

**TAUNTON DEANE SWIMMING CLUB
RULES AND CONSTITUTION**

1 NAME The Club shall be called Taunton Deane Swimming and its Headquarters shall be at St James Pool, Taunton.

The Club colours shall be decided by the committee.

2 OBJECTS The objects of the Club shall be the teaching, the development, the practice of, the promotion of and instruction in the arts of Swimming, Synchronised Swimming and related activities.

In the furtherance of these objects the Club is;

(a) committed to treat everyone equally within the context of their activity, regardless of sex, ethnic origin, religion, disability or political persuasion.

(b) the welfare of the children and young people is everyone's responsibility and they have a right to have fun, be safe and be protected from harm.

3 AFFILIATION

(a) The Club shall be affiliated to the Somerset Amateur Swimming Association and consequently the ASA South West Region and to any other organisations deemed necessary for the furtherance of the objects of the Club. The Club shall be subject to the Laws and Rules of these associations.

(b) The Club shall be conducted in accordance with the Laws & Technical Rules of the Amateur Swimming Association insofar as they are applicable to the Club's activities. The Club and its members will adopt and comply with the ASA Code of Ethics and Child Protection Procedures.

(c) To British Swimming (in particular its Doping Control Rules and Protocols and Disciplinary Code).

(d) To FINA, the world governing body for the sport of swimming in all its disciplines.

(e) In the event that there shall be any conflict between any rule or by-law of the Club and any of the Governing Body Rules then the relevant Governing Body Rule shall prevail.

(f) Competing members of the Club shall comply with current ASA Law regarding Eligibility to compete.

(g) The Club will register members in accordance with the current ASA Registration scheme as deemed necessary to further the objects of the Club.

4 MEMBERSHIP

(a) The Club will consider any application for membership. Any person who wishes to become a member of the Club must submit a signed

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application to the Secretary (and in the case of a junior swimmer the application must be signed by the swimmer's parent or guardian). Election to membership shall be at the discretion of the Committee but other person(s) authorised by the Committee may make recommendation as to the applicants' acceptability. The Committee shall not be required to give reasons for the refusal of any application for membership.

The Club shall not refuse an application for membership on discriminatory grounds, whether in relation to ethnic origin, age, sex, religion, disability, political or sexual orientation.

- (b) The Membership shall consist of the President, Life Members, Senior Members, Junior Members, Family Member, Temporary Members and Honorary Members. All persons applying for Senior Membership must be proposed and seconded by existing Senior Members of the Club qualified in accordance with Rule 8(c) Any parent or guardian of a Junior Member may become a family member.

Temporary members and Honorary members shall have no voting rights.

- (c) The Membership year shall be 1st September to 31st August, and will be subject to review.
- (d) A member who has not attained the age of 18 years by 1st September shall remain a Junior Member during the whole of that membership year.
- (e) The Membership Fee shall be reviewed and fixed for the forthcoming year at each AGM and shall be due upon joining the club.
- (f) Any member whose membership is unpaid within 30 days of its due date may be suspended by the Management Committee from some or all Club activities from a date to be determined by the Management Committee and until such payment is made. Unless the Management Committee are satisfied that the reason for the delay was exceptional and beyond their control.
- (g) Honorary Life Membership may be awarded at the Annual General Meeting to any persons who the Management Committee deem to have deserved this recognition in view of their services to the Club.
- (h) Honorary Members may be elected annually by the Management Committee to fulfil specific functions where fully paid up membership is deemed to be inappropriate.
- (I)(i) Temporary Members shall pay a fee of not less than 1/12 full membership fee per month or part thereof, such fee being determined by the Management Committee, having due regard to the circumstances and period involved.
- (ii) A Family Member shall be eligible to claim a reduced rate membership fee when they become an official volunteer* which shall be reviewed and fixed for the forthcoming year at each AGM.

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*An official volunteer is someone who occupies an identified position within the club structure.

- (j)(i) A member wishing to resign should do so in writing to the Secretary giving notice of resignation.
- (ii) Notwithstanding the provision of Rule 4 (j)(i) above a member whose subscription is more than two months in arrears shall be deemed to have resigned. Where membership is terminated this way he/she shall be informed in writing that he/she is no longer a member of the club by letter sent to his/her last known address.
- (k) The Honorary Club Treasurer shall report any member who resigns or who has been deemed to have resigned from the Club owing money to the Club to the ASA.

5 PAYMENTS FOR TRAINING

These payments will be fixed by the Management Committee. Payments will be made by monthly Standing Order.

6 GENERAL MEETINGS OF THE CLUB

- (a) The **ANNUAL GENERAL MEETING** shall be held before 10th November each year to:
 - (i) Approve minutes of previous year
 - (ii) Receive Reports and adopt the Financial Statement of the year 1st September to 31st August
 - (iii) Elect Officers for the following 12 months and elect members to fill vacancies on the Management Committee, and:
 - (iv) Alterations and Additions to Club rules.
 - (v) Consider any other matters specified on the Agenda.
- (b) Notice of the Annual General Meeting together with a copy of the Agenda, the minutes of previous year, the Financial Statement, the names of those persons nominated as Officers of the Club, and the names of those persons nominated for election to the Management Committee shall be sent upon request either by email or posted to all Senior Members to arrive prior to the date of the meeting and be published on the Club Noticeboard.
- (c) The name of any person nominated to stand for election in any capacity shall be proposed and seconded by a Senior Member qualified under Rule 8(c) below and shall be in the hands of the Honorary Secretary by 30th September. All nominees shall indicate in writing on the nomination form their willingness to stand and only persons so nominated shall be eligible for election.

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- (d) Proposed additions, deletions and alterations to Club Rules shall be made only at an Annual General Meeting. Any proposal for such an alteration shall be submitted to the Honorary Secretary in writing by 30th September, for consideration by Management Committee before AGM.
- (e) Any changes to constitution will be submitted to Region for approval after agreement at AGM. These changes will become effective upon approval of Region.

7 SPECIAL GENERAL MEETINGS

A special General Meeting shall be called at 14 days' notice upon a written request from 20 members qualified under Rule 8(c) below or by Management Committee under special circumstances. Such a meeting shall deal only with the matter of which notice was given in the request.

8 CONDUCT OF GENERAL MEETINGS – SPECIAL RULES

- (a) A Quorum shall be one tenth of members entitled to attend and vote.
- (b) Each member present eligible shall have one vote and resolutions shall be carried by a simple majority.
- (c) Persons of less than six months standing as a Club member shall not be eligible to stand for election as an Officer of the Club or a member of the Management Committee. In addition, such members shall not be eligible to vote at General Meetings nor to propose or second nominations or resolutions. However this clause may be waived at the discretion of the Executive Officers of the Club, provided such persons have a Junior Member in their family who have been a member of the Club for at least one year. Furthermore members who have not reached their 18th birthday shall not be able to vote except on matters determined by the Chairman as matters concerning juniors.
- (d) Temporary Members, and Honorary Members are not eligible to:
 - (i) stand for election to any office or Management Committee vacancy;
 - (ii) propose or second any nomination, and;
 - (iii) vote at any General Meeting of the Club.

9 THE PARTNERSHIP GROUP OR THEIR SUCCESSOR BODIES

The purpose of this group is Taunton Deane Swimming Club and its partners are to coordinate a strategy for swimming within Taunton Deane and the surrounding area.

- (a) Membership of the Partnership Group shall consist of representatives from TDS, SASP and Tone Leisure or their successor bodies.
- (b) The Partnership Group or their successor bodies will meet regularly to accept and agree the Management Committees report of the activities of the Club. Also to develop strategies for the development of swimming in the community.

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- (c) The Partnership Group or their successor bodies shall be responsible for the employment and for the termination of employment of all paid officials of the Club subject only to report to the next Annual General Meeting.

10 THE MANAGEMENT COMMITTEE & OFFICERS

- (a) The Officers of the Club shall be the Chairperson, the Honorary Secretary, the Honorary Treasurer, the Honorary Gala Secretary, the Honorary Registration Secretary and the Welfare Officer (who shall not be a relative of any Executive Officers, the Coach, the Club Teachers or a Team Manager). All must be 18 years or older.
- (b) The Management Committee shall also include six other members. All must be 18 years or older.
- (c) At the first meeting after the Annual General Meeting the Management Committee will elect a Vice Chairperson and President for the forthcoming year. The President will be an ex officio member of the management committee.
- (d) Any member of the Management Committee or Sub-Committee who fails to attend three consecutive meetings shall be deemed to have resigned from that Committee, unless reasonable notice or explanation for the absence has been given and accepted.
- (e) The Management Committee shall meet and formulate Club policy in accordance with the objects of the Club, resolutions passed at General Meetings, and the requirements of Amateur Swimming Association Law. They shall regulate the day-to-day management of the Club.
- (f) In the event of an Officer of the Club or a Committee Member retiring between Annual General Meetings, the Management Committee shall have power to fill the resultant vacancy until the next Annual General Meeting.

11 DUTIES OF THE MANAGEMENT COMMITTEE

- (a) The day-to-day business of the Club shall be managed by the 'Management Committee'. It will be responsible for:-
 - (i) the establishment of a swim training and competition programme in consultation with the Coach and within the parameters set by the Partnership Group or their successor bodies;
 - (ii) the establishment of an education programme for teachers, coaches and other volunteers;
 - (iii) the promotion of other swimming disciplines within the business plan;
 - (iv) provide quarterly reports to Partnership Group or their successor bodies as specified in 9(d)

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- (b) The Management Committee may appoint Sub-Committees to deal with special matters and lay down the terms of reference under which they operate. All Sub-Committees shall report on their deliberation to the next meeting of the Management Committee.
- (c) The Management Committees, and all Sub-Committees shall have the power to co-opt any member of the Club for all or any of its meetings. But these members shall not be entitled to vote.

12 COMMITTEE PROCEDURES

- (a) The Chairperson shall have a vote in his/her own right and may make the casting vote in the event of a tie.
- (b) Committee decisions shall be by simple majority of those present and voting.
- (c) Where meetings are chaired by the Vice Chairperson or a member of the Committee is elected by a meeting to perform the duties of the Chairperson, the voting rights of the Chairperson shall be vested in that person for the duration of that meeting.
- (d) A co-opted member may be elected Chairperson of a Sub-Committee only with the approval of the Management Committee.
- (e) The Chairperson (or in his or her absence, the Vice Chairperson), the Honorary Secretary and Honorary Treasurer shall be ex-officio members of all Committees and Sub-Committees unless the Management Committee directs to the contrary.
- (f) The quorum of the Management Committee shall be six to include at least two of the following committee members, Chairman, Vice Chairman, Treasurer and Secretary.
- (g) The Management Committee will meet once a month except for August and at other times as they deem necessary in order to facilitate the efficient running of the Club. Minutes of such meetings will be circulated to all Committee Members within 10 days of the meeting.
- (h) The Committee shall maintain an Accident Book in which all accidents to club members at swimming related activities shall be recorded. Details of such accidents shall be reported to the A.S.A. Office. The Club shall make an annual return to the ASA in the prescribed form.
- (I) The Committee shall maintain an Incident Book, in which all incidents to Club members at swimming related activities shall be recorded.
- (j) The members of the Committee shall be entitled to an indemnity out of the assets of the Club for all expenses and other liabilities properly incurred by them in the management of the affairs of the Club.

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13 DISCIPLINE

- (a) The committee shall have the power to expel a member when, in its opinion, it would not be in the interests of the Club for him or her to remain a member.
- (b) The Club shall adopt and comply with the ASA Guidelines for handling internal Club disputes.
- (c) A member may not be expelled or subject to Rule 13d be made the subject of any other penalty unless the panel hearing the complaint shall by two thirds majority vote in favour of the expulsion/other penalty imposed upon the member.
- (d) The Management Committee of the Club or any person whom the committee shall delegate this power may temporarily suspend or exclude a member from a particular training session(s) and or Club activities when in their opinion such action would be in the interests of the Club. Where such action is taken the complaint will thereafter be dealt with in accordance with the guidelines.
- (e) The Management Committee may, if in their opinion the interests of the Club so require, invite any member, by registered letter stating briefly the matter complained of, to resign his or her membership within a stated period. In the event of such a member failing to reply or resign within the specified period, a Special Meeting of the Management Committee shall be convened to consider the matter; the member in question shall be given one week's notice thereof and shall be given the opportunity to be heard in his or her defence. Should two thirds of the Management Committee members present at that meeting vote in favour of the member's expulsion, then he or she shall forthwith cease to be a member of the Club. There will be a right of appeal to The Executive Forum.
- (f) The Management Committee shall be responsible for the formulation, display, and enforcement of a disciplinary code covering misbehaviour, non co-operation and disruption at Club Training Sessions, Events and Functions. Any sanction applied by a poolside coach under this code shall be reported to the next meeting of the Management Committee. Members aggrieved by any decision under this code may appeal in writing to the Management Committee.
- (g) Should misbehaviour or any other disciplinary problem occur at an Inter Club, Somerset County, District or National Event, or during the journey to or from such an event, the Team Manager, or in his absence his appointed deputy, shall deal with such an occurrence as he feels appropriate, bearing in mind the spirit of the Club's Disciplinary Code. Any action taken under this rule shall be reported to the next meeting of the Management Committee. Members aggrieved by any decision taken under this rule may appeal in writing to the Management Committee.

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14 DISSOLUTION A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be carried by a majority of at least [three- quarters] of the members present and entitled to vote. A specific date for the dissolution shall be included in the resolution.

The dissolution shall take effect from the date specified in the resolution and the members of the Committee shall be responsible for the winding-up of the assets and liabilities of the Club.

Any property remaining after the discharge of the debts and liabilities of the Club shall be given to a charity or charities (or other non-profit making organisation having objects similar to those of the Club for the furtherance of such objects) nominated by the last Committee.

15 GENERAL

- (a) Whilst every precaution will be taken for the safety of Club Members, Steering Group or their successor bodies and Management Committee accepts no responsibility for injury, loss of earnings, loss of life or loss of members' property during or resulting from Club activities.
- (b) The Committee shall have the power to govern any case not provided for in the foregoing rules.

16 FINANCE

- (a) All monies payable to the Club shall be received by the Treasurer and deposited in a bank account in the name of the Club. Cheques drawn from the account(s) will be signed by two authorised signatories. Any monies not required for immediate use may be invested in the Clubs name at the discretion of the committee.
- (b) The committee shall have power to authorise the payment of remuneration and expenses to any officer, member or employee of the Club and to any other person(s) for services rendered to the Club.
- (c) The financial transactions of the Club shall be recorded by the Treasurer in such a manner at the committee think fit.
- (d) The financial year of the Club shall be the period commencing 1st September to 31st August.
- (e) The club should appoint annually an independent examiner of the books.
- (f) The Committee shall retain for a minimum period of six years all financial records relating to the Club and copies of Minutes of all meetings.
- (g) Committee approval required to destroy old records.
- (h) The Treasurer and Chairperson shall have the ability to vary subscription / fees to accommodate social inclusion.

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17 BY-LAWS

The Committee shall have power to make, repeal and amend such by-laws as they may from time to time consider necessary for the well being of the Club which by-laws, repeals and amendments shall have effect until set aside by the Committee or at a General Meeting.

18 PROPERTY

- (a) The property of the Club, other than cash at the bank, shall be vested in not more than four Custodians. They shall deal with the property as directed by resolution of the Committee and entry in the minute book shall be conclusive evidence of such a resolution.
- (b) The Custodians shall be elected at a General Meeting of the Club and shall hold office until death or resignation unless removed by a resolution passed at a General Meeting.
- (c) The Custodians shall be entitled to an indemnity out of the property of the Club for all expenses and other liabilities properly incurred by them in the discharge of their duties.

A definition of social inclusion will be attached to the constitution and amended in line with any changes in legislation.