund

The Club operates a small hardship fund to provide one-off financial assistance to swimming members of the Club to remove or reduce financial barriers to engaging in Club activities.

Swimmers for whom hardship assistance is sought should be in good standing with the club and demonstrate appropriate commitment to their swimming development, having taken into consideration their age and ability. Requests for assistance will be treated on individual merits taking into account the known circumstances. In order to apply for this assistance, the following procedure will apply

- All requests for assistance should be submitted to the Treasurer either verbally, but preferably in writing.
- The request will be treated in confidence by the Treasurer and only the relevant details disclosed to the other office bearers, the purpose of this being to ratify the Treasurer's recommendation.
- The outcome will be communicated within 2 weeks of the request being made.
- A successful request will require an agreement to be recorded between the Treasurer and the requestor and if applicable, reviewed at a mutually agreed later date. Failure to comply with the agreement or failure to advise of a favourable change in circumstances that invalidates the request, may result in the suspension, termination of the assistance or in extreme circumstances a request for a full refund to the Club of the assistance provided.

### 3 Financial Assistance For Coach Development

The Club will support coaches/pool-side helpers to gain relevant recognised qualifications by providing financial assistance to meet the costs incurred in attending courses. Applying for financial assistance is covered by the guidelines set out below.

- Details of the course including evidence of the costs should be submitted to the Committee via the Head Coach.
- The Head Coach's recommendation on the suitability and anticipated benefit to the Club of the course, in respect of which financial assistance is being applied for, will be required by the Committee prior to an award being considered.
- The level of financial assistance, typically 50% of the course costs, will be dependent on the course costs and the availability of funds in the Club training budget and will be reimbursed to the applicant upon completion of the course.
- All recipients of funding assistance will require to remain with the Club for a minimum period of 6 months following completion of the course,

failure to do so would require a full refund to the Club of the financial assistance - the Committee has the discretion to waive this requirement.

- Completion of the course will not necessarily result in a review of the applicant's remuneration.