



## **Stratford-upon-Avon Boat Club Constitution**

### **1. NAME**

The Club shall be known as Stratford-upon-Avon Boat Club and hereinafter known as 'the Club'.

### **2. OBJECTIVE**

The sole objective of the Club is to promote the sport of rowing in the Stratford-upon-Avon area and community participation in the same.

### **3. MEMBERSHIP**

#### **Classes of Membership**

- Senior (Peak)
- Senior (Off Peak)
- First Year Novice (9 months)
- Supporting (Coxswain/Social)
- Student
- Adaptive
- Distant Student
- Adult Learn To Row
- Active Coach
- Active Coach + Rowing
- Junior 14 and over
- Junior 13
- School and Participation (Termly)
- Life

#### **Election of Membership**

- i. Membership of the Club shall be open to anyone interested in the sport of rowing on application in accordance with the Equal Opportunities Policy (Paragraph 4). However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.
- ii. The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- iii. Applicants for membership and members renewing their membership, will abide by the Rules and Regulations of the Club and the sport of rowing.
- iv. If it is considered by the Club committee that the granting or renewal of membership would be detrimental to the aims and objectives of the Club, by virtue of conduct or character likely to bring the Club or the sport of rowing into disrepute or for some other similar good

cause, the Club committee shall be entitled to refuse or withdraw such membership. In doing so the committee shall provide full reasons for their decision and grant a right of Appeal to the members.

- v. Applications for membership to the Club will be considered during August of each year. The membership secretary may bring applications for membership to the committee for approval throughout the year if there are sufficient places available.

### **Restriction**

A person who has been expelled from, or refused membership of, British Rowing shall not be eligible for membership.

## **4. EQUAL OPPORTUNITIES POLICY**

The Club is fully committed to the principles of equality of opportunity and is responsible for ensuring that no member, volunteer, employee or job applicant receives less favourable treatment on the grounds of age, gender, disability, race, ethnic origin, nationality, colour, parental or marital status, pregnancy, religious belief, social status, sexual orientation or political belief.

## **5. CHILD PROTECTION PROCEDURES**

The Club accepts the policy and procedures relating to Child Protection and the Protection of Vulnerable Adults as set out by British Rowing, and requires all members to accept them as a condition of membership.

## **6. ENTRANCE FEE**

Each applicant for membership shall, if his/her application be accepted, pay an entrance fee, the amount of which shall be determined by the members in General meeting. This fee is designed to cover the cost of administration associated with joining the Club.

## **7. SUBSCRIPTION**

The rates of subscription shall be determined by the members in General Meeting and shall be due on election and, thereafter, on or before September 1<sup>st</sup> in each year.

## **8. CESSATION OF MEMBERSHIP**

- i. Any member may resign giving one month's clear notice in writing to the Secretary.
- ii. Any member violating any of the rules or regulations of the Club or being adjudged guilty of unsatisfactory conduct may, by resolution of the Committee, be suspended or expelled. Any member so suspended or expelled may appeal to an independent Hearings Panel. The panel may be drawn from the membership of the Club or from other clubs in the region. The panel will hear and receive evidence, reach a conclusion, affirm or reject the sanctions imposed as appropriate.
- iii. Any hearings panel must give a fair and independent hearing to the appellant within an appropriate timescale. Hearings must not contravene the Human Rights Act 1998 or any other policies of the Club and British Rowing.
- iv. A member shall be deemed to have resigned from the Club if, after due notice in writing, they have not paid by September 7th the annual subscription which became due on September 1st. They may, however, rejoin at any time during that year without payment of any entrance fee, subject to the provision of Para. 3. above.

**9. GRIEVANCE AND DISCIPLINARY PROCEDURES**

An individual or member with a complaint about treatment by the Club should set out their grievance, in the first instance to the Club President. The Club will seek to deal with complaints in a fair and timely manner, with reference to British Rowing's Guidelines on Grievance and Disciplinary Procedures in Rowing.

**10. DISQUALIFICATION FROM HOLDING OFFICE**

- i. Only members entitled to vote are eligible to hold office.
- ii. Any member who is under the age of 18 years, shall not be eligible for election to the Committee of the Club.

**11. CLUB COMMITTEE**

- i. The Committee is the decision-making executive of the Club and shall conduct the affairs of the Club as a whole. It shall consist of a Chairman, Captain, Secretary, Treasurer, together with 3 ordinary members. Together with the Club President these Elected Officers of the Club are elected by majority vote at a General Meeting.
- ii. The Committee shall have the power to appoint other members to responsible positions to the Committee. These Appointed Officers of the Club shall have no voting rights but the advice and opinions of the Appointed Officers must be taken into consideration when decisions are made. The list of Appointed Officers is approved at a General Meeting.
- iii. Nominations for the position of Chairman, Captain, Secretary, Treasurer and the 3 ordinary members shall be put forward in the form of a motion under the terms of Rule 13.iv. The 3 ordinary members of the Committee can also be, but do not have to be, Appointed Officers.
- iv. The Committee shall elect a Vice-Chairman from among its number.
- v. The term of office shall be for one year beginning 1<sup>st</sup> September, members shall be eligible for re-election.
- vi. The Committee shall meet at regular intervals during the year, as required by the business to be transacted.
- vii. Special meetings of the Committee shall be called by the Secretary on instructions from the Chairman, or not less than three Committee members.
- viii. A quorum shall consist of not less than 4 members.
- ix. In the case of casual vacancy among the Committee, the said Committee shall be entitled to appoint another eligible person to act until the next AGM.
- x. The Committee will formulate other committees to facilitate the smooth running of the Club, e.g. Rowing Committee, Regatta Committee. Some decision-making may be delegated to these additional committees but ultimate control of expenditure and policy will always reside with The Committee.

- xi. The Committee, its Elected Officers, Appointed Officers and all other committee members should act according to high ethical standards, and ensure that conflicts of interest are properly dealt with.
- xii. The Committee shall have the power to borrow money for investment in Club facilities and equipment, and to offer security if required. Total club borrowing shall not exceed 1.5times the previous financial year's subscription income.

## 12. DUTIES OF ELECTED OFFICERS

- i. **President:** The President will act as the highest level of authority in the club and be the Clubs ambassador for all official events. Additionally they will chair the General Meeting.
- ii. **Chairman:** The Chairman (or Chair) will preside at all meetings of the Committee, and shall be responsible for guiding the activities of the club in accordance with its general policy as expressed by the majority of its members at the Annual General Meeting. The Chairman shall represent or arrange for the representation of the Club at British Rowing regional level and at meetings of other organisations. The Chairman shall ex officio be a member of any other committee of the Club.
- iii. **Captain:** The Captain will be responsible for the training, coaching and representation of the Club in all competitions.
- iv. **Secretary:** The Secretary will be responsible for the organisation of meetings of the Committee and of the Club, and the recording of minutes relating to such meetings and all correspondence relating to the general business of the Club.
- vi. **Treasurer:** The Treasurer will be responsible for the collection and disbursement of all monies belonging to the Club and will keep proper accounting records of all such transactions. He or she will present to the members at the AGM a balance sheet and income and expenditure account showing the Club's financial position and the results of its transactions for the year. The transactions of the Club will be conducted through a bank account and will require the signatures of any 1 of 3 members of the Committee who have been designated for the purpose.
- vii. **Ordinary Members:** The Ordinary Members will be responsible for reflecting the views of the general membership at Committee meetings.

## 13. GENERAL MEETINGS

- i. An Annual General Meeting (AGM) shall be held in the Spring of each year. The prime purpose of the AGM shall be to approve the accounts made up to the 31<sup>st</sup> day of August of the preceding year, approve the subscription levels and elect the Committee for the following year.
- ii. An Extraordinary General Meeting (EGM) shall be called on the instructions of a simple majority of the Committee, or on a requisition signed by not less than ten (10) of the members of the Club entitled to vote.
- iii. Not less than 21 days clear notice shall be given, specifying to all members the time and business of a General Meeting.
- iv. Motions for discussion at AGMs not of origin from within the Committee, shall be lodged with the Secretary at least 30 days preceding the AGM, and be signed by two (2) members entitled to vote.

- v. All members of the Club over 16 at the time of the AGM may vote at any General Meeting. Only those persons over the age of 18, eligible to vote at an AGM and who have been members for at least twelve months shall stand for election to the Committee or propose any member for election.
- vi. At any General Meeting, a resolution put to the vote of the Meeting shall be decided by a show of hands, of those entitled to vote, except when more than one nomination has been received for a position on the Committee, in which case voting will be by secret ballot.
- vii. The Committee in place at the time of the AGM shall put the list of Appointed Officers to the AGM for approval.
- viii. At all General Meetings the President will preside or, in his/her absence, a Chairman for the meeting will be elected by the voting members present.
- ix. At all General Meetings not less than twenty (20) members of the Club entitled to vote shall constitute a quorum.
- x. Absences of Quorum: If after half an hour from the time appointed for the Meeting, a quorum is not present, the Meeting, if called at the request of the members, shall be dissolved. In any other case, the Meeting shall be adjourned until a time and place to be fixed by the Committee with a further 21 days notice to be given. If a quorum is not present within half an hour from the time appointed for an Adjourned Meeting, the members present shall be a quorum.
- xi. Accidental Omission: Accidental Omission to give notice of a meeting to, or the non-receipt of notice of, a meeting by any member shall not invalidate the proceedings of a meeting.

#### 15. **LIABILITY**

The Committee shall manage the affairs of the Club. Financial or legal liability incurred in the rightful exercise of their office shall not, however, be the personal liability of the Committee, but shall be the responsibility of the Club as a whole. The Committee should ensure that adequate and appropriate public or preferably civil liability insurance is in place to cover all the activities of the club, its committee and members.

#### 16. **VOTING**

Only full members, over the age of 16 years are entitled to vote at all meetings.

#### 17. **ALTERATION OF CONSTITUTION**

- i. This constitution shall not be altered, amended or rescinded except by a General Meeting of the Club.
- ii. A resolution to give effect to a change must be passed by at least 75% of the members present at the General Meeting, and voting on this behalf.

#### 18. **ACCOUNTANT**

Every Annual General Meeting shall appoint a professionally registered Accountant or three (3) members who shall at the conclusion of the next financial year examine the accounting records of the Club, and provide a report to the members on the income and expenditure accounts and balance sheet that is presented to the next AGM.

19. **DISTRIBUTION OF PROFITS**

In no circumstances can any profit be distributed to members, and any profits earned shall be used in furthering the objectives of the Club through re-investment.

20. **TERMINATION**

The Club shall not terminate except by a resolution of a Special General Meeting convened for the purpose and, in such an event, any surplus assets shall be handed over to a body or bodies with similar objects or to a charity or charities agreed by the meeting which formally terminates the Club as set out in HMRC's CASC rules.

21. **POWER OF DECISION**

Any matter not provided for in this constitution, or any question over the interpretation of it shall be dealt with by the Committee whose decision shall be final.

22. **SAFETY**

The Elected and Appointed Officers have primary responsibility for safe practice within the Club and for observing guidance of water safety issued by British Rowing and through RowSafe.

23. **DECLARATION**

Each member upon joining shall sign the following declaration:

Name: \_\_\_\_\_

Upon acceptance into membership of the Stratford-upon-Avon Boat Club, I understand that rowing is undertaken at my own risk. I confirm that I do not suffer from any disability or medical condition which may render me unfit for strenuous exercise.\*

I also confirm that I am able to swim a minimum of 50 metres.

Signed: \_\_\_\_\_

Parent/Guardian (if under 18) \_\_\_\_\_

\*Should a medical condition exist, this will not necessarily preclude you from membership/participation, but it must be declared. Should you be in any doubt, advice should be sought from your family doctor.

24. **DISSOLUTION**

Any net assets on the dissolution of the club are to be applied for "approved sporting or charitable purposes". The net assets of a club means what is left after paying debts and meeting other legally payable liabilities.

"Approved sporting or charitable purposes" means any one of three purposes that may be approved in a general meeting of the club or determined by the members of the club's governing body. The governing body for the club means its Committee. The three options are:

- The purposes of the sport's governing body for use in the related community sport, for which the club existed.
- The purposes of another CASC.
- The purposes of a charity.