

# Sandycove Swimming & Waterpolo club



## CONSTITUTION

Adopted at a General Meeting of Sandycove Swimming Club held on 16 September 2013

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## **List of Terms and Abbreviations**

**ISC** – Irish Sports Council

**SI** – Swim Ireland

**DP** – Designated Person

**AGM** – Annual General Meeting

**EGM** – Extraordinary General Meeting

**CCO** – Club Children's Officer

**Club Committee** – This is the body elected by the Members for the management of the business and affairs of the club.

**Leader** – this is any person, whether paid or unpaid, who is responsible for those participating in the aquatic disciplines; roles include but not limited to supervisor, team manager, sports science personnel, chaperone, helpers, Club Committee members, tutors, coaches and teachers.

# Sandycove Swimming Club

## 1. Name and Colours

- a) The name of the club shall be Sandycove Swimming Club. The club may also be known as Sandycove Swimming and Waterpolo Club.
- b) The colours of the club shall be red and navy.
- c) The headquarters of the club shall be the 40 foot bathing place Sandycove.

## 2. Objectives

- a) The objectives of the club are:
  - i) To foster and develop Water Polo and Swimming and its participants.
  - ii) To promote the teaching/coaching and practice of Water Polo and 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 Swim Ireland regarding Water Polo and Swimming in accordance with the affiliation status afforded to the club.
  - v) To provide a positive and safe environment for all its members and coaches.
  - vi) To ensure sport for young people in the club is fun, and conducted in an encouraging atmosphere in line with Swim Ireland 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) Sandycove Swimming Club recognises its historic connection to the sport of Diving and those club members past and present who have brought great honour to the club through that sport. While Club members do not currently participate in Diving, the Club is open to facilitating members who wish to participate in that sport.
- c) Sandycove Swimming Club is fully committed to safeguarding the well being of its members. Every individual in Sandycove Swimming Club 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 Sandycove Swimming Club and the guidelines contained in the *Code of Ethics and Good Practice for Children's Sport* and the "Swim Ireland Safeguarding Children Policies and Procedures 2010" or most up to date equivalent.

## 3. Affiliation

By virtue of the affiliation of Sandycove Swimming Club to Swim Ireland, its members acknowledge that they are subject to the laws, rules and constitutions of:

- i) Swim Ireland, the governing body for the whole of the island of Ireland.
- ii) Ligue Européenne de Natation (LEN), the European governing body for the aquatics.
- iii) Fédération Internationale de Natation (FINA), the world governing body for the aquatics.

#### **4. Membership**

a) All members are subject to the rules and constitution of Sandycove Swimming Club and rules and regulations of the Leinster Branch of Swim Ireland, Swim Ireland, LEN and FINA.

b) Membership Categories

The following constitute as Members of the club:

- i) Competitor – Members of Sandycove Swimming Club who decide to engage in competitive events.
  - ii) Non-Competitor – This category includes but is not limited to: participants who wish to train but not compete; coaches; administrators; aquatics leaders; and CCO's.
- c) The Club 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 Club Committee in writing as to the reasons for their refusal.

d) 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 Swim Ireland and Sandycove Swimming Club.
- ii) They must also be familiar with and comply with the Swim Ireland and Sandycove Swimming Club rules and read and sign the Swim Ireland and Sandycove Swimming Club Codes of Conduct.
- iii) These forms must then be forwarded to the Club Committee for approval. Those under 18 must have their parents sign the necessary application forms.
- iv) Upon acceptance the member will then be provided with a copy of the Constitution and Rules of Sandycove Swimming Club.
- 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 Club.
- vi) Full membership status is only valid where a subscription has been paid in full or in a manner agreed by the Club Committee.
- vii) Members will be required to renew their membership with Sandycove Swimming Club and Swim Ireland on an annual basis.

e) Annual Subscriptions

- i) Club fees will be determined by the Club Committee.

ii) If a member is deceased, their Legal Personal 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 persons wishes to renew membership at a later date they must re-apply.

f) Learn to Play Water Polo

Sandycove Swimming Club wishes to promote participants to learn to play water polo. Sandycove Swimming Club will, as resources permit, run learn to play water polo classes. These participants in these classes will not for the first year be members of the Club, or Swim Ireland, but 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 Swim Ireland members.

## 5. Club Management

a) Description

The Club Committee is the body elected by the Members for the management of the business and affairs of the Club. It consists of 6 who must be members of Swim Ireland in their own right.

b) Membership of the Club Committee

Membership of the Club Committee shall consist of the following: - A Chairperson, a Secretary, a Treasurer, and four other adult members. Also, Sandycove Swimming Club shall have a Designated Person whose duty is to report any allegations of child abuse to the statutory body. This individual can be any member of the Club Committee although it is recommended that it is an officer. A Club Children's Officer must also be nominated who will have access to the Club Committee, and its meeting, but not be a member of it.

c) Officers of Sandycove Swimming Club

The Officers of Sandycove Swimming Club are the Chairperson, the Secretary and the Treasurer.

d) Duties of the Chairperson

i) To promote the interest of Sandycove Swimming Club at all times and act as the official spokesperson for the club.

ii) To ensure the principles of due process and natural justice are applied in all decisions made by the Club Committee.

iii) To maintain order and prevent unnecessary disruptions.

e) Duties of the Treasurer

i) To keep a record of all financial transactions concerning Sandycove Swimming Club business.

ii) To keep appropriate books of record on Sandycove Swimming Club business.

iii) To identify all income received and all expenditures.

iv) To act as co-signature on cheques along with the Chairperson/Secretary.

e) Duties of the Secretary

i) To record the minutes of all Club Committee and club meetings.

- ii) To keep records of membership, complaints and contracts regarding the dealings of the club. Records shall be kept for a minimum of 6 years.
- iii) To set out meetings including agenda details, notice period and any other necessary information.
- iv) To deal with all club correspondence.

**f) Other Club Committee Member**

- i) Duties and Responsibilities of all Club Committee Members – All Club Committee members are responsible for the smooth day to day running of the Club. The Club Committee can agree amongst themselves the additional rules required, to be carried out by Club Committee Members.

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

- i) The Club Children's Officer shall be child centred in focus and have as the primary aim, the establishment of a child centred ethos within Sandycove Swimming Club.
- ii) The CCO shall be the link between the children and adults in Sandycove Swimming Club.
- iii) The CCO shall take responsibility for monitoring and reporting to Sandycove Swimming Club Committee on how club policy impacts on young people and their Leaders.
- iv) The CCO 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) The CCO is not a member of the Club Committee but acts in an advisory capacity towards it, and must attend a minimum of 4 Club Committee meetings a year to report and update the Club Committee regarding Child Welfare matters. They can attend all meetings if they so wish however.

**h) Duties and Responsibilities of the Designated Person**

- i) Any concerns or disclosures relating to child abuse shall be reported to the Designated Person (DP) who is responsible for reporting this to the statutory authorities.
- ii) The Designated Person shall hold an up to date 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 a member of the Club Committee, with this individual acting in a dual role capacity, performing both their existing role in conjunction with that of Designated Person.

**i) 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 Safeguarding Children Policies and Procedures 2010" or most recent edition.
- ii) The recruitment procedures of any individual engaged or working under the Sandycove Swimming Club, shall be in accordance with "Swim Ireland Safeguarding Children Policies and Procedures 2010", 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. These duties are as follows
  - a. Training content
  - b. Training schedule
  - c. Team selection
  - d. Appropriating competitive water polo players and swimmers into respective teams and groups according to their ability
  - e. To report to and act as liaison to Swim Ireland HQ.
  
- v) All teaching staff will undergo a police vetting (Garda Siochana, PSNI, and Swim Ireland) in accordance with “Swim Ireland Safeguarding Children Policies and Procedures 2010” or most recent edition. If the applicant is from a jurisdiction outside Ireland, enquiries will be made to the relevant statutory bodies.
  
- vi) 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.
  
- vii) The Head Coach shall be accountable to the Club Committee and shall be entitled to attend any Club Committee meeting. A minimum attendance is also required of 4 meetings per year, effectively one per quarter, of the coach at Club Committee meetings.
  
- viii) All Coaches and Leaders must be affiliated to Swim Ireland, and must possess the requisite qualifications.

j) Rights and Duties of the Club Committee

- i) The Club 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 Club Committee must ensure a Club’s Rule Book is in place which is made available to all members.
  
- ii) The Club Committee have the power to appoint such sub Club Committees as they may consider necessary. These sub Club Committees will act on behalf of the Club Committee and follow procedures and relay information as directed by the Club Committee.
  
- iii) The Club Committee shall be responsible for all assets of the club.

- iv) The Club Committee, in conjunction with the CCO, will be responsible for formulating Club policy in accordance with the “Swim Ireland Safeguarding Children Policies and Procedures 2010”, or most recent edition, and on the direction the Club takes in the future in all its activities.
- v) The members of the Club 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) Club Committee members must declare any personal or business interest, which may conflict with their duties as a member of the Club Committee. Such a declaration may be discussed with the other Club Committee members at a designated meeting, and they may be required to absent themselves content, discussions and decisions.
- vii) The Club Committee will be expected to follow codes of conduct in relation to their obligations to Sandycove Swimming Club members. These include, but are not limited to, confidentiality, objectivity, loyalty, fairness and a constant awareness of their obligations to Sandycove Swimming Club and its members. The Club Committee will familiarise itself with the “Code of Ethics and Good Practice for Children’s Sport” and fulfil the duties required in the *Code of Conduct for Club Committees* section (p.25) of the “Swim Ireland Safeguarding Children Policies and Procedures 2010”, or the most recent equivalent.. The Club Committee will also adhere to any updated versions of these policy documents which are issued in the future.

k) Meetings of the Club Committee

- i) The Club Committee shall meet 4 times per year with a minimum quorum of 50% plus 1 of the members of the Club Committee present.
- ii) The Chairperson and the Secretary shall have discretion to call further meetings of the Club Committee if they consider it to be in the interests of the Sandycove Swimming Club.
- iii) A minimum of 14 days notice will be gave to members save with exceptional circumstances. The Club Committee shall agree how notice shall be provided whether this is phone, email and so forth.
- iv) The Club Committee should set out its agenda for a meeting no less than 10 days prior to the meetings.
- v) The Chairperson has the casting vote on any motion arising during the meetings.
- vi) The Chairperson’s decision on a Point of Order is final.
- vii) The Chairperson shall preside at all meetings.
- viii) The Secretary, or in her/his absence a member of the Club Committee, shall take minutes.
- ix) The Treasurer shall relay the financial position of the club at each meeting.
- x) The other Club Committee members must also relay details on the areas of the club they are designated too.
- xi) The CCO, Coaching and Teaching staff must also be given the opportunity to report and voice the concerns of their designated areas within the Club, as well as to advise the Club Committee on relevant issues.

- xii) Members can acquire the minutes of the meeting in a summary format by providing the Secretary with a self addressed envelope.
- xiii) The Club Committee may also decide upon acceptable means of communication used, during periods between meetings, to ensure the day to day running of Sandycove Swimming Club.

## **6. Voting Rights at General Meetings**

- a) Members who are fully paid up and over 16 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. 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 club members in their own right may vote with this right for themselves and also cast one vote on behalf of their child/children.
- d) Voting shall be conducted via a show of hands, which will be counted by the Secretary. The Club Committee may, however, recommend that a vote should be held in a secret ballot format owing to the context of the vote.
- e) No business shall be transacted at a general meeting unless a quorum is present. A quorum of 30% 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.
- f) Nominations will be passed at AGM's by simple resolution of 50% plus one.
- g) Motions for a change to the Sandycove Swimming Club Constitution must be passed by a special resolution of 75% of persons present at the meeting entitled to vote.
- h) The Chairperson will have a casting vote if there is an equality of votes.

## **7. Election of the Club Committee Members**

- a) Election of the Club Committee members takes place at the Club AGM each year. At this time a Chairperson, Treasurer and Secretary along with four other members of the Club Committee shall be elected.
- b) A Club Committee member may stand for re-election for four consecutive years. After this time period is up, eligibility for re-election is revoked for a period of two years.
- c) Nominations for office and Notice of Motions must be received in writing by the Secretary no less than 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 Club Committee shall be displayed on the Club notice board for not less than 7 days prior to the AGM. They will also be available on request from the Secretary. Notices and Motions without due notice will not be discussed.
- f) In the event that no nominations are received by the Secretary by not less than 7 days prior to the AGM, 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 Club Committee and fulfil the criteria laid down by the "Swim Ireland Safeguarding Children Policies and Procedures 2010", or most recent equivalent. The Club's DP will also be appointed by the Club Committee from within.

## **8. 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 Club Committee must decide when the AGM is held each year.
- c) The Club Committee shall distribute to Members its report and statement of accounts for the relevant financial year, not less than 14 days before the date fixed for holding 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; Coaches' Report and the CCO(s) report.
- e) Any changes or updates to the Club Constitution or Club Rules will be notified to the members and Swim Ireland within 14 days following the AGM.
- f) Any resolution to amend the Club's Constitution which is successful at the General Meeting will come into immediate affect upon conclusion of the General Meeting.
- g) Two delegates for the club will be elected to represent the club at the Swim Ireland AGM.

## **9. Extraordinary General Meeting (EGM)**

An Extraordinary General Meeting may be called at any time once two thirds of the Club Committee resolve to convene such a meeting. It can also be called within 14 days of the Secretary receiving a requisition in writing signed by 6 persons of the voting members.

## **10. 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.

## **11. Finance**

- a) The financial affairs of the club shall be the responsibility of the Club Committee in general and in particular, the Treasurer. Correct accounts and book keeping shall be done by Treasurer or under his/her supervision.
- b) Annual Accounts of Sandycove Swimming Club should be prepared for the Annual General Meeting by the club Treasurer.
- c) The Club Committee shall be empowered to open Bank Accounts in the name of Sandycove Swimming Club and all transactions in these accounts shall be authorized by the Club

Committee. All cheques, drafts and so forth shall be signed by the Treasurer and either the Chairperson or Secretary.

- d) The Treasurer will receive all money paid to the Sandycove Swimming Club and ensure all such sums are lodged to Sandycove Swimming Club bank account as soon as possible.
- e) Any assets invested in by the Club Committee will be used for Sandycove Swimming Club purposes only. The Club Committee will delegate the use of these assets under advisement from coaches, teachers, club children's officers and others within Sandycove Swimming Club.
- f) The Club Committee will have the power to negotiate sponsorships on the club's behalf and engage from time to time fundraising activities. Any financial returns from these activities will be used for the club Development purposes only.

## **12. Complaints and Disciplinary Procedures**

- a) The Club hereby adopts The Swim Ireland Complaints & Disciplinary Rules and Procedures as amended by Swim Ireland from time to time (the Disciplinary Rules) and the Club 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.
- b) Any issue involving members under 18 must also be brought to the attention of the CCO.

## **13. Cessation/Suspension/Expulsion of Membership**

- c) Clubs have 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 Club Committee. All club terminations and suspensions will be reported to Swim Ireland, and can be also appealed to SI.
- d) 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 the "Articles of Association of Swim Ireland".

## **14. Dissolution**

- a) Sandycove Swimming Club may be dissolved:
  - i. 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.
  - ii. A Court Order where a dispute exists within its membership.
- b) Notice must be given to members and Swim Ireland for any Dissolution to come into affect, owing to a Resolution at a General Meeting.

- c) All aspects of the Club, having discharged debts and liabilities, shall be distributed to a charity, charities or other non-profit making organization having an agenda similar to those of Sandycove Swimming Club or SI.
- d) The Club Committee shall be responsible for the winding up of assets and liabilities of Sandycove Swimming Club.

## **15. Equality**

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

## **16. Criminal Allegations**

Sandycove Swimming Club shall treat allegations of criminal activity very seriously. Any allegation of a criminal offence will be reported to Swim Ireland and the appropriate policing body.

## **17. Data Protection**

Sandycove Swimming Club shall aim to follow the necessary data protection guidelines set down by the relevant bodies.