

SUNDAYSWELL SWIMMING CLUB

CONSTITUTION

6th DRAFT

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LIST OF TERMS AND ABBREVIATIONS

AGM	Annual General Meeting
CCO	Club Children's Officer
Club	Sunday' Well Swimming Club
Discipline	Aquatic Discipline
DP	Designated Person
EGM	Extraordinary General Meeting
FINA	Federation International de Natation
LEN	Ligue Europeenne de Natation
SI	Swim Ireland
SWSC	Sunday' Well Swimming Club

Club Name and Colour

- a) The name of the club shall be Sundays Well Swimming Club
- b) The colours of the Club shall be Green, Red, and White
- c) The headquarters of the club shall be the postal address of the current Club Secretary.

Objectives

- a) The objections of the club are:
- i) To foster and develop the sport of swimming and its participants.
 - ii) To promote the teaching, coaching and practice of swimming in line with current best practice.
 - iii) To promote the development of physical, moral and social qualities associated with sport, within the participants.
 - iv) To accept and enforce the rules and regulations set down by SI regarding teaching, coaching and practice of swimming in accordance with the affiliation status afforded to SWSC.
 - v) To provide a positive and safe environment for all its members and staff.
 - vi) To ensure sport for young people in SWSC is fun, and conducted in an encouraging atmosphere in line with SI guidelines and best practice.
 - vii) To provide equal opportunities whenever possible for successful participation, irrespective of ability or disability, so as individuals can be involved in sports activities in an integrated and inclusive way.
- b)
- i) SWSC is fully committed to safeguarding the well beings of its members.
 - ii) Every individual in SWSC should, at all times, show respect and understanding for their rights, safety and welfare and those of others, and conduct themselves in a way that reflects the principles of SWSC and the guidelines contained in the *Code of Ethics and Good Practice for Children's Sport* and the 'Swim Ireland Guidelines for Safeguarding Children 2008' or most up to date equivalent.

Affiliation

By virtue of the affiliation of SWSC to SI, its members acknowledge that they are subject to the laws, rules and constitutions of:

- i) SI, the governing body for the whole of the island of Ireland.
- ii) LEN, Ligue Europeenne de Natation, the European governing body for the aquatics.
- iii) FINA, Federation International de Natation, the world governing body for the aquatics.

Membership

a) All members are subject to the rules and constitution of SWSC and rules and regulations of Munster Region, SI, LEN and FINA.

b) Membership Categories

The following constitute as Members of SWSC

- i) Honorary Members – members chosen by the Club Management Committee and passed at the following AGM. Secretary/Treasurer will be notified of the Affiliated fees due.
- ii) Competitive Swimmers – Members who have paid their annual club/SI subscriptions and levies who decide to engage in competitive events.
- iii) Non-Competitive Swimmers – Members who have paid their annual club/SI subscriptions and levies who decide to engage in learning to swim.
- iv) Non-Competitive Members – includes, but not limited to, members who have paid their annual club/SI subscriptions and levies and participate within the club as Administrators, Committee Members, Coaches, Teachers, and CCO.

c) Types of Membership

- i) Family Membership shall consist of 2 parents, children under the age of 18, and shall have 1 vote even if both parents are present.
- ii) Individual Membership shall consist of individuals over the age of 18 and shall have 1 vote.
- iii) Junior/Youth Membership shall consist of individuals under the age of 18 and shall have no voting rights
- iv) Parent/Guardians may represent the U18 but shall have no vote. If a parent/guardian wishes to exercise a vote on behalf of the minor, then the parent/guardian must hold membership of the Club in their own right. (Under Irish Law a Minor is not entitled to a vote).
- v) College/3rd Level Members shall consist of individuals over the age of 18 in full-time education and shall be entitled to vote and hold office.

d) The Club Management Committee reserves the right to accept or reject applications for membership of the club. If they are refused, the applicant must be notified by the Management Committee in writing as to the reasons for their refusal.

e) Application Procedures for Club Members

- i) All members and officials must complete the necessary application forms and attach the necessary fees as set down by SI and SWSC.
- ii) They must also be familiar with and comply with the SI and SWSC rules and read and sign the SI and SWSC Codes of Conduct.

- iii) These forms must then be forwarded to the Management Committee for approval. Those under 18 must have their parents/guardian sign the necessary application forms.
 - iv) Upon acceptance, the members will then be provided with a membership card and advised that the Constitution and Rules/Regulations of SWSC can be viewed on the SWSC website.
 - v) A member who wishes to resign as a member of the club must inform the secretary in writing. No refund of subscription monies will be paid upon resignation from the SWSC.
 - vi) Full membership status is only valid where a subscription has been paid in full or in a manner agreed by the Club Management Committee.
 - vii) Members will be required to renew their membership with SWSC and SI on an annual basis.
- f) Annual Subscriptions
- i) Club fees will be determined by the Management Committee.
 - ii) If a member is deceased, their Legal Representative is not liable for any balance of subscriptions.
 - iii) A member may resign by communicating this in writing or verbally to the Club Secretary, and if this person wishes to renew membership at a later date they must re-apply.
- g) Learn to Swim

SWSC wishes to promote participants to learn to swim.

SWSC will run learn to swim classes. The participants in these classes will for the first year be members of SWSC but not SI, and will be insured as part of the club's activities.

Participants taking part for longer than a year will be required to become club and SI members.

Club Management

a) Description

The Management Committee is the body elected by the Members for the management of the business and affairs of the SWSC. It consists of thirteen members who must be members of Swim Ireland in their own right.

b) Membership of the Executive Committee shall consist of the following:

President

Chairperson

Vice Chairperson

Secretary

Treasurer

c) Membership of the Management Committee shall consist of the following:

President

Chairperson

Vice Chairperson

Secretary

Assistant Secretary/Affiliation Secretary

Treasurer

Assistant Treasurer

Master Swimmer Representative

Five [5] Committee Members (Competition Secretary will be elected from this group)

SWSC shall have a Designated Person whose duty is to report any allegations of child abuse to the statutory body. This individual will be one of the elected officers of the Club.

The nominated Club Children's Officer will have access to the Management Committee, and its meeting, but will not be a member of it.

Duties and Responsibilities

a) President and Management Committee

President

- i) To represent the SWSC at all public and club functions.
- ii) Has the right to attend and participate in all Management Committee meetings.

Chairperson

- i) Will act as official spokesperson for SWSC
- ii) Will chair
The Management Committee meetings.

In order to maintain order and unnecessary disruption

- iii) Will ensure the principles of due process and natural justice are applied in all decision made by SWSC
- iv) Will act as a co-signature on Club cheques.

The Chair or President will Chair the AGM or EGM by agreement of the Management Committee.

Vice Chairperson

Will chair meetings and fulfil the duties of the Chairperson in the Chairperson's absence.

Secretary

- i) Will keep, having recorded, minutes of the AGM and any EGM.
- ii) Will keep, having recorded, minutes of all Management and Sub-Committee meetings.
- iii) Will keep, having recorded and deal with, all Club Correspondence.
- iv) Will keep records of all membership.
- v) Will keep records of all complaints.
- vi) Will keep records of all assets and goods held in trust.

All for a minimum of six [6] years.

The Secretary will act as a co-signature on Club cheques.

Assistant/Affiliation Secretary

- i) Will be responsible for all of the above in the absence of the secretary.
- ii) Will be responsible for all club membership/affiliations/SI insurance.

Treasurer

- i) Will keep accurate records of all financial transaction concerning SWSC in line with good work accounting work practices.
- ii) Will present an interim financial statement at each Management Committee meeting.
- iii) Will present audited accounts at the AGM
- iv) Will act as co-signature on Club cheques.

Vice-Treasurer

- i) Will assist the Treasurer in all of the above.
- ii) Will act as a co-signature on Club cheques.

Competition Secretary

- i) Will keep up-to-date records of all swimmers times
- ii) Provide entries for Galas

Master Swimmer Representative

- i) Will manage all Master events
- ii) Will liaison with the Management Committee on all matters relating to Masters swimming.

Five [5] Committee Members

- i) Will attend 75% of committee meetings
- ii) Chair sub committee meetings
- iii) Assist in the management of the Club's affairs.

b) Duties and Responsibilities of the Club Children's Officer (CCO)

- i) Shall be child centred in focus and have as the primary aim, the establishment of a child centred ethos within SWSC.
- ii) Shall be the link between the children and adults in SWSC.

- iii) Shall take responsibility for monitoring and reporting to SWSC Management Committee on how club policy impacts on young people and their Sports Leaders.
- iv) Shall hold an up-to-date certificate of Child Protection from ISC/CNI/NISC and be familiar with the Code of Ethics and Child Welfare Guidelines of Swim Ireland.
- v) Is not a member of the Committee but acts in an advisory capacity towards it, and must attend a minimum of 4 committee meetings a year to report and update the Committee regarding Child Welfare matters.

The CCO may attend all meetings if they so wish however.

c) Duties and Responsibilities of the Designated Person

- i) Any concerns or disclosures relating to child abuse shall be reported to the DP who is responsible for reporting this to the statutory authorities.
- ii) The Designated Person shall hold a current certificate of Child Protection from ISC/CNI/NISC and also be familiar with the Code of Ethics and Child Welfare Guidelines of Swim Ireland.
- iii) The Designated Person shall be an officer of the Committee, with this individual acting in a dual role capacity, performing both their existing role in conjunction with that of Designated Person.

d) Duties and Responsibilities of the Coaching and Teaching Staff

- i) Those included, but not limited to Coaches, Teachers and Leaders, will comply with the guidelines set out in ‘Swim Ireland Guidelines for Safeguarding Children 2008’ or most recent edition.
- ii) The recruitment procedures of any individual engaged or working under the SWSC, shall be in accordance with ‘Swim Ireland Guidelines for Safeguarding Children 2008’, the Employment Rights (Northern Ireland) Order 1996, the Terms of Employment Act 1994 (ROI) and all other related recruitment legislation. Information relating to the responsibilities of the roles, duties and the level of experience/qualifications shall be indicated in the recruitment process.
- iii) All Coaching and Swimming Teachers shall have written contracts which outline their duties, functions and responsibilities. Where coaches and/or swimming teachers operate on a voluntary basis, a written agreement as to new roles or duties shall be agreed, and put in place, within 2 months of appointment.
- iv) All coaching details are the ultimate responsibility of the Head Coach. In his absence the appointed coach has responsibility. The duties are as follows:
 - a. Training content
 - b. Training schedule
 - c. Team selection (relays)

- d. Appropriating competitive swimmers into respective groups according to their ability.
 - e. To report monthly to SWSC Management Committee
 - f. To report to and act as liaison to Swim Ireland HQ.
- v) All teaching details are the ultimate responsibility of the Head Coach/Head Teacher. These duties are as follows:
- a. Teaching content of each session
 - b. Training and monitoring of teachers and poolside helpers
 - c. Appropriate swimmers into respective groups according to ability
 - d. To report monthly to SWSC Management Section Committee
- vi) All coaching and teaching staff will undergo a police vetting (Garda Siochana, PSNI, and Swim Ireland) in accordance with 'Swim Ireland Guidelines for Safeguarding Children 2008' or most recent edition. If the applicant is from a jurisdiction outside Ireland, enquiries will be made to the relevant statutory bodies.
- vii) Coaches and teachers shall not hold a management or elected position on the Club Committee where working as a coach or teacher for more than three hours a week.
- viii) The Head Coach and Head Teacher shall be accountable to the Committee and shall be expected to attend all Committee meetings. A minimum of 75% attendance is required of the coach at Committee meetings.
- ix) All Coaches and Teachers must be affiliated to Swim Ireland, and must possess the requisite qualifications.

Rights and Duties of the Management Committee

- i) The Management Committee shall be empowered to introduce rules, as the need arises, for the general regulation of the club. No rule shall be inconsistent with anything contained in this constitution. The Management Committee must ensure a Club's Rule Book is in a place which is made available to all members.
- ii) The Committee have the power to appoint such sub committees as they may consider necessary. At least one member of the management committee will be a member of this committee. These sub committees will act on behalf of the Management committee and follow procedures and relay information as directed by the Management Committee. The Management Committee have the power to dissolve any sub committee at any time. (Complaints & Disciplinary Committee excluded).
- iii) The Management Committee shall be responsible for all assets of the club.
- iv) The Management Committee, in conjunction with the CCO, will be responsible for formulating Club policy in accordance with the 'Swim Ireland Guidelines for Safeguarding Children 2008, or most recent edition, and on the direction the Club takes in the future in all its activities.
- v) The members of the Management Committee shall be indemnified by the members of the club against all liabilities properly incurred by them in the management affairs of the club.
- vi) Committee members must declare any personal or business interest, which may conflict with their duties as a member of the Management Committee members at a designated meeting, and they may be required to absent themselves content, discussions and decisions.
- vii) The Management Committee will be expected to follow codes of conduct in relation to their obligations to SWSC members. These include, but are not limited to, confidentiality, objectivity, loyalty, fairness and a constant awareness of their obligations to SWSC and its members. The Committee will familiarise itself with 'Code of Ethics and Good Practice for Children's Sport' and fulfil the duties required in the *Code of Conduct for Club Committees* section of the 'Swim Ireland Guidelines for Safeguarding Children 2008', or the most recent equivalent. The Committee will also adhere to any updated versions of these policy documents which are issued in the future.

Management Committee Meetings

- i) The Committee shall meet a minimum of eight [8] per year with a minimum quorum of 50% plus 1 of the members of the committee present.
- ii) The Chairperson and the Secretary shall have discretion to call further meetings of the Committee if they consider it to be in the interests of the SWSC
- iii) A minimum of seven [7] days notice will be given to members save with exceptional circumstances. The Management Committee shall agree how notice shall be provided whether this is phone, email and so forth.
- iv) The Committee should set out its agenda for a meeting no less than two [2] days prior to the meetings.
- v) The Chairperson, or Vice Chairman in his/her absence, has the casting vote on any motion arising during the meetings.
- vi) The Chairperson's, or Vice Chairperson in his/her absence, decision on a Point of Order is final.
- vii) The Chairperson or Vice Chairperson in his/her shall preside at all meetings.
- viii) The Secretary, or in her/his absence a member of the Committee, shall take minutes.
- ix) The Treasurer shall relay the financial position of the club at each meeting.
- x) The other Committee members must also relay details on the areas of the club they are designated to.
- xi) The CCO, Head Coach and Head Teacher must be given the opportunity to report and voice the concerns of their designated areas within the Club, as well as to advise the Management Committee on relevant issues.
- xii) Members over 18 years of age can acquire the minutes of the meeting in a summary format by providing the Secretary with a self addressed envelope.
- xiii) The Management Committee may also decide upon acceptable means of communication used, during periods between meetings, to ensure the day to day running of the Club.

Voting Rights at General Meetings

- a) Individual Members who are fully paid up and over 18 years of age are eligible to vote.
- b) No voting by proxy is allowed.
- c) Parents shall hold one vote on behalf of their child/children within the club under a Family Membership. Only one parent may exercise this vote and this must be so agreed between the parents (that is one vote only and not one vote per child). Parents who are full club members in their own right (Individual Members) may vote with this right for themselves. Minors are not entitled to vote but may be represented via the voting system if a Family membership is secured.
- d) Where Family Membership is entered into, regardless of the number or type of categories, only one vote will carry.
- e) Voting shall be conducted via show of hands, which will be counted by the Secretary and Treasurer. The Committee may, however, recommend that a vote should be held in a secret ballot format owing to the context of the vote.
- f) No business shall be transacted at a general meeting unless a quorum is present. A quorum of 25 of the eligible voting members is the number required. If this quorum is not fulfilled the General Meeting can be suspended for exactly one week.
- g) Nominations will be passed at AGM's by simple resolution of fifty percent [50%] plus one.
- h) Motions for a change to SWSC Constitution must be passed by a special resolution of 75% of persons present at the meeting entitled to vote.
- i) The Chairperson will have a casting if there is an equality of votes.

Election of the Committee Members

- a) Election of the Management Committee members takes place at the Club AGM each year. At this time a President, Chairperson, Vice Chairperson, Treasurer, Secretary, Competitions Secretary, Masters Representative along with five other members of the Management Committee shall be elected.
- b) A Committee member may stand for re-election for five consecutive years. After this time period is up, eligibility for re-election is revoked for a period of one year.
- c) Nominations for office and Notice of Motions must be received in writing by the Secretary no less than fourteen [14] days prior to the General Meeting.
- d) A proposer and seconder are required for all Nominations and Notice of Motions.
- e) Notices of Motion and nominations for the Management Committee shall be displayed on the Club notice board for not less than seven [7] days prior to the AGM. They will also be available on request from the Secretary.
Notices of Motions without due notice will not be discussed.
- f) In the event that no nominations are received by the Secretary by seven [7] days, only then may a nomination from the floor at the AGM can take place.
- g) A Club Children's Officer must be appointed by the Management Committee and fulfil the criteria laid down by the 'Swim Ireland Guidelines for Safeguarding Children', or most recent equivalent.
- h) The Club Designated Person will be appointed by the Management Committee from within.
- i) In the event of any vacancies occurring on the Management Committee or among the elected Officers during any year, the Management Committee may co-opt a member to fill such vacancies. A member so elected shall hold office until the next Annual General Meeting.
- j) Any Committee member or Officer who has been notified of three consecutive absences from the Committee meetings and who does not then furnish a satisfactory explanation to the Committee shall forfeit his membership of the Committee and the Management Committee shall be empowered to fill any such vacancy by co-option on the recommendation of the Committee concerned.

Annual General Meeting (AGM)

- a) Members shall be informed of the date, time, place and order of business of the AGM at least 21 days prior to the meeting. This information shall be posted on the club notice board or requested in writing by a member on providing a stamped addressed envelope.
- b) The Management Committee must decide when the AGM is held each year.
- c) The Committee shall distribute to Members its report and statement of accounts for the relevant financial year at the AGM.
- d) At this meeting, the Annual Report shall be presented, which shall consist of a: Chairman's Report; Secretary's Report; Treasurer's Report; Head Coaches Report; Head Teachers Report, and the CCO(s) report.
- e) Any changes or updates to the Club Constitution will be notified to the members and Swim Ireland within fourteen [14] days following the EGM.
- f) Any resolution to amend the Club's Constitution which is successful at the General Meeting will come into immediate effect upon conclusion of the General Meeting.
- g) Two delegates for the club will be elected to represent the club at the Swim Ireland AGM.

Extraordinary General Meeting (EGM)

An Extraordinary General Meeting may be called at any time once two thirds of the Committee resolve to convene such a meeting. It can also be called within twenty one [21] days of the Secretary receiving a requisition in writing signed by twenty of the voting members.

Transfers

If a member wishes to leave a club and join another they must follow the rules set down by Swim Ireland. All members must have paid any outstanding subscriptions before they will be released by the Club save with exceptional circumstances.

Finances

- a) The financial affairs of the club shall be the responsibility of the Management Committee in general and in particular, the Treasurer. Correct accounts and book keeping shall be done by Treasurer or under his/her supervision. The accounts shall at all reasonable times be open to inspection by the Management Committee.
- b) Annual Accounts of SWSC should be prepared for the AGM by the Club Treasurer and should be independently audited.
- c) The Management Committee shall be empowered to open Bank Accounts in the name of SWSC and all transactions in these accounts shall be authorised by the Management Committee. All cheques, drafts and so forth shall be signed by the Treasurer and either the Chairperson or Secretary or Vice- Treasurer.
- d) The Treasurer will receive all money paid to the SWSC and ensure all such sums are lodged to the Club bank account as soon as possible.
- e) Any assets invested in by the Management Committee will be used for SWSC purposes only. The Management Committee will delegate the use of these assets under advisement from coaches, teachers, club children's officers and others within the Club.
- f) The Committee will have the power to negotiate sponsorships on SWSC's behalf and engage from time to time fundraising activities. Any financial returns from these activities will be used for SWSC development purposes only.

Complaints and Disciplinary Procedures

SWSC hereby adopts The swim Ireland Complaints & Disciplinary Rules and Procedures as amended by Swim Ireland from time to time (the **Disciplinary Rules**) and the SWSC and its members recognise and accept that they are bound by and must comply with the provisions of the Disciplinary Rules in resolving all complaints and disciplinary matters which fall within the scope of the Disciplinary Rules.

Any issues involving members under 18 must also be brought to the attention of the CCO.

Cessation/Suspensions/Expulsion of Membership

- a) SWSC has the power to terminate and suspend membership owing, but not limited to, violation of the constitution and/or rules, criminal behaviour or any activity deemed unseemly by the Management Committee. All club terminations and suspensions will be reported to Swim Ireland's board, and can also be appealed to SI.
- b) The Management Committee shall have power at any time to suspend any Member from admission to the premises of the Club and from the enjoyment of the facilities of the Club for a stated period whose conduct they consider injurious to the character and welfare of the Club.
- c) Suspension or termination of an individual's membership to Swim Ireland can only be done by Swim Ireland's board. These procedures are laid out in 'Articles of Swim Ireland'.

Dissolution

- a) SWSC may be dissolved:
 - a. By a Resolution passed owing to the inactivity of its members. This Resolution would be passed at an EGM, specifically called for that purpose and carried by three quarters of the members present.
- b) Notice must be given to members and Swim Ireland for any Dissolution to come into affect, owing to a Resolution at an Extraordinary General Meeting.
- c) All aspects of SWSC, having discharged debts and liabilities, shall be distributed to a charity, charities or other non-profit making organisation having an agenda similar to those of SWSC.
- d) The Management Committee shall be responsible for the winding up of assets and liabilities of SWSC.

Equality

In accordance with the Equal Status Act 2000-2004 and the Equality Act 1996 in Northern Ireland. SWSC will not discriminate against any persons within SWSC. No discrimination of any kind against employed and voluntary staff, membership applications, members and individuals with the general public, will be tolerated.

Criminal Allegations

SWSC shall treat allegations of criminal activity very seriously. Any allegation of a criminal offence shall be reported to Swim Ireland.

Data Protection

SWSC shall aim to follow the necessary data protection guidelines set down by the relevant bodies.