

# South Aberdeenshire Swimming

## Constitution, Bye – Laws and Regulations

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# Regulations

The SAS Management committee shall reserve the right to introduce from time to time regulations thought necessary for the practical day-to-day running of the South Aberdeenshire Squads. Regulations will cover issues involving the conduct of swimmers and coaches, training patterns for squads, competition planning and other matters related entirely to member swimmers and clubs which will promote best practice in competitive swimming. Regulations will not in any way contradict or repeat articles otherwise contained in the Constitution and will be reviewed and amended by the SAS Management committee when required.

## 2. Squads

### 2.1 Development Squad

Member Clubs submitting swimmers names for inclusion in Development Squad are obliged under normal circumstances to ensure that an appropriate individual, being a person working with this level of swimmer within the Club and producing their training programmes, and a parent / chaperone accompanies any selected swimmers to each Development Squad training session. Any club experiencing difficulty in this area should discuss the position with the Squad Lead Coach prior to the session.

### 2.2 Junior Squad

Member Clubs submitting swimmers names for inclusion in Junior Squad are obliged under normal circumstances to ensure that an appropriate individual, being a person working with this level of swimmer within the Club and producing their training programmes, and a parent / chaperone accompanies any selected swimmers to each Junior Squad training session. Any club experiencing difficulty in this area should discuss the position with the Squad Lead Coach prior to the session.

### 2.3 Transitional Squad

Member Clubs submitting swimmers to trial for Transitional Squad are obliged under normal circumstances to ensure that an appropriate individual, being a person working with this level of swimmer within the Club and producing their training programmes, accompanies any selected swimmers to each Transitional Squad training session. Any club experiencing difficulty in this area should discuss the position with the Squad Lead Coach prior to the session

### 2.4 Top Squad

## 3. Membership

### 3.1 Change of Representative Club

In the event of a member of a SAS Club wishing to represent a club out with SAS while remaining a member of their parent Club, by 1<sup>st</sup> Claim, the Club concerned must advise the SAS Secretary and consult the SAS Head Coach prior to a decision being taken. This should take place no later than two weeks prior to the closing date of the next event due to be entered by a SAS team. Every opportunity should be explored and exhausted within SAS to provide the necessary support to the swimmer before permission is granted by the 1<sup>st</sup> Claim Club for a swimmer to compete for a second claim club.

### 3.2 Competing

Where SAS are entered as a Team, all swimmers are required to compete as members of the SAS Team and cannot compete at the same competition for their individual club or second club.

### 3.3 Equal Opportunities

Membership of the Team is actively encouraged in all capacities regardless of age, race, gender, sexual orientation, religion, political persuasion or disability. The team are fully committed to the implementation of the SAS Equity Policy at all times.

### 3.4 Technical Officials

The Team will fund the travel and/or accommodation costs of a Technical Official if it is a competition requirement that STOs must be provided. With regard to travel and accommodation costs the following criteria should be adhered to;

- Technical Officials will be expected to undertake STO duties at all sessions of the meet in order to receive expenses.
- Where it is practical, Technical Officials should be included in Team travel/catering arrangements in order to keep costs to a minimum.
- Where Team travel and accommodation is available Technical officials will be expected to use this facility, should this option be refused then costs will not be refunded.
- National STO rates will normally apply however in exceptional circumstances a variation to this may be considered by the Management Committee.

## 4. Awards

### 4.1

Any member achieving a Scottish Record (senior or junior) for the first time will receive a commemorative award suitably engraved.

## 7. Finance and Accounts

### 7.1 Hardship Funding

Payment of fees may be made in instalments in order to reduce hardship. The SAS Treasurer and the Parent/Guardian will agree an appropriate payment plan.

### 7.2

The Team will identify a budget annually specifically to provide hardship payments to eligible members. Details of eligibility, criteria and procedure are contained in the SAS Hardship Fund Policy.

# CONSTITUTION

## C1.0 NAME

The Team shall be called "South Aberdeenshire Swimming" (Hereafter referred to as the Team)

## C2.0 OBJECTIVES

The objectives of the Team shall be to: -

- a) Promote and manage the teaching, knowledge and practice of one or more Aqua Sports, in accordance with paragraph C2.2 of the SASA Constitution
- b) To develop swimmers from participating clubs, through joint attendance at training and assessments and selected competitions to optimise the allocation of sports and local government funding and support
- c) To promote all the activities of the team.

## C3.0 MEMBERSHIP

- C3.1 The membership shall consist of the group of clubs who participated in the formation of the Team and who continue to affiliate annually to the Team. Additional clubs may join at any time by agreement of the existing participants, in accordance with BL 3.5 and subject to their accepting and satisfying the terms of the constitution. Individual membership of one of the participating clubs automatically ensures membership of the Team.
- C3.2 The Management Committee shall agree the proposed affiliation fees (annual club affiliation) in June of each year in preparation for the AGM.
- C3.3 All Team members must be registered with the SASA through their parent club and Adult members will be as defined by the SASA.
- C3.4 All members joining a member club shall be deemed to accept the terms of this Constitution, the Team Bye-Laws and any Regulations from time to time adopted by the Team.
- C3.5 Participating clubs must be affiliated to Aberdeenshire Sports Council.

## 4.0 GOVERNANCE

- C4.1 The Team shall be subject to and bound by, the Constitution and Bye-Laws of the SASA, Memorandum, Articles and Rules of SASA Ltd and the appropriate SASA District Rules.
- C4.2 The Team shall comply with the SASA Code of Conduct, the SASA Code of Ethics and the SASA Child Protection Guidelines.
- C4.3 The Team shall be governed by its Constitution, Bye-Laws and Regulations.
- C4.4 Amendments to the Constitution shall only be made at a General Meeting provided at least a two-thirds majority of those present and eligible to vote with representatives of at least three member clubs being in favour.

- C4.5 Amendments to the Bye-Laws shall only be made at a General Meeting provided a simple majority of those present and voting is secured
- C4.6 The Management Committee shall have the power to publish and enforce such Regulations, as the Management Committee feels necessary to govern the activities of the Team.

## **5.0 MANAGEMENT**

- C5.1 The affairs of the Team shall be conducted by a Management Committee, which shall consist of a maximum of two nominated delegates from each participating club as defined in Bye-Law BL5.1.
- C5.2 The Officers of the Team, who shall be honorary, shall consist of a Chairperson, Vice Chairperson, Treasurer and Secretary who shall be elected at an Annual General Meeting, as shall be the said club delegates as defined in Bye-Law BL5.1.
- C5.3 If the post of any Officer or club delegate committee member should fall vacant after such an election, the Management Committee and respective club shall have the power to fill the vacancy.
- C5.4 All Management Committee members other than the Head Coach shall be Adult members of one of the participating clubs.

## **C6.0 MEETINGS**

### **C6.1 General Meetings**

#### **C6.1.1 Notices**

At least 30 days notice of any General Meeting and the Agenda shall be given to all member clubs.

#### **C6.1.2 Attendance**

All Adult Members of participating clubs are entitled to attend and take part

#### **C6.1.3 Voting**

- With the exception of changes to the Constitution, decisions put to a vote shall be resolved by simple majority at General Meetings.
- Voting shall be by a show of hands unless decided otherwise by a majority of those attending the meeting.
- Voting representatives of any single member club may not exceed 30% of the total attendance at the meeting

#### **C6.1.4 Quora**

The quorum at General Meetings shall be two Officers of the Management Committee plus ten members eligible to vote to include at least one representative present from at least three member clubs.

#### **C6.1.5 Changes to the Constitution and Bye-Laws.**

A proposal to change the Constitution or Bye-Laws must be submitted in writing to the Secretary, signed by two members eligible to vote at a General Meeting.

## **C6.2 Annual General Meeting (AGM)**

C6.2.1 *The Team shall hold an Annual General Meeting during the period mid-August to mid-September to*

- Approve the minutes of the previous year's AGM.
- Receive reports from the Chairperson and Head Coach.
- Receive a report from the Treasurer and approve the Annual Accounts.
- Receive a report from the Auditor(s)/Independent Examiners.
- Appoint Auditor(s)/Independent Examiners for the Club's Accounts
- Elect Office Bearers (except for the Head Coach)
- Consider changes to the Constitution
- Consider changes to the Bye-Laws.
- Deal with other relevant business

C6.2.2 Voting rights at the SAS AGM shall be limited to those having comparable voting rights at their Club AGM.

## **C6.3 Extraordinary General Meeting (EGM)**

C6.3.1 An Extraordinary General Meeting shall be called by an application in writing to the Secretary supported by representatives from 3 or more of the member clubs'. Such a request must be made in writing to the Secretary, setting forth the object(s) and reason(s). The Management Committee shall also have the power to call an EGM by decision of a simple majority of its members.

## **C6.4 Management Committee Meetings (MCM)**

C6.4.1 A quorum for Management Committee Meetings shall be at least one delegate present from any three of the four member clubs plus two additional Management Committee members.

C6.4.2 The business of the meeting shall be enacted in accordance with Section 6 of the Bye-laws.

C6.4.3 The Management Committee shall meet at least every two months (official Team vacation periods excepted) and at such other times as the Chairperson, in consultation with the Secretary, may deem necessary. The Chairperson shall convene the Management Committee.

C6.4.4 A Management Committee meeting shall be called by the Secretary when there is business to transact or on the request of an Officer of the Team or by an application in writing by at least ten Adult members of the Team. At least 7 days written notice shall be given to all Management Committee members. The Secretary shall call a Special Committee Meeting within 14 days of the receipt of the requisition notice. Notice of meeting shall include a statement of business to be discussed. No other business shall be transacted at such a meeting.

## **C7.0 FINANCE & ACCOUNTS**

C7.1 The financial year shall run from 1<sup>st</sup> July to 30<sup>th</sup> June each year

C7.2 The Treasurer shall be responsible for the preparation of Annual Accounts of the Team.

- C7.3 The Accounts shall be audited by an independent person(s) elected annually at the Annual General Meeting.
- C7.4 The Treasurer and either the Chairperson or Secretary shall sign all cheques drawn against the Team's funds
- C7.5 The Management Committee can enter into contracts and/or partnerships, on behalf of the Team, provided each proposal is fully discussed at and recorded in the minutes of a quorate Management Committee meeting prior to the commitment being made.
- C7.6 All members of the Team shall be jointly responsible for the financial liabilities of the Team.
- C7.7 Any surplus of the Team's income will be re-invested in the Team and not distributed to its members.

## **C8.0 DISCIPLINE**

- C8.1 The Management Committee may take action (eg. fine, suspend or cancel membership) against any Team Member proved guilty of infringing the Team Regulations or acting in such a manner as to bring disrepute to the Team. Such action shall only be taken if the principles and procedures embodied in the Complaints, Appeals and Suspension & Fines sections of the SASA Constitution, Bye-Laws and the SASA Company Rules have been applied.
- C8.2 **GRIEVANCES**  
All grievances, complaints and appeals, except for doping, child abuse or alleged criminal offences, shall be dealt with in accordance with Section 8 of the Team Bye-Laws.
- C8.3 Grievances and complaints involving doping, child abuse or other criminal offences shall be referred to the SASA Chief Executive within 48 hours, in accordance with SASA Company Rule 16.1.3.

## **C9.0 TROPHIES**

- C 9.1 All trophies belong to the Team in perpetuity and cannot be won outright.
- C 9.2 The Team Secretary or nominated person shall act as Trustee of Team Trophies.

## **C10.0 DISSOLUTION**

- C 10.1 In the event of the dissolution of the Team, any funds, property and other assets shall not be distributed amongst the members of the Team in any way whatsoever, but shall be applied towards the objective of the SASA.
- C 10.2 So long as two member clubs agree to support the Team it cannot be dissolved.

## **BYE-LAWS**

**BL 1.0** Not used

**BL2.0** not used

### **BL3.0 MEMBERSHIP**

BL3.1 All individual members will be excluded from taking part in any of the Teams activities, competitions or meetings until their club annual subscription is paid.

BL3.2 A club wishing to resign from the Team shall give the Secretary six months notice in writing.

BL3.3 Club affiliation fees shall be payable within one month of the AGM date. Any club that fails to pay within this time limit shall be prevented from taking part in any Team competitions or activities until payment has been made. Should any club not pay the required amount within three months the Management Committee shall call an Emergency General Meeting to discuss further action.

BL3.4 Action as in BL3.3 shall also apply to the quarterly payments due to Aberdeenshire Council, which are stated in the SAS/Aberdeenshire Council Agreement.

BL3.5 Any additional club wishing to join the Team may be eligible for a three year phased Partnership Agreement payment as per the original Agreement. The Management Committee will discuss this possibility at the time of application and approval will be at their discretion

BL3.6 When an application for membership is turned down by the Management Committee, the applicant must be advised of the reason in writing.

BL3.7 Honorary Life Membership

The election of a member as an Honorary Life Member is recognition by the Team of an outstanding contribution to the Team by that member.

An outstanding contribution is one which:

- results in the Team being substantially and demonstrably positively changed by that contribution, and
- occurs over a significant period of time (at least 5 years), and
- required substantial and commendable personal input, and
- can be clearly documented and corroborated.

Procedure for Nomination and Election

Any current member of the Team may nominate an individual for Honorary Life Membership of the Team, by submission to that effect in writing to the Management Committee. All nominations must be received for consideration of the Management Committee prior to the MCM preceding the AGM.

Election to Honorary Life Membership will be upon the recommendation of the Management Committee.

**BL4.0** not used



## **BL5.0 MANAGEMENT**

- BL5.1 The Management Committee shall comprise a Chairperson, Vice Chairperson, Secretary, Treasurer and a maximum of two nominated delegates from each participating club one of whom should be the Club Chief Coach/coaching Co-ordinator or his/her nominated representative. The Office Bearers of the Team, Chairperson, Vice Chairperson, Secretary and Treasurer are not required to be Club Delegates but must be members of one of the club. It is the responsibility of these delegates to consult and inform their respective Club committees. An advisory representative from the Sports Council and officers of Aberdeenshire Council may participate in the management meetings however of these representatives only the Swimming Development Officer shall have voting rights.
- BL5.2 Current members of the Management Committee may offer themselves for re-election.
- BL5.3 The term of office for Chairperson, Vice Chairperson, Secretary and Treasurer shall be 3 years, one retiring annually in rotation. Retiring Officers of the Management Committee may offer themselves for re- election.
- BL5.4 Management Committee members(s) elected to fill a vacancy part way through a term of office shall retire in sequence with the original order of rotation.
- BL5.5 Management Committee members co-opted by the committee shall be subject to endorsement at the first EGM or AGM thereafter.
- BL5.6 The Management Committee shall be responsible for:
- a. The organisation and control of all Team activities.
  - b. The appointment of Head Coach, Coaches and other volunteers.
  - c. The selection of members to represent the Team through the Coaches group.
  - d. The organisation of swimming activities as may be requested by other bodies
  - e. Assessment of swimmers through the Coaches group.
  - f. Event/Calendar schedule through the Coaches group.
  - g. Budget preparation.
- BL5.7 The Management Committee shall appoint such sub-committees as may be considered necessary.
- BL5.8 It is a principle of the Management Committee that participating clubs share equally in the administration of the composite Team.
- BL5.9 Each member Club shall ensure that they comply with the SASA Guidelines with regard to the appointment of a Child Protection Officer (CPO).

## **BL6.0 MEETINGS**

### **BL6.1 General**

- BL6.1.1 At all meetings, if a quorum is present, the Chair shall be taken not later than fifteen minutes after the appointed time of the meeting.
- BL6.1.2 All Members when called to order at any meeting or gathering of the Team and not complying to the "rule of order" shall be expelled from the meeting.
- BL6.1.3 The Chair at all meetings of the Team shall be the Chairperson. In the absence of the Chairperson, the Vice Chairperson shall substitute. In the absence of the Chairperson and the Vice Chairperson, those in attendance shall appoint a substitute.

- BL6.1.4 In the event of equality of votes in any resolution before the meeting, which requires a choice to be made for the continued good governance of the Team, the Chairperson of a meeting shall have a second or casting vote.
- BL6.1.5 The Chairperson of a meeting shall be the sole judge of questions of order and interpreter of the "rules" governing the Team.
- BL6.1.6 The Chairperson shall not speak to, oppose or move any motion from the Chair. In order to do so, they shall vacate the Chair until that business is concluded. The meeting shall be presided over by a substitute Chairperson elected from among those present.
- BL6.1.7 The minutes of all meetings will be copied to all member clubs.

## **BL6.2 Annual General Meeting (AGM)**

- BL6.2.1 The Secretary shall give written notice to each member club of not less than 30(thirty) days prior to the date of the AGM.
- BL6.2.2 Appended to the notice of intimation of an AGM shall be the Agenda, minutes of the last AGM, a note of the process governing alteration to the Constitution and Bye-Laws.
- BL6.2.3 Each member club should submit in writing their club delegates for the coming year to the Secretary by 30 June each year.
- BL6.2.4 Nominations of Office Bearers of the Team shall be submitted in writing, signed by two Adult Members of the Team to the Secretary not later than 21 days prior to the AGM.
- BL6.2.5 Proposed alterations to the Constitution and Bye-Laws and notices of motion must be received by the Secretary not later than 21 days prior to the AGM.
- BL6.2.6 Having received all nominations and proposed alterations, the Secretary shall arrange for this information to be issued to member Clubs at least 10 (ten) days before the meeting.
- BL6.2.7 The order of business for an AGM shall be
  - Chairpersons Remarks
  - Apologies for Absence
  - Approval of minutes from previous AGM & matters arising.
  - Head Coach's Report
  - Financial Report
  - Appointment of Auditors / Independent Examiners
  - Proposed changes to Constitution
  - Proposed changes to Bye-Laws
  - Election of Office Bearers
  - Other relevant business

## **BL6.3 Extraordinary General Meeting (EGM)**

- BL6.3.1 The Secretary shall convene the requested Extraordinary General Meeting within 21 days of receipt of the written motion.
- BL6.3.2 The Secretary will give notice, in writing of all Extraordinary General Meetings, stating the Agenda, to member clubs at least 14 days prior to such meetings being held.
- BL6.3.3 The Management Committee shall appoint the date, time and place.
- BL6.3.4 The order of Business for an EGM shall be

President's Remarks

Apologies for Absence.

Business to be transacted of which due notice has been given.

- BL6.3.5 No business shall be transacted at the EGM other than business of which due notice has been given.

## **BL6.4 Management Committee Meetings (MCM)**

- BL6.4.1 Notice of the date, time and venue of each MCM shall be notified to each club delegate at least 7(seven) days prior to the meeting.
- BL6.4.2 Adult members who are not members of the MCM, may attend, but may only participate with the agreement of the Chairperson.
- BL6.4.3 All, except ex-officio members shall have a deliberative vote.
- BL6.4.4 No decision of the MCM may be altered or revoked without 14 (fourteen) days prior notice of intent, in writing, being given to the Secretary.

## **BL7.0 FINANCE & ACCOUNTS**

- BL7.0.1 The Treasurer shall arrange for the Auditor(s)/Independent Examiner(s) to examine and certify the Team accounts and balance sheet before presentation of a certified summary to the AGM.
- BL7.0.2 The Treasurer shall submit a budget, to the first meeting of the MCM following the AGM, for the current financial year.
- BL7.0.3 The Treasurer shall submit a financial statement at each MCM.
- BL7.0.4 All outgoing payments shall be made by cheque, signed in accordance with paragraph C7.4 of the Constitution.
- BL7.0.5 The Management Committee shall be responsible for recommending the Club Affiliation Fee and League fee. The Fee shall be fixed at the AGM.

## **BL8.0 DISCIPLINE**

- BL8.0.1 Any member guilty of conduct which is detrimental to the interests or aims of the Team or breach of the Constitution, Bye-laws, Regulations may be disciplined by the MCM, provided Paragraph C8.1 of the Constitution has been satisfied

### **BL8.1 Suspensions and Fines**

- BL8.1.1 The MCM may suspend, from activities wholly within its own jurisdiction, impose a fine or expel a member as a means of discipline. The member's club must be consulted before a member may be expelled.

### **BL8.2 Grievances**

- BL8.2.1 A Grievance, which is a formal expression of dissatisfaction or allegation of unfair practice in connection with the management of the Team, can be made by;  
Any member of the Team  
A parent or guardian on behalf of a member under 16 years of age  
An Individual
- BL8.2.2 A grievance is made in writing to the Team Secretary not later than 15 (fifteen) days after the incident.

- BL8.2.3 An Enquiry Panel will be set up by the Team to consider the grievance in accordance with the Team Regulations.
- BL8.2.4 If decisions of the Enquiry Panel do not satisfy the person who made the grievance, that person shall have the right of appeal to SASA in accordance with Team Bye-Law BL8.4

**BL8.3 Complaints**

- BL8.3.1 A complaint is a formal expression of dissatisfaction or allegation of unfair practice in connection with aquatic sports as governed by SASA.
- BL8.3.2 A complaint must be made in accordance with Section 16 of the SASA Company Rules.

**BL8.4 Appeals**

- BL8.4.1 An appeal may be made against decisions taken by the Team in respect to the outcome of a submitted grievance or against decisions taken by a National Enquiry Panel.
- BL8.4.2 An appeal must be made in accordance with Section 18 of the SASA Company Rules.

**BL9.0 TROPHIES**

- BL9.1 The winner of a trophy shall guarantee safe custody and return of the Team trophy when requested by the MCM.
- BL 9.2 The Team shall be responsible for arranging the engraving of the winners name on all Team trophies.

**BL10.0** Not Used