

WARLEY WASPS CONSTITUTION AND RULES

*(Original of October 2006 gained approval by West Midlands Swimming 6 February 2007 and January 2013)
(as amended June 2008, May 2011 January 2013, September 2014 and March 2019)*

1. NAME

The name of the Club shall be Warley WASPS. (This is explained as: Warley Amateur Swimming and Polo (Sandwell) (W.A.S.P.S.)

2. OBJECTS

The objects shall be:

The teaching, development and practice of swimming, diving, open water and water polo for the members, and shall, where appropriate, be to compete in the furtherance of these objects.

To promote and engage in the teaching of swimming and water safety so that greater confidence is instilled, in order to minimise the risks of drowning.

To engage in the teaching of swimming so that competitive talent may be identified and encouraged, and to prepare young swimmers for swimming competition, offering where relevant, encouragement and support to aspire to excellence in swimming, water polo and other competitive swimming based sports.

To offer training in order that constant improvement may be achieved in competitive events, and to create an environment where a high level of fitness is encouraged and maintained.

To liaise with other agencies having the welfare of the young as an objective, in order that water based opportunities within the Borough of Sandwell, are maximised for the benefit of others through their membership and participation in club activities.

To enable educational and social integration for all active members within the club by offering opportunities and encouragement for young members to be involved in the management of the club. This should be achieved by consultation, regular meetings and representation on the committee, by the Club Captain who shall be elected annually. Other swimming members may be co-opted onto Sub Committees for specific purposes, as identified.

Warley WASPS is committed to carrying out its' Objects whilst complying with The Swim England (S.E.). Equal Opportunities Policy.

“Warley WASPS is committed to equality of opportunity for all members, supporters, coaching and teaching volunteers, and any other person or group of people having any connection with the Club.

We are opposed to any form of action, language or practice, which discriminates against any person or persons on the basis of:

Race: Colour: Culture: Religion: Language: Ability: Disability: Gender: Sexual Orientation: Age: Marital Status: Political Persuasion: Nationality: Ethnic or National Origin.

All members, supporters, coaching and teaching staff and volunteers and any other person connected with the Club, are protected by the Policy and are expected to adhere to it. All persons (as above) will be dealt with solely on the basis of their relevant aptitudes, skills and abilities within the context of the activities carried on by the club. There shall be a Code of Conduct relating to the way in which all members are dealt with, in order to ensure fairness and comparability.

2.2 AFFILIATIONS

The Club shall be affiliated to Swim England (S.E.) (West Midland Region). Competitions shall be conducted in accordance with the Laws of S.E.. Affiliations to other associations may be deemed appropriate from time to time by the Club Committee

2.3 The business and affairs of the club shall at all times be conducted in accordance with the Laws and Technical Rules of the Swim England (ASA Laws), and in particular:

all competing members shall be eligible competitors as defined in S.E. (ASA) Laws, and the Club shall in accordance with S.E. ASA Laws adopt the S.E. Wavepower Child Protection Procedures; and shall recognise that the welfare of children is the responsibility of everyone, and that all children and young people have a right to have fun, be safe and be protected from harm.

2.4 By virtue of the Clubs affiliation to S.E. West Midland Region, the Club and all members acknowledge that they are subject to the laws, rules and constitutions of S.E. West Midland Region, (to include the ASA/IOS Code of Ethics, the Amateur Swimming Federation of Great Britain (to include in particular the ASFGB Doping Control Rules and Protocols and ASFGB Disciplinary Code, and FINA, the world governing body for the sport of swimming.

In the event of conflict between club rules and any of the above, the relevant Governing Body Rule shall prevail.

3. MEMBERSHIP

Classes of membership shall be as follows:

Life Members, Vice Presidents and Ordinary Members

Ordinary members shall include non-swimming members, Junior and Senior Members (senior members, meaning 16 years of age or above)

All competing members must be eligible to compete as per S.E. ASA Laws (currently Laws 4.11.3 and 4.11.5)

New members, by signed application in writing, subject to Committee acceptance.

Life Members shall be voted in by three quarters of the total vote cast.

Membership numbers shall not normally be limited. There may occasionally be a need to impose a limit, or having done so, to remove such a limit, which shall be considered at a General Meeting of The Club.

All persons who assist in any way with club activity shall be members of the club, and hence of S.E.. The relevant S.E. membership fee shall be paid. Assisting with club activity shall include, but not be restricted to, administrators, voluntary instructors, teachers and coaches, Committee members, helpers, Honorary members, Life Members, officers, patrons, Presidents, technical and non-technical officials, verifiers or tutors of the S.E.'s educational certificates.

Paid instructors, teachers and coaches who are not members of The Club must prove their membership of a body which accepts that it's members are bound by the S.E. ASA Code of Ethics, the laws relating to Child Protection and those parts of the Judicial Laws, Judicial Rules and procedures necessary for their implementation and whilst engaged in activities under the jurisdiction of S.E. shall be subject to all the constraints and privileges of the Judicial Laws and Rule

Any person seeking membership of the club must submit a signed application to the Secretary (junior applications shall be signed by the applicants parent/carer.) The application will be determined by the Membership Officer, taking advice where necessary from other members authorised by the Committee. Refusals to admit to membership will be supported by reason(s). The refused person may seek a review from

a panel consisting of three or more, including where practicable an independent member nominated by S.E. West Midland Region. The decision of such a panel shall be final and binding.

Refusals to admit to membership shall not be discriminatory, and should relate only to conduct or character likely to bring the club into disrepute, or, in the case of a swimmer that club entry standards have not been met.

4. FINANCE

Ordinary members will be required to pay an annual subscription, due 1 January each year, plus coaching and squad fees as appropriate, the amount to be agreed by the Club Committee, and shall take account of the current Swim England Membership fees, and variations thereto. Any person who has failed to pay their membership subscription in full, together with any other dues (or proof that outstanding amounts will be regularly paid, e.g. by direct debit) by 20 March in the year to which membership fees relate, shall forthwith cease to be a member. That person will be notified in writing that his/her membership has been terminated.

All moneys payable to the Club shall be received by the Treasurer and deposited in a bank account in the name of the Club. No sum shall be drawn from that account except by cheque, or Bank Transfer signed or arranged by authorised signatory to the account. Any moneys not required for immediate use may be invested as the Committee, in its' discretion thinks fit.

The income and property of the club shall be applied only in furtherance of the objects of the club. No part thereof shall be paid by way of bonus, dividend or profit to any member(s) of the club

The Committee shall have power to authorise the payment of remuneration and expenses to any officer, member or person engaged to carry out specific duties for the Club, and to any other person(s) for services rendered to the Club.

The subscription shall include, for all competing members, the appropriate S.E. registration fee and the Club shall register all competing members with S.E. in accordance with S.E. ASA Law (currently Law 401.1)

The financial year shall end 31 March each year.

Borrowing

In the event that the Club will need to borrow money, The Committee may borrow money on behalf of the Club for the purposes of the Club from time to time at their own discretion [up to such limits on borrowing as may be laid down from time to time by the General Meeting] for the general upkeep of the Club or with the (prior) approval of a General Meeting for any other expenditure, additions or improvements.

When so borrowing the Committee shall have power to raise in any way any sum or sums of money and to raise and secure the repayment of any sums or sums of money in such manner or on such terms and conditions as it thinks fit, and in particular by mortgage of or charge upon or by the issues of debentures charged upon all or any part of the property of the Club.

The Committee shall have no power to pledge the personal liability of any member of the Club for the repayment of any sums so borrowed.

5. PRIVILEGES OF LIFE MEMBERS AND VICE PRESIDENTS

Life Members shall be appointed at an Annual General Meeting or Special General Meeting, for their outstanding services to the club. Donations by Vice Presidents shall be by arrangement with the Club Committee. All Vice Presidents and Life Members shall be entitled to attend and vote at Annual General Meetings and Extraordinary General meetings of the Club, also to exercise such privileges as the Club Committee shall from time to time determine.

6. OFFICERS

Executive Officers of the Club shall be:

- Chairperson
- General Secretary
- Treasurer

Additionally, there may be up to 20 proposed, seconded and elected committee members, from which specific postings will be made. They include, but are not exclusive to the below posts.

Persons may be co-opted by the committee for specific purposes or to carry out additional tasks associated with the running of the club.

Committee members shall serve in their capacity, until their successors are elected at the next Annual General Meeting. Any vacancy occurring by resignation or otherwise may be filled by The Committee.

- Officials Co-ordinator
- Water Polo representative
- Team Manager
- Club Captain
- Swimming Teachers Co-ordinator
- Development Officer
- Welfare Officer
- Two additional members

The Welfare Officer (as above) shall be appointed by The Committee. He/She shall be not less than 18 years of age, and should have an appropriate background. The appointed Welfare Officer is required to undertake appropriate training in accordance with Swim England Child Safeguarding courses. (Wavepower)

The below listed functions are not Committee positions but are among the additional tasks referred to above.

- Awards/Badge Distributor
- Fixtures Secretary
- Public Relations Officer
- Social Secretary
- Trustee
- Swim 21 Liaison Officer
- Training Officer
- Supplies Officer

The Annual General Meeting of the Club, if it thinks fit, may elect A President who shall, ex officio, be an honorary member of the Club and must be included in the club annual return of Members to S.E.

The quorum of the Committee shall be a minimum of Seven members.

The Water Polo Representative to be one of three people nominated by the Water Polo Section. Only one may attend each meeting.

In the absence of the Chairperson, any committee member may take the chair.

A Minutes Secretary to be appointed by the Committee, if deemed necessary, but shall attend meetings only to take the minutes.

Vice Presidents shall be appointed by the Committee. They are not permitted to sit on or vote at Committee Meetings.

An Auditor shall be appointed by a simple majority at an AGM.

7. CLUB COMMITTEE

The Committee shall be responsible for the management of the Club and shall have the sole right of appointing and determining the terms and conditions of service of persons engaged to perform specific tasks on behalf of the club. The Committee shall have power to enter into contracts for the purposes of the Club, on behalf of all members of the Club.

The Committee shall be responsible for ensuring that the Accounts of the Club, for each financial year, be examined by an independent examiner, who shall be appointed by the members in General Meeting. The Committee shall have power to make regulations and settle disputed points not otherwise provided for in this Constitution.

The members of the Committee shall be indemnified by the members of the Club against all liabilities properly incurred by them in the management of the affairs of the Club.

The Club Committee, shall consist of those persons listed under Rule 6. Executive Officers of the Club shall be elected annually at the Annual General Meeting. A quorum shall consist of seven members. Each elected or appointed member of the Committee must not be a first joined member or committee member of another competitive swimming club.

8. CHAMPIONSHIPS AND COMPETITIONS

All competitions organised by, or within the club shall be carried out in accordance with the current S.E. ASA Laws. The winner of any Club Championship trophy will be entitled to hold possession of it, handing a receipt to the Trustee. It shall be returned to the Trustee when called upon.

All trophies are the property of the Club and must be returned 28 days before the date of the Club Championships.

9. ANNUAL GENERAL MEETING AND FINANCIAL YEAR

The Annual General Meeting of the Club shall be held not later than **30 June** each year.

The purpose of the Annual General Meeting shall be to transact the following business:

- To receive officers reports relating to the activities of the Club during the previous year
- To receive and consider the accounts of the Club for the previous year and the report on the accounts of the independent examiner, and the Treasurer's report as to the financial position of the Club
- To remove and elect the independent examiner, or confirm that she/he remain in office. (He/she shall not be a Committee member of a direct relative of a Committee member.
- To elect the Executive Officers and other members of the Committee.

Any motion to be put before the Annual General Meeting shall be forwarded to reach the General Secretary on or before 7 June

Notice of the Meeting will be displayed on the Club notice board and at the payment desk for not less than 14 days before the meeting. The notices shall include an Agenda containing all items for discussion and decision. Copies should be available on request for fully paid up members and life members only.

A quorum at an Annual General Meeting shall be 20 Senior Members of the Club (Senior meaning 16 years of age or over at the end of the year to which the meeting relates). Fully paid up members who are eligible to vote shall be Senior Members (including Life Members) and Junior Members of 13 years of age and over.

Parents of fully paid up swimming members may also attend but may not take part in discussions unless invited to do so by the Chairperson, and are not entitled to vote unless paid up members themselves.

No membership subscription payments can be accepted on the evening of the A.G.M.

The Chairman, or in his absence a member selected by the Committee, shall take the chair. Each member present shall have one vote. Resolutions and decisions made shall be by a simple majority. The Chairman shall have the casting vote. The Chairman shall have authority upon every question of order and shall be the sole interpreter of the Rules of the Club. The Secretary, or in her/his absence a member selected by the Committee, shall take the minutes at the Annual and Special General meetings.

10. SPECIAL MEETINGS

a) Sub Committee

A Sub Committee may be appointed by the Club Committee to consider and report on any matter. Either the Treasurer, General Secretary or Chairperson shall attend all Sub Committee meetings along with the relevant committee members

b) Special General Meetings

These may be called by either the Club Committee, or by a signed application by twelve (12) members submitted to the Club Secretary, who shall arrange such a meeting as soon as possible with the first listed signatory in the letter of application. At least 14 days notice shall be given to all members of the Club by means of a notice on the Club notice board, stating the nature of the business to be discussed

11. VOTING AT A.G.M. OR EXTRAORDINARY GENERAL MEETING

Votes for individuals to be a paper ballot not a show of hands.

12. RESIGNATIONS

Members wishing to resign from the club must do so in writing to the Secretary. The resignation will only take effect when the written notice has been received by the Secretary.

The resigned person shall not be entitled to have any part of the annual membership, or any other fees returned. Notwithstanding the resignation (as above) a member, the subscription of whom is more than three months in arrears, shall be deemed to have resigned. Where membership is terminated in this way he/she shall be informed in writing that he/she is no longer a member. Such notice shall be handed or posted to the terminated member.

The S.E. Membership Department shall be informed should a member resign when still owing money or goods to the club.

13. EXPULSIONS/SUSPENSIONS

Members will, when necessary, be disciplined by the Club Committee, taking into account S.E.ASA Judicial Laws and Guidelines for handling of Internal Club disputes, if their behaviour is felt to be detrimental to the good name of the Club. The Committee shall have power to expel a member, when it is decided that it would not be in the interests of the Club for him/her to remain a member.

The Officers of the Club (or any other person to whom the Committee shall delegate this power) may temporarily suspend or exclude a member from particular training sessions and/or wider club activity, when in their opinion, such action is in the interests of the club. Where such action is taken, the complaint will thereafter be dealt with in accordance with the S.E. Guidelines.

14. CLUB COMMITTEE MEETINGS

Club Committee Meetings shall be held regularly throughout the year. A maximum of eight weeks shall elapse between each meeting. Members who fail to attend three consecutive meetings without reasonable cause shall be deemed to have resigned.

15. ALTERATIONS TO CONSTITUTION AND RULES

No alterations to the above Constitution and Rules may be made unless at the Annual General Meeting, or at a Special General Meeting to be held in accordance with Rule 10 (b). Decision will be by a simple majority. The Club Committee shall have power to make allowances for all Rules not provided for.

16. CLUB CHAMPIONSHIPS

All members taking part in the Club Championships must be fully paid up members and must not compete, or have competed in the Championships of any other club in the same year.

17. COMPLAINTS

Members having cause for complaint with the Club shall lodge their complaint in writing to the General Secretary who shall bring it before the Club Committee at the next committee meeting. A reply will then be formulated and given to the complainant.

18. PROPERTY

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. An entry in the Committee minutes shall be conclusive evidence of such a resolution.

Custodians shall be elected at a General Meeting and shall hold office indefinitely or until resignation, or removal by a resolution passed at a General Meeting.

19. DISSOLUTION

A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be carried by 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 members of the Committee shall be responsible for the winding up of the assets and liabilities of the Club.

After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:

- a. To another club with similar sports purposes, which is a registered charity, and/or
- b. To another club with similar sports purposes, which is a registered C.A.S.C. (Community Amateur Sports Club) and/or
- c. To the Clubs national governing body for use by them for related community sports.

20. ACKNOWLEDGEMENT

The Members acknowledge that these rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.

The following statement shall appear on Club Membership forms and is to be signed by the member and must also be countersigned by the parent, guardian, or person having parental responsibility for the member, if under the age of 18 years:

“I acknowledge receipt of the rules of Warley Amateur Swimming and Polo (Sandwell) Club and confirm my understanding and acceptance that such rules (as amended from time to time) shall govern my membership of the Club. I further acknowledge and accept the responsibilities of membership upon members as set out in these rules”

Authenticated as amended: March 2019

Ray Evans: Chairman.....

Karen Soulsby: Treasurer.....

Pamela Pike:: Secretary.....