



# **Blairgowrie Dolphins Amateur Swimming Club**

# **CONSTITUTION**

Reviewed and Updated: November 2016

Approved at Management Committee: 20 November 2016

Accepted at Annual General Meeting: 27 November 2016

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## **SECTION A: CLUB OBJECTIVES, MANAGEMENT & MEMBERSHIP**

### **1 Name**

- 1.1 The Club shall be called “Blairgowrie Dolphins Amateur Swimming Club” (hereinafter referred to as the Club).

### **2. Objectives**

- 2.1 The objectives of the Club shall be to promote and manage the teaching, knowledge and practice of swimming, in accordance with paragraph C2.1 of the Scottish Amateur Swimming Association (SASA) Constitution as found in [Scottish Swimming Governance Documentation](#) on the Scottish Swimming website.

### **3. Membership**

- 3.1 The membership shall consist of the following categories:-
  - Adult Members (aged 16 years and over)
  - Swimming Member
  - Non Swimming Member
  - Junior Members (aged under 16 years)
  - Swimming Member
- 3.2 Membership fees and subscriptions shall be as agreed at each Annual General Meeting, and shall become due on 1 April for existing members or the date of acceptance for membership for new members.
- 3.3 Should there subsequently be a significant (5% or more) increase in pool hire charges then the Management Committee, for that reason only, has authority to increase the session fees by up to 10% in that financial year.
- 3.4 All Club Members must be registered with SASA in accordance with the categories defined in SASA Constitution C3.3.3.
- 3.5 All members will be excluded from taking part in any of the Club’s activities, competitions or meetings until their annual SASA subscription is paid, and members not renewing by 31 March will be deemed to be non-members and will be notified in writing accordingly.
- 3.6 All members will be excluded from taking part in any of the Club’s activities, competitions or meetings if they have outstanding session fees of either 2 months or £40 whichever is the lower amount. Participation in activities can recommence once the payments have been brought up-to-date. Only in exceptional circumstances with the agreement of the President, Treasurer and Subscription Secretary can payments be brought up to date by instalments allowing the swimmer to continue with activities.
- 3.7 All members joining the Club shall be deemed to accept the terms of this Constitution, the Club Policies, and any Regulations, Procedures and Codes of Conduct from time to time adopted by the Club.

- 3.8 The Management Committee shall have the power to turn down an application for membership, provided the applicant is advised in writing of the reason and their right of appeal to Scottish Swimming.
- 3.9 A Club Swimming member wishing to change their 1<sup>st</sup> or 2<sup>nd</sup> Claim Club must do so in accordance with SS Company Rule R5.2 as found on Scottish Swimming website under [Scottish Swimming Governance Documentation](#).
- 3.10 A member wishing to resign from the Club shall inform the Subscription Secretary in writing (an email to the Club generic email account is acceptable).

#### **4 Management Committee**

- 4.1 A Management Committee shall conduct the affairs of the Club which shall consist of the Officers of the Club, up to ten other Adult Members, and the Club Boy Captain and Club Girl Captain as ex-officio members.
- 4.2 The Management Committee may delegate specific affairs of the Club to a sub group. The membership of the sub group shall consist of up to 4 members at least one of whom shall be an Officer.
- 4.3 Management Committee member(s) elected or co-opted to fill a vacancy part way through a term of office shall be members subject to endorsement at the first Extraordinary General Meeting or Annual General Meeting thereafter.
- 4.4 The Management Committee shall be responsible for:-
- (a) The organisation and control of all members attending Club events.
  - (b) The appointment of coaches, instructors and poolside helpers.
  - (c) The selection of members to represent the club.
  - (d) The handicapping of Club events as necessary.
  - (e) The organisation of swimming activities as requested by other bodies.
  - (f) Arranging for the election of the boy and girl captains in November each year.
  - (g) Presenting nominations for Officers of the Club to the Annual General Meeting for ratification.
  - (h) Fund raising events.
  - (i) Appointment of sub-committees as may be considered necessary.
- 4.5 If the post of any adult committee member should fall vacant after such an election, the Management Committee shall have the power to fill the vacancy.

#### **5 Officers of the Club**

- 5.1 Officers of the Club, who shall be honorary, shall consist of President, Vice President, Treasurer, Secretary, Subscriptions Secretary, Child Protection Officer, Gala Convenor and Coaching Representative who shall be elected at an Annual General Meeting, as shall be any new Committee Members.
- 5.2 All Officers shall be Adult members of the Club.
- 5.3 If the post of any Officer of the Club should fall vacant after an election, the Management Committee shall have the power to fill the vacancy.

- 5.4 The term for Officers of the Club shall be two years from the date of election at the Annual General Meeting.
- 5.5 Where no other nominations for an Officer of the Club are received, an extension of 12 months to the term for an existing Officer may be agreed at the Annual General Meeting.
- 5.6 Retiring Officers of the Club may offer themselves for re-election.
- 5.7 The Management Committee shall appoint a Child Protection Officer (CPO) who has attended a Scottish Swimming approved training course.
- 5.8 The retiring President of the Club shall be invited to stay on as a Member of the Management Committee for a period of 12 months.

## **6 Dissolution**

- 6.1 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.
- 6.2 So long as five or more members agree to support the Club it cannot be dissolved.

## **SECTION B: GOVERNANCE**

- 7.1 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).
- 7.2 The Club shall comply with the Scottish Swimming Codes of Conduct, Ethics and the SAS Child Protection Guidelines, which can be found in the list of Governance Documentation at <http://www.scottishswimming.com/members/membership/club-governance-and-adminstration/governance.aspx>
- 7.3 The Club shall be governed by its Constitution, Bye-Laws and Regulations.
- 7.4 The Management Committee shall publish and enforce the Club Constitution, Policies, Procedures and Codes of Conduct as it considers necessary to govern the activities of the Club (all of which can be found on the Club website at <https://blairgowriedolphins.co.uk/club-policies/>).
- 7.5 Amendments to the Constitution shall only be made at a Management Committee Meeting where at least two thirds of Committee Members are present, and at least a two thirds majority of those present and voting is secured.
- 7.6 Amendments to the Policies, Procedures and Codes of Conduct shall only be made at a Management Committee meeting where at least half of the Committee Members are present, and a simple majority of those present and voting is secured.

- 7.7 A proposal to change the Club Constitution, Policies, Procedures and Codes of Conduct must be submitted in writing to the Secretary and signed by two members.

## **SECTION C: MEETINGS**

### **8 Protocol**

- 8.1 Members when called to order at any meeting or gathering of the Club by the Chairperson and not complying with “rule of order” shall be expelled from the meeting.
- 8.2 The Chairperson at all meetings of the Club shall be, in order of priority, the President, Vice President, or a substitute appointed by those in attendance.
- 8.3 In the event of equality of votes in any resolution before a meeting which requires a choice to be made for the continued good governance of the Club, the Chairperson shall have a second or casting vote.
- 8.4 The Chairperson of a meeting shall be the sole judge of questions of order and interpreter of the “rules” governing the Club.
- 8.5 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 chaired by a substitute Chairperson elected from those present.
- 8.6 The minutes of any meetings will be circulated to all Management Committee Members and made available to all members.

### **9 Management Committee Meeting (MCM)**

- 9.1 The Club shall hold a MCM at least 6 times a year unless it is anticipated the meeting will be inquorate as defined in paragraph 9.4.
- 9.2 A MCM shall be called by the Secretary when there is:
- Business to transact
  - A request by an Officer of the Club or a written application of at least five adult members of the Club
  - A proposal to amend the Constitution, Polices, Procedures, Codes of Conduct
- 9.3 Notice of the date, time and venue of each MCM shall be published on the Club notice board and Website at least 7 days prior to the meeting.
- 9.4 The quorum at a MCM shall be three Officers of the Club plus three Committee Members eligible to vote.
- 9.5 All Adult Committee Members, except ex-officio members, are entitled to attend, take part at and have a deliberative vote at a MCM.
- 9.6 With the exception of changes detailed in paragraphs [7.5](#) and [7.6](#) a majority at a MCM shall resolve decisions put to a vote. Voting shall be by a show of hands unless decided otherwise by a majority of those attending the meeting.

- 9.7 Adult members who are not members of the MCM, may attend any MCM, but may only participate with the agreement of the Chairperson. Junior members may attend with the agreement of the Chairperson.
- 9.8 No decision of the MCM may be altered or revoked without 14 days prior notice of intent, in writing, being given to the Secretary.

## **10 Annual General Meeting (AGM)**

- 10.1 The Club shall hold an AGM at the end of November.
- 10.2 The Secretary shall give written notice of intimation of an AGM on the Club notice board and Website of not less than 21 days prior to the date of the AGM, appending:
- Minutes of the last AGM
  - A note of the process governing alteration to the Constitution, Policies, Procedures, Codes of Practice.
  - Process governing nomination for the Management Committee
- 10.3 The order of business for an AGM shall be:
- Presidents Remarks
  - Apologies for absence
  - Approval of minutes from previous AGM and matters arising
  - Reports from Officers of the Club (as defined in paragraph 5.1)
  - Proposed changes to Constitution, Policies, Procedures, Codes of Conduct
  - Election of Management Committee Members
  - Appointment of auditors
  - Other relevant business

## **11 Extraordinary General Meetings EGM**

- 11.1 An EGM shall be called by application to the Secretary:
- In writing by at least ten Adult Club Members
  - By the Management Committee through a decision of a simple majority of members eligible to vote at a Management Committee Meeting
- 11.2 The secretary shall give written notice of intimation of an EGM on the Club notice board and Website of not less than 21 days prior to the date of the EGM stating the agenda.
- 11.3 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
- 11.4 No business shall be transacted at the EGM other than business of which due notice has been given.

## **12 Sub committees**

- 12.1 Sub-Committees may be formed from members where it is considered at a Management Committee Meeting to be an effective manner in which to consider more complex matters in detail.
- 12.2 Sub-Committees will be given a specific remit by the Management Committee and will report back on findings and any documents produced to the Management Committee for final approval.

## **SECTION D: CLUB SESSIONS AND COMPETITIONS**

### **13 Club Sessions and Training Squads**

- 13.1 There will be three squads based primarily on swimming ability for push & glide, front crawl, back crawl and breast stroke in respect of streamlined position, face in water, body position, arm and leg action. The coaches shall decide which squad a swimmer is placed in.
- 13.2 Club sessions are as follows:

Session1	Tuesday	18.00 – 19.00
Session 2	Wednesday	16.00 – 17.00
Session 3	Thursday	18.00 - 19.00
Session 4	Friday	20.00 - 21.30
Session 5	Sunday	17.00 - 18.00
Session 6	Sunday	18.00 - 19.00
Session 7	Sunday	19.00 - 20.30
- 13.3 Restrictions on attendance at sessions will be decided by the coaches and will be dependent on competency.

### **14 Competition Entries**

- 14.1 All swimmers will be considered for entry into friendly galas subject to any age restrictions and minimum swimming ability on which the gala is based.
- 14.2 All swimmers will be considered for inclusion in League Galas with final selection based on times and competency and the ability of each team of swimmers to work together to maximise points gained at the gala. The decisions made by the coaches in this respect will be final.
- 14.3 All swimmers will be given the opportunity for consideration into regional and national events subject to meeting age restrictions and time requirements set by the event organisers.



## **15 Annual Club Championships**

- 15.1 All members may enter the annual Club Championships in the appropriate age group, irrespective of swimming ability or attendance at Club sessions and galas.
- 15.2 Trophies, shields and medals will be awarded based on the performance of the swimmer on the day, with other prizes being awarded on the basis of performance throughout the year.

## **SECTION E: FINANCES AND ACCOUNTS**

- 16.1 The financial year shall run from 1<sup>st</sup> November to 31<sup>st</sup> October each year.
- 16.2 The Treasurer shall be responsible for the preparation of the Annual Accounts of the Club.
- 16.3 The accounts shall be audited by an independent person(s) elected annually at the Annual General Meeting.
- 16.4 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 Annual General Meeting. If at the time of the AGM audited accounts are not yet available then an unaudited version will be presented at the AGM with the audited version being presented to the first Management Committee Meeting thereafter.
- 16.5 All outgoing payments shall be made by cheque drawn against the Club's funds with the exception of payments of membership fees to Scottish Swimming which are made on-line. All cheques should be signed by any 2 of the 3 authorised signatories. Blank cheques must not be pre-signed.
- 16.6 The Treasurer shall provide a financial report/update at each MCM throughout the year.
- 16.7 The Treasurer shall submit a budget, detailing significant items of expenditure and income to the October meeting of the Management Committee for the following financial year, in order that proposals for membership fees can be presented to the Annual General Meeting.
- 16.8 The Management Committee can enter into contracts and or partnerships on behalf of the Club provided each proposal is fully discussed and recorded in the minutes of a quorate (as detailed in paragraph [9.4](#)) Management Committee meeting prior to the commitment being made.
- 16.9 All adult members of the Club shall be jointly responsible for the financial liabilities of the Club.
- 16.10 Any surplus of the Club's income will be re-invested in the Club and not distributed to its members.

## **SECTION F: COACHES, MANAGERS & OFFICIALS**

### **17 Coaches**

- 17.1 All coaches shall be approved as competent by the Management Committee.
- 17.2 Coaches will be actively encouraged to obtain formal qualifications and keep them up to date, where this is considered to be appropriate and of benefit to the individual and the Club.

### **18 Team Managers**

- 18.1 Team managers for specific galas and events shall be volunteers from the coaching staff and Management Committee as appropriate and approved at a Management Committee meeting.

### **19 Technical Officials**

- 19.1 Technical Officials for friendly galas, informal swimming meetings, Club time trials and Club Championships may be anyone associated with the Club or Club Members, subject to approval by the gala convenor or event organiser.
- 19.2 Technical Officials for league galas, regional and national events shall only be put forward by the Club to the organiser following satisfactory attendance at the appropriate training course.

## **SECTION G: DISCIPLINE, GRIEVANCES AND COMPLAINTS**

### **20 Discipline**

- 20.1 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 Protests, Complaints, Suspension & Fines and Appeals sections of the [Scottish Swimming Governance Documentation](#) (sections R11 to R14).
- 20.2 All Grievances, Complaints and Appeals, except for doping, child abuse or alleged criminal offences and Appeals shall be dealt with in accordance with Sections [21](#), [22](#) and [23](#) of the Club Constitution.
- 20.3 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 (found within [Scottish Swimming Governance Documentation](#)).
- 20.4 The Management Committee may Suspend from activities wholly within its own jurisdiction, impose a Fine or Expel a member as a means of discipline.

## **21 Grievances**

- 21.1 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/guardian on behalf of a Junior member (as defined in section [3.1](#))
  - Any individual
- 21.2 A grievance must be made in writing to the Club Secretary, not later than 30 days after the incident.
- 21.3 An Enquiry Panel will be set up by the club to consider the grievance in accordance with the Club Regulations.
- 21.4 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 23](#) of the Club Constitution.

## **22 Complaints**

- 22.1 A complaint is a formal expression of dissatisfaction or allegation of unfair practice in connection with aquatic sports as governed by Scottish Swimming.
- 22.2 A complaint must be made in accordance with SS Company Rules, Section R12 found within [Scottish Swimming Governance Documentation](#).

## **23 Appeals**

- 23.1 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.
- 23.2 An appeal must be made in accordance with SS Company Rules, Section R14 found within [Scottish Swimming Governance Documentation](#).

## **SECTION H: MISCELLANEOUS**

### **24 Trophies**

- 24.1 All trophies belong to the Club in perpetuity and cannot be won outright, with the Gala Convenor acting as trustee of Club trophies.
- 24.2 The winner of a trophy shall guarantee safe custody and return of the trophy when requested by the Management Committee.
- 22.3 The winner of a trophy is responsible for arranging the engraving of their name on the trophy at Victor Jewellers in Blairgowrie. The Club will bear the cost of the engraving.