

Kingston Amateur Swimming Club



Club Constitution

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Distribution

Name	# Copies
Kingston A.S.C. Club Membership	By access via website

Document history

Issue history

<i>Issue</i>	<i>Date</i>	<i>Document Status</i>
Draft 1	04 Nov 04	Superseded
Draft 1A	30 Nov 04	Superseded
Draft 1B	08 Dec 04	Superseded
Issue 1	03 Feb 05	Superseded
Issue 2	30 Jan 06	Superseded
Issue 3	1 Feb 12	Superseded
Issue 4	1 Feb 2014	Superseded
Issue 5	2 Feb 2016	Superseded
Issue 6	5 Feb 2017	Current issue

Summary of changes

<i>Issue, Section, page</i>	<i>Synopsis of change</i>	<i>Reason for Change</i>
Draft 1	Addition of Document Authorisation, Distribution and Configuration sheets.	Updated to Draft 1A status for final checking.
Draft 1A	Restructure of Contents sheet and general editorial tidy up prior to distribution.	Updated to Draft 1B status prior to presentation to AGM for vote on adoption
Draft 1B	Incorporation of proposed changes to Sections C6.1.1 (a), C6.2.2 (a), BL6.2.1 & BL6.3.1.	Updated to Issue 1 status prior to General release, following approval for adoption at the club A.G.M. held on 27 th January 2005.
Issue 2, Section BL3.3, page 10.	BL3.3 amended to clarify date by which all annual club fees must be paid by, this date being the 28 th February of each year.	This declaration was in the original club constitution, however, it was omitted in error when the club constitution was updated.
Issue 3, Section R5.0, page 16.	R5.0 amended to bring constitution into line with current training nights.	Amended to reflect current training nights in the club and to allow for

		future changes as they may occur.
Issue 4 Section C3.1.1, C3.1.2 page vi	C3.1.1 and C3.1.2 amended to current SASA swimmer (all ages) and non-swimmer categories	membership categories amended to bring into line with current SASA membership categories.
Issue 5 Section C3.1.1, C3.1.2 page vi	C3.1.1 and C3.1.2 amended to revert to original wording as described at AGM 2016	membership categories amended to reflect voting rights within the Club
Issue 6 Section	All sections updated to reflect structure of Scottish Swimming model constitution Issue 16	Updating required to comply with current issue for SwiMark accreditation

KINGSTON AMATEUR SWIMMING CLUB
CONSTITUTION, BYE-LAWS AND REGULATIONS

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CONSTITUTION

C1.0 NAME

C 1.1 The Club shall be called "Kingston Amateur Swimming Club" (Hereinafter referred to as the Club)

C2.0 OBJECTS

C2.1 The objectives of the Club shall be to:-

- a) Advance the public participation in Aquatic Sports by promoting and managing the teaching, knowledge and practice of one or more Aquatic Sports, in accordance with paragraph C2.1 of the SASA Constitution where relevant.

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 Scots Law.
- b) Junior Member
A Junior is an individual not recognised in Scots Law as an adult and not as defined in Scottish Swimming Company Rule R4.5.6.
- c) Life Member

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

C3.2.1 The Membership fees of existing members (agreed at the AGM) shall become due on 1 January in each year and those of new members on the date of acceptance for membership.

C3.2.2 A member who has not paid his/her membership by 28th February will be excluded from taking part in any of the Clubs activities, competitions or meetings until payment is made.

C3.2.3 Members not renewing by 31 March will be deemed to be non-members and will be notified in writing accordingly.

C3.2.4 All members will be excluded from taking part in any of the Clubs activities, competitions or meetings until their annual subscription is paid.

C3.3 All Club Members must be registered with the SASA in accordance with the categories defined in SASA Constitution C3.3.3.

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

C3.5 A member wishing to resign from the Club shall inform the Secretary in writing.

C3.6 A Club member wishing to change their 1st or 2nd Claim Club must do so in accordance with SS Company Rule R5.2.

C3.7 The Management Committee shall have the power to turn down an application for membership, provided they act in accordance with paragraph C3.7.1.

- C3.7.1 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 Scottish Swimming, in writing.

C4.0 GOVERNANCE

- C4.1 The Club shall be subject to and bound by, the Scottish Swimming Governance Documentation (SASA Constitution, Company Articles and Company Rules) and the appropriate SASA District Rules.
- C4.2 The Club shall comply with the Scottish Swimming Codes of Conduct, Ethics and 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 Management 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 MEETINGS

- C5.1 General
- C5.1.1 Notices
At least 14 days notice and the Agenda shall be given to all Adult members of any General Meeting
- C5.1.2 Attendance
- a) All Adult Members and Life Members are entitled to attend, take part and vote unless specifically excluded from doing so by the Club's Constitution.
- b) Club Captains are entitled to attend.
- C5.1.3 Voting
- a) With the exception of changes to the Constitution, decisions put to a vote shall be resolved by simple majority at General Meetings.
- b) Voting shall be by a show of hands unless decided otherwise by a majority of those attending the meeting.
- C5.1.4 Quora
The quorum at General Meetings shall be two Officers of the Club plus five members eligible to vote.
- C5.1.5 Changes to the Constitution and Bye-Laws
- a) 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.
- C5.1.6 Conduct of Business

The conduct of business shall be in accordance with Bye-laws Section BL2.1

C5.2 Annual General Meeting (AGM)

C5.2.1 The Club shall hold an Annual General Meeting in the month of January to:

- a) Approve the minutes of the previous year's AGM.
- b) Receive reports from the President and Secretary.
- c) Receive a report from the Treasurer and approve the Annual Accounts.
- d) Receive a report from the Auditor(s) / Independent Examiner(s).
- e) Elect Management Committee Members.
- f) Appoint Auditor(s) / Independent Examiner(s) for the Club's Accounts.
- g) Consider changes to the Constitution.
- h) Consider changes to the Bye-Laws.
- i) Present Life Membership(s).
- j) Deal with other relevant business

C5.2.2 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.

C5.2.3 Appended to the notice of intimation of an 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.

C5.2.4 Nominations for Officers of the Club and other members of the Management Committee shall be submitted in writing, signed by two Adult Members and the nominee, to the Secretary no later than 20th January

C5.2.5 Proposed alterations to the Constitution and Bye-Laws and notices of motion must be received by the Secretary not later than 20th January

C5.2.6 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.

C5.2.7 The business for an AGM shall include:

- a) Chair's Welcome
- b) Apologies for Absence
- c) Approval of minutes from previous AGM & matters arising.
- d) Competition Report
- e) Coaches Report
- f) Financial Report, Appointment of Auditors / Independent Examiners
- g) Club membership and Fees
- h) Proposed changes to Constitution and Bye-Laws
- i) Technical and Official's Report
- j) Election of Office Bearers
- k) Life Membership Awards
- l) Other relevant business

C5.3 Extraordinary General Meeting (EGM)

C5.3.1 An Extraordinary General Meeting shall be called by an application in writing to the Secretary supported by at least five Adult 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.

- C5.3.2 The Secretary will give notice, in writing of all Extraordinary General Meetings, stating the Agenda, to all Adult and Life Members at least 14 days prior to such meetings being held.
- C5.3.3 The order of Business for an EGM shall be:
- a) Chair's Remarks
 - b) Apologies for Absence.
 - c) Business to be transacted of which due notice has been given.
- C5.3.4 No business shall be transacted at the EGM other than business of which due notice has been given.

C6.0 AWARDS

C6.1 Life Membership

- C6.1.1 Life membership may be presented to person(s) who have given outstanding service, over many years, to the Club and shall be presented at the Annual General Meeting or at any other time decreed suitable by the Management Committee.
- C6.1.2 A recommendation for Life Membership may be made by any Adult or Life Member to the Secretary for submission to the Management Committee.
Full details of the nominee's service should be included with the recommendation.

C7.0 TROPHIES

- C7.1 All trophies belong to the Club in perpetuity and cannot be won outright.
- C7.2 The Club Honorary Treasurer shall act as Trustee of Club Trophies.
- C7.3 The winner of a Club trophy shall guarantee safe custody and return of the trophy when requested by the Management Committee.
- C7.4 The Club shall be responsible for arranging and funding the engraving of the winners name on all Club trophies.

C8.0 DISSOLUTION

- C8.1 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 objectives of Scottish Swimming.
- C8.2 So long as four members agree to support the Club it cannot be dissolved.

BYE-LAWS

BYE-LAWS

BL1.0 MANAGEMENT

- BL1.1 The affairs of the Club shall be conducted by a Management Committee which shall consist of the Officers of the Club plus not more than 18 other Adult Members as well as ex-officio members set out in Bye-Law BL1.5.1
- BL1.2 The Officers of the Club, who shall be Honorary, shall consist of a Chair, Vice-Chair, Treasurer and Secretary who shall be elected at an Annual General Meeting, as shall be the said Adult Members.
- BL1.3 If the post of any Officer or Adult committee member should fall vacant after such an election, the Management Committee shall have the power to fill the vacancy.
- BL1.4 All Management Committee members shall be Adult members of the Club.
- BL1.5 Management Committee
- BL1.5.1 The Management Committee shall comprise the Officers of the Club (as defined in paragraph BL1.2), Registration Secretary, Meet Secretary, Entry Secretary, Coach Co-ordinator and up to 14 other Adult members. The Squad Coaches, Club Boy Captain and Club Girls Captain will be ex-officio members.
- BL1.5.2 Retiring members of the Management Committee may offer themselves for re-election.
- BL1.5.3 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) The selection of members to represent the Club.
 - d) The handicapping of Club events as necessary.
 - e) The organisation of swimming activities as may be requested by other bodies.
 - f) Appointing the Boy and Girl Captains in June each year.
 - g) Considering and approving or otherwise nominations for Life Membership of the Club.
- BL1.5.4 The Management Committee shall appoint such sub-committees as may be considered necessary.
- BL1.5.5 The Management Committee shall appoint at least one Child Protection Officer (CPO) who has attended a Scottish Swimming approved training course.

BL2.0 MEETINGS

BL2.1

Standing Orders

- BL2.1.1 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.
- BL2.1.2 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.
- BL2.1.3 The Chair at all meetings of the Club shall be the Club Chair
In the absence of the Club Chair, the Vice Chair shall substitute.
In the absence of the Chair and Vice Chair, those in attendance shall appoint a substitute.

- BL2.1.4 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 Chair of a meeting shall have a second or casting vote.
- BL2.1.5 The Chair of a meeting shall be the sole judge of questions of order and interpreter of the "rules" governing the Club.
- BL2.1.6 The Chair 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 Chair elected from among those present.
- BL2.1.7 The minutes of all meetings will be circulated to Committee Members.

BL2.2 Management Committee Meetings

- BL2.2.1 The club shall hold Management Committee Meetings no less frequently than every three months.
- BL2.2.2 A Management Committee Meeting shall be called by the Secretary when there is business to transact or on request of an Officer of the Club or by an application in writing by at least four Adult Members of the Club.
- BL2.2.3 A quorum for Management Committee Meetings shall be at least one Officer of the Club and three Committee members.
- BL2.2.4 The business of the meeting shall be enacted in accordance with Section BL2.1.
- BL2.2.5 Notice of the date, time and venue of each committee meeting shall be published on the Club notice board at least 7(seven) days prior to the meeting.
- BL2.2.6 Adult Members who are not members of the Committee, may attend, but may only participate with the agreement of the Chair.
- BL2.2.7 All, except ex-officio members shall have a deliberative vote.
- BL2.2.8 No decision of the Committee may be altered or revoked without 14 (fourteen) days prior notice of intent, in writing, being given to the Secretary.

BL3.0 FINANCE & ACCOUNTS

- BL3.1 The financial year shall run from 1st January to 31st December each year.
- BL3.2 The Treasurer shall be responsible for the preparation of Annual Accounts of the Club.
- BL3.3 The Accounts shall be audited / examined by an independent person(s) elected annually at the Annual General Meeting.
- BL3.4 All cheques drawn against the Club's funds shall be signed by a minimum of two Officers of the Club.
- BL3.5 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.

- BL3.6 All adult members of the Club shall be jointly responsible for the financial liabilities of the Club
- BL3.7 Any surplus of the Club's income will be re-invested in the Club and not distributed to its members.
- BL3.8 The Treasurer shall arrange for the Auditor(s) / Independent Examiner(s) to examine and certify the accounts and balance sheet before presentation of a certified summary to the AGM.

BL4.0 DISCIPLINE

BL4.1 The Management Committee may take action (e.g. fine, suspend or cancel membership) against any Club Member proved guilty of conduct or breach of the Constitution, Bye-laws, Regulations which is detrimental to the interests or aims of the Club or for 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 Scottish Swimming Governance Documentation have been applied.

BL4.1.1 All Grievances, Complaints and Appeals, except for doping, child abuse or alleged criminal offences, shall be dealt with in accordance with Sections BL4.2, BL4.3 and BL4.4.

BL4.1.2 Grievances and Complaints involving doping, child abuse or other criminal offences shall be referred to the Scottish Swimming Chief Executive within 48 hours, in accordance with SS Company Rule R12.1.4.

BL4.1.3 The Management Committee may Suspend, from activities wholly within its own jurisdiction, impose a Fine or Expel a member as a means of discipline.

BL4.2 Grievances

BL4.2.1 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:

- a) Any member of the Club
- b) A parent or guardian on behalf of a Junior member as defined in paragraph C3.1(b)
- c) Any Individual

BL4.2.2 A grievance is made in writing to the Club Secretary, not later than 30(thirty) days after the incident.

BL4.2.3 An Enquiry Panel will be set up by the club to consider the grievance in accordance with the Club Regulations.

BL4.2.4 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 Scottish Swimming in accordance with Section BL4.4.

BL4.3 Complaints

BL4.3.1 A complaint is a formal expression of dissatisfaction or allegation of unfair practice in connection with aquatic sports as governed by Scottish Swimming.

BL4.3.2 A complaint must be made in accordance with SS Company Rules, Section 12.

BL4.4 Appeals

BL4.4.1 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.

BL4.4.2 An appeal must be made in accordance with SS Company Rules, Section R.14.

REGULATIONS

R1.0 Club Statement

The impact of sport and physical activity on children and young people can be extremely positive, providing an opportunity for personal and social development. Naturally, it improves health and fitness; but it can also boost confidence and self esteem, teach leadership, teamwork and social skills that can be used in all aspects of life. Sport also offers valuable lessons on how to win and how to lose. It teaches the benefits of hard work and how to treat others with respect.

We believe that these positive benefits come primarily from within a club atmosphere and aim to provide in our club the best possible conditions to give our members the opportunity to develop and hone their skills.

We believe that the structure of our club, with the many parent volunteers giving their time freely, shows a commitment and enthusiasm, which rubs off on the young. It creates a friendly family atmosphere which allows the children to relax and concentrate on the tasks in hand.

Making friends and being part of a team gives them confidence and allows them to develop and improve. This gives our members the motivation to take an active role in swimming.

R2.0 Club Aims

Kingston Amateur Swimming Club shall, in all its endeavours, aim to;

- a) Respect the rights, worth and dignity of each member.
- b) Provide a friendly and safe environment for all our swimmers.
- c) Encourage all our swimmers to take pleasure from their swimming and pride in their performances.
- d) Provide the coaching and support to help our all our swimmers achieve their full potential.
- e) Promote competitive swimming through organising swimming galas; attending other club galas and attending various graded open meets.
- f) Create a culture where all swimmers support and encourage other team members, thereby building team spirit and friendships.
- g) Be committed to treat everyone equally regardless of their sex, origin, religion, disability, age, sexual orientation or political persuasion.
- h) Be committed to everyone having the right to enjoy their swimming in an environment free from threat of discrimination, intimidation, harassment and abuse.

R3.0 Club Policies

All members are bound by the policies of the club as formulated and updated from time to time. Currently in place are the following Policies:

- a) Child Protection Policy
- b) Recruitment & Selection Policy for Voluntary Members
- c) Policy for Use of Photographic & Video Equipment
- d) Equal opportunities Policy

R4.0 Club Codes of Conduct

All members are bound by the Clubs codes of conduct as formulated and updated from time to time. Currently in place are the following Codes of Conduct:

- a) Coaches Code of Conduct

R5.0 Club Night

Club training for all members will consist of a minimum of two sessions per week, and on such two sessions that shall be determined by the Management Committee, with due regard to pool availability.

R6.0 Session Times

The session times and duration shall be determined by the Management Committee in consultation with the head coach. Additional training sessions for selected swimmers may be required from time to time at the request of the Management Committee.

R7.0 Club Coaches & Poolside Helpers

The Head Coach shall be responsible for the organising and co-ordination of all Club Coaches and Poolside Helpers poolside duties. The Management Committee shall arrange where necessary all training courses required to maintain levels of competence.

R8.0 Competitions & Entries

R8.1 Everyone is given the opportunity to decide which competitions they wish to take part in during the year. This makes it easier for planning events as it can therefore be assumed, in the first instance, swimmers invited will take part. However we will always confirm that swimmers are able to attend before entry fees are paid.

R8.2 Details of all competitions, galas, league matches and others involving the Club shall be displayed on the Club notice board, Club website or newsletter.

R8.3 Competition entry forms will be issued as far in advance as possible. Entries should be completed and returned by the stated date along with the required fees. Late entries may not be processed and may result in swimmer missing an event.

R8.4 The club shall not, unless otherwise clearly indicated in the entry form or clearly stated in other written details issued by the Management Committee, be responsible for transport (or the costs of transport) to and from competitions, galas and team matches which shall be the sole responsibility of the swimmer and his or her parents or guardians.

R9.0 Annual Club Competitions

R9.1 Club Gala

Open to all Kingston members and held in May/June, competing for medals and trophies. An entrance fee is charged for each swim. Members will be notified of the date and invitations sent out.

R9.2 Kingston Sprints

An Invitational meet held in November, where we invite teams and compete for medals. This is our major fund-raiser of the year and a full day event where parents will be asked to help out.

R10.0 Trophies

Trophies should be returned by the due date requested in a clean condition. Any member failing to return a trophy on time shall be responsible for the full cost of replacement. Any damage should be reported to the committee as and when it occurs and, other than fair wear and tear, the member is responsible for its repair.

R11.0 Members Property

R11.1 Loss of Members Property

The Club will accept no responsibility for any loss of money, clothing or other valuables left in the changing rooms whether in lockers or not or otherwise left unattended around the pool.

R11.2 Lost Property

Any article left at the pool and unclaimed for a period of 28 days may be disposed off as the Management Committee determines.

R12.0 Insurance

R12.1 All Club members, by virtue of affiliation to the Scottish Amateur Swimming Association, are covered by insurance for Civil Liability and Personal Accident. The insurance is organised yearly by the SASA.

R12.2 The Club Secretary shall hold the policy and is the designated person responsible for notification of incidents under the insurance guidelines.

R12.3 It is essential that all incidents are reported promptly via the Club Secretary.

R12.4 Under no circumstances should any member, on behalf of the club, admit liability or agree to pay for damage caused as this may prejudice the position of the insurers and could result in the withdrawal of the club's indemnity.

R13.0 Lifesaving

Life saving is restricted to pool staff or qualified lifesavers.

R14.0 Club Grievance Procedure

In addition to the procedures detailed in BL4.2, the Club will follow Scottish Swimming Grievance procedures as documented in http://www.scottishswimming.com/media/305553/2-SASA-Club-Complaints-Process-Guidelines_Final_March2013.pdf

R15.0 Child Protection Policy-Officer Appointments and Terms of Reference

Within our commitment to Child Protection, our Child Protection officer (CPO) will be appointed under the terms and regulations of Scottish Swimming, documented in <http://www.scottishswimming.com/media/1660516/22-The-Role-of-the-Child-Protection-Officer.pdf>

R16.0 Equal opportunities Policy

Within the Club's commitment to equal opportunities we will follow Scottish Swimming's guidelines on Equal Opportunities, as documented in <http://www.scottishswimming.com/media/305755/P07-EqualOpportunitiesPolicy-Dec2012.pdf>

R17.0 Club Business

- R17.1 All matters pertaining to club business must be conducted through the committee.
- R17.2 The Management Committee reserves the right to refuse membership in accordance with the Club constitution.
- R17.3 Discipline must conform to rules of good behaviour and enforcement will be as per current Club disciplinary procedures.