



RUTHERGLEN AMATEUR SWIMMING CLUB

CONSTITUTION

BYE-LAWS

&

POLICIES

Rutherglen Amateur Swimming Club CONSTITUTION, BYE-LAWS AND REGULATIONS INDEX

Constitution

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The Constitution of the Club contains the fundamental principles which govern its operation. The Constitution covers the fundamental principles, but does not prescribe specific procedures for operating the Club.

The Bye Laws establish the specific rules of guidance by which the group is to function. Bylaws detail the procedures the Club must follow to conduct business in an orderly manner. They provide further definition to the Articles of the Constitution and can be changed more easily as the needs of the organisation change.

Regulations/Policies The Club Policies as listed are not binding as part of the Club Constitution and may be amended, added to or deleted as necessary throughout the course of any year between Annual General Meetings.

Any such amendments, additions or deletions of various policies can be made by simple majority vote of the voting members of the club management committee

CONSTITUTION

C1.0 NAME

C1.1 The Club shall be called Rutherglen Amateur Swimming Club [RASC] (Hereinafter referred to as the Club)

C2.0 OBJECTIVES

C2.1 The objectives of the Club shall be to:-
a) Advance the public participation in Aquatic Sports by promoting and managing the teaching, knowledge and practice of one or more Aquatic Sports, in accordance with paragraph C2.1 of the SASA Constitution where relevant.

C3.0 MEMBERSHIP

C3.1 The membership shall consist of the following categories:

- a) Senior Members - swimmers of 16 years of age and over. These members shall have full voting rights.
- b) Junior Members - swimmers under the age of 16 years. These members have no voting rights.
- c) Parent members - one member from each family with junior members. These members pay no additional membership fees and have full voting rights
- d) Student Member – is over the age of 16, has completed secondary school education but is in full time or part time Higher Education [College or University] completing a recognised course of studies and has a valid Matriculation Card.
- e) Other categories of membership can be decided and classified by the Management Committee as deemed necessary by agreement and majority vote.

C3.2 Membership fees shall be as agreed at each Annual General Meeting.

C3.2.1 The Membership squad fees of existing members (agreed at the AGM) shall become due on 1st August in each year and those of new members on the date of acceptance for membership.

C3.2.2 Members not renewing by 1st September will be deemed to be non-members and will be notified in writing accordingly. See non paying Policy for further details.

C3.2.3 All members will be excluded from taking part in any of the Clubs activities, competitions or meetings until their annual subscription is paid.

C3.3 All Club Members must be registered with the SASA in accordance with the categories defined in SASA Constitution C3.3.3.

C3.4 All members joining the Club shall be deemed to accept the terms of this Constitution, the Club Bye-Laws and any Regulations adopted by the Club.

C3.5 A member wishing to resign from the Club shall inform the Club Secretary in writing giving one calendar months' notice.
Acceptable forms of communication include letter and email.

- C3.5.1 Resignation by verbal communication to any of the squad club coaches is not permitted.
- C3.5.2 Should a Junior member wish to terminate their membership, this must be communicated by their parent or guardian to the Club Secretary in writing as specified by C 3.5
- C3.6 A Club member wishing to move Club must do so in accordance with Scottish Swimming Company Rule R5.2.
- C3.7 Applications to become a member shall be subject to completion of a Member Application pack and a swimming trial conducted by the Coaching Team as necessary.
- C3.7.1 Membership Application packs will be available from the Club Desk on a Tuesday or Thursday evening or by request via the Club website.
- C3.7.2 The Management Committee shall have the power to turn down an application for membership, provided they act in accordance with paragraph
- C3.7.3 When an application for membership is turned down by the Management Committee, the applicant must be advised of the reason and their right of appeal to Scottish Swimming, in writing.
- C3.8 The Management Committee shall be responsible for new member recruitment or as appropriate delegate this role to a designated sub- committee who shall have sole responsibility for this function.
- C3.8.1 The Management Committee shall pro-actively ensure that the Club is adequately represented at events which shall enhance the Clubs profile on a regular basis and liaise with the local authority and Scottish Swimming as necessary to achieve this.
- C3.9 The Club shall not accept swimmers who are not First Claim Rutherglen ASC.
A Swimmer who is 17 or over may join another Club and also remain registered to Rutherglen with the other Clubs consent.
Special consideration will be given in cases where a swimmer has parents who are resident in different locations and the swimmer is split between the two.

C4.0 GOVERNANCE

- C4.1 The Club shall be subject to and bound by, the Scottish Swimming Governance Documentation (SASA Constitution, Company Articles and Company Rules) and the appropriate SASA District Rules.
- C4.2 The Club shall comply with the Scottish Swimming Codes of Conduct, Ethics and Child Protection Guidelines.
- C4.3 The Club shall be governed by its Constitution, Bye-Laws and Regulations.
- C4.4 Amendments to the Constitution shall only be made at a General Meeting or Extra Ordinary General Meeting, provided at least a two thirds majority of those present and voting is secured.
- C4.5 Amendments to the Bye-Laws shall only be made at a Management 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 Committee feels necessary to govern the activities of the Club.

C5.0 MEETINGS**C5.1 General****C5.1.1 Notices**

At least 14 days' notice and the Agenda shall be given to all Adult members of any General Meeting or Extra Ordinary General Meeting

C5.1.2 Attendance

All Adult Members [one parent per family], Student Members and Life Members are entitled to attend, take part and vote unless specifically excluded from doing so by the Club's Constitution.

C5.1.3 Voting

- a) With the exception of changes to the Constitution, decisions put to a vote shall be resolved by simple majority at General Meetings.
- b) Voting shall be by a show of hands unless decided otherwise by a majority of those attending the meeting.

C5.1.4 Quora

The quorum at General Meetings shall be 10 members and the quorum for Committee meetings shall be 5 members.

C5.1.5 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.

C5.1.6 Conduct of Business

The conduct of business shall be in accordance with Bye-laws Section BL2.1.

C5.2 Annual General Meeting (AGM)

- C5.2.1 The Club shall hold an Annual General Meeting in the month of May/ June to:
- a) Approve the minutes of the previous year's AGM.
 - b) Receive reports from the Chairman and Head Coach.
 - c) Receive a report from the Treasurer and approve the Annual Accounts.
 - d) Receive a report from the Auditor(s) / Independent Examiner(s).
 - e) Elect Management Committee Members.

- f) Appoint Auditor(s) / Independent Examiner(s) for the Club's Accounts.
 - g) Consider changes to the Constitution.
 - h) Consider changes to the Bye-Laws.
 - i) Present Life Membership(s).
 - j) Deal with other relevant business
- C5.2.2 The Secretary shall give written notice of not less than 28 days prior to the date of the AGM. This notice shall be published on the Club notice board and circulated to all Adult and Life Members.
- C5.2.3 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, Bye-Laws and nomination for the Management Committee.
- C5.2.4 Nominations for Officers of the Club and other members of the Management Committee shall be submitted in writing, signed by two Adult Members and the nominee, to the Secretary no later than 14 days prior to the AGM.
- C5.2.5 Proposed alterations to the Constitution and Bye-Laws and notices of motion must be received by the Secretary not later than 14 days prior to the AGM.
- C5.2.6 Having received all nominations and proposed alterations, the Secretary shall arrange for this information to be displayed on the Club notice board at least 7(seven) days before the meeting.
- C5.2.7 The business or agenda for an AGM shall include:
- a) Chairman's Remarks
 - b) Apologies for Absence
 - c) Approval of minutes from previous AGM & matters arising.
 - d) Coaches Report
 - e) Financial Report
 - f) Proposed changes to Constitution
 - g) Proposed changes to Bye-Laws
 - h) Election of Management Committee Members
 - i) Appointment of Auditors / Independent Examiners
 - j) Appointment of Chairman & Vice Chairmen/women
 - k) Life Membership Awards
 - l) Other relevant business

C5.3 Extraordinary General Meeting (EGM)

- C5.3.1 An Extraordinary General Meeting shall be called by an application in writing to the Secretary supported by at least five Adult Members of the Club. The Management Committee shall also have the power to call an EGM by decision of a simple majority of its members.
- C5.3.2 The Secretary will give notice, in writing of all Extraordinary General Meetings, stating the Agenda, to all Adult and Life Members at least 15 days prior to such meetings being held.
- C5.3.3 The order of Business for an EGM shall be:
- a) Chairman's Remarks
 - b) Apologies for Absence.
 - c) Business to be transacted of which due notice has been given.
- C5.3.4 No business shall be transacted at the EGM other than business of which due notice has been given

C6.0 AWARDS

C6.1 Life Membership

C6.1.1 Life membership may be presented to person(s) who have given outstanding service, over many years, to the Club and shall be presented at the Annual General Meeting or at any other time decreed suitable by the Management Committee.

C6.1.2 A recommendation for Life Membership may be made by any Adult or Life Member to the Secretary for submission to the Management Committee.
Full details of the nominee's service should be included with the recommendation.

C7.0 TROPHIES

C7.1 All trophies belong to the Club in perpetuity and cannot be won outright.

C7.2 The Club Secretary shall act as Trustee of Club Trophies.

C7.3 The winner of a Club trophy shall guarantee safe custody and return of the trophy when requested by the Management Committee.

C7.4 The Club shall be responsible for arranging and funding the engraving of the winners name on all Club trophies.

C8.0 DISSOLUTION

C8.1 In the event of the dissolution of the Club, any funds, property and other assets shall not be distributed amongst the members of the Club in any way whatsoever, but shall be applied towards the objectives of Scottish Swimming.

C8.2 So long as four members agree to support the Club it cannot be dissolved.

BYE-LAWS**BL1.0 MANAGEMENT & STRUCTURE**

- BL1.1 The affairs of the Club shall be conducted by a Management as set out in Bye-Law BL1.5.1
- BL1.2 The Officers of the Club, shall consist of a Chairman, Vice-Chairman, Treasurer and Secretary shall be elected at an Annual General Meeting for a two year period,
- BL1.3 If the post of any Officer or Adult committee member should fall vacant after such an election, the Management Committee shall have the power to fill the vacancy.
- BL1.4 All Management Committee members shall be Adult members of the Club.
- BL1.5 Management Committee
- BL1.5.1 The Management Committee shall comprise the Officers of the Club (as defined in paragraph BL1.2) and the following designated posts
- Head Coach
 - Immediate Past Chairman [acting in an advisory capacity – no vote]
 - Minutes Secretary [acting in a reporting capacity – no vote]
 - 3 ordinary members, these may be chairs of subcommittees.
- The above shall be strictly adhered to by the Chairman.
- Quorum will be 5 of the above.
- BL1.5.2 The term of office for Chairman, Vice Chair, Treasurer and Secretary shall be two years (Biennium)
- BL1.5.3 The other members of the management committee shall be elected for a term of one year.
- BL1.5.4 Retiring members of the Management Committee may offer themselves for re-election.
- BL1.5.5 Management Committee member(s) elected or co-opted to fill a vacancy part way through a term of office shall retire in sequence with the original order of rotation.
- BL1.5.6 Management Committee members co-opted by the committee shall be subject to endorsement at the first EGM or AGM thereafter.
- BL1.5.7 The Management Committee shall be responsible for:
- a) The organisation and control of all members during Club hours.
 - b) The appointment of coaches and instructors.
 - c) The selection of members to represent the Club.
 - d) The organisation of swimming activities as may be requested by other bodies.
 - e) Presenting biennium their nominations for Chairman and Vice Chairman(s) to the AGM for ratification.
- BL1.5.8 The Management Committee shall appoint such sub-committees as may be considered necessary.
- BL1.5.9 The Management Committee shall appoint at least one Child Protection Officer (CPO) who has attended a Scottish Swimming approved training course.

- BL1.5.10 The Committee Shall be composed as per the Appended diagram [Appendix A] indicating the distribution of 'Management Committee' and 'Sub Committee' roles
- BL1.5.11 No person on the Club committee shall sit as a Committee member of any other Swimming Club.
- BL1.5.12 No member elected to the Club Committee shall have a Child who is First Claim to another Club.
The only exception shall be the Immediate Past Chairman.(in order that any immediate experience for the benefit of the club shall not be lost)
This does not preclude such members from having paid or unpaid Posts within the Club
- BL1.5.13 Committee shall have autonomy to conduct its own affairs and shall be responsible to the Committee.
A sole representative of these Sub committees shall attend the monthly committee meetings as necessary.
The permanent Sub committees shall comprise the following functions
- Coaching
 - Meet Management
 - Fund Raising
 - Web & Press
 - New Member Recruitment
 - Social Events
 - Child welfare

Note

Other Sub committees can be formed as required by the Club Committee.
Members can be on more than one sub committee

- BL1.5.14 The volunteer committee members sitting on such Sub Committees shall not be entitled to vote on Committee matters but are entitled to run their sub committees entirely as they see fit. If it is felt by the Club Committee that a particular sub committee requires particular assistance with an issue, the Club Committee shall have the ability to manage that individual matter or Sub Committee on an ad hoc basis.
Sub committee members shall only be allowed to vote at Club Committee if they are a designated Club Committee member.,
[i.e. one of the three ordinary committee members selected to sit on Club Committee]

BL2.0 MEETINGS**BL2.1 Standing Orders**

- BL2.1.1 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.
- BL2.1.2 All Members when called to order at any meeting or gathering of the Club and not complying to the "rule of order" shall be expelled from the meeting.
- BL2.1.3 The Chair at all meetings of the Club shall be the Chairman
In the absence of the Chairman, the Vice Chairman shall substitute.
In the absence of the Chairman and Vice Chairman, those in attendance shall appoint a substitute.
- BL2.1.4 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 Club, the Chair of a meeting shall have a second or casting vote.
- BL2.1.5 The Chair of a meeting shall be the sole judge of questions of order and interpreter of the "rules" governing the Club.
- BL2.1.6 The Chair 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 Chair elected from among those present.
- BL2.1.7 The minutes of all meetings will be taken by the secretary and will be circulated to all Management Committee and Sub Committee members.

BL2.2 Management Committee Meetings

- BL2.2.1 The club shall hold Management Committee Meetings in every month
- BL2.2.2 A Management Committee Meeting shall be called by the Chairman or Secretary ;
- to call the monthly management committee meetings
 - when there is business to transact
 - on request of an Officer of the Club
 - by an application in writing by at least five Adult Members of the Club.
- BL2.2.3 A quorum for Management Committee Meetings shall be at least one Officer of the Club and four Committee members.
- BL2.2.4 The business of the meeting shall be enacted in accordance with Section BL2.1.
- BL2.2.5 Notice of the date, time and venue of each committee meeting shall be published on the Club notice board or via email to those respective members at least 7(seven) days prior to the meeting.
- BL2.2.6 Adult Members who are not members of the Committee, may attend, but may only participate with the prior agreement of the Chair.
- BL2.2.7 Only members of the Management Committee shall have a vote
- BL2.2.8 No decision of the Committee may be altered or revoked without 14 (fourteen) days prior notice of intent, in writing, being given to the Secretary.
- BL2.2.9 Monthly Management Committee meetings shall comprise those members of the Management Committee as noted in BL1.5.1 and shall not comprise other ordinary Club members on an ad hoc basis without the consent of the other members.by majority vote.

BL3.0 FINANCE & ACCOUNTS

- BL3.1 The financial year shall run from 1st April to 31st March each year.
- BL3.2 The Treasurer sub committee shall be responsible for the preparation of Annual Accounts of the Club.
- BL3.3 The Accounts shall be examined by an independent person(s) with suitable qualifications or relevant experience.
- BL3.4 All cheques drawn against the Club's funds shall be signed by a minimum of two Officers of the Club.
- BL3.5 The Management committee can enter into contracts and/or partnerships, on behalf of the Club, provided each proposal is fully discussed at and recorded in the minutes of a quorate committee meeting prior to the commitment being made.
- BL3.6 All adult members of the Club shall be jointly responsible for the financial liabilities of the Club
- BL3.7 Any surplus of the Club's income will be re-invested in the Club and not distributed to its members.
- BL3.8 The Treasurer shall arrange for the Auditor(s) / Independent Examiner(s) to examine and certify the accounts and balance sheet before presentation of a certified summary to the AGM.
- BL3.9 The Treasurer shall submit a budget, to the last meeting of the Management Committee prior to the AGM, for the following financial year.
- BL3.10 The Treasurer shall submit a financial statement to the Management Committee no less frequently than every 3 (three) calendar months.
- BL3.11 All outgoing payments shall be made by electronic payment wherever possible or cheque, signed in accordance with paragraph BL3.4.

BL4.0 DISCIPLINE

- BL4.1 The Management Committee may take action (e.g. fine, suspend or cancel membership) against any Club Member proved guilty of infringing the Club Regulations or acting in such a manner as to bring disrepute to the Club. Such action shall only be taken if the principles and procedures embodied in the Complaints, Appeals and Suspension & Fines sections of the Scottish Swimming Governance Documentation have been applied.
- BL4.1.1 Any member guilty of conduct or breach of the Constitution, Bye-laws, Regulations which is detrimental to the interests or aims of the Club may be disciplined by the Management Committee, provided **Paragraph C8.1 of the Constitution has been satisfied**.
- BL4.1.2 All Grievances, Complaints and Appeals, except for doping, child abuse or alleged criminal offences, shall be dealt with in accordance with Sections BL4.2, BL4.3 and BL4.4.
- BL4.1.3 Grievances and Complaints involving doping, child abuse or other criminal offences shall be referred to the Scottish Swimming Chief Executive within 48 hours, in accordance with SS Company Rule R12.1.4.
- BL4.1.4 The Management Committee may Suspend, from activities wholly within its own jurisdiction, impose a Fine or Expel a member as a means of discipline.

BL4.2 Grievances

- BL4.2.1 A Grievance, which is a formal expression of dissatisfaction or allegation of unfair practice in connection with the management of the Club, can be made by:
- a) Any member of the Club
 - b) A parent or guardian on behalf of a Junior member as defined in paragraph C3.1(b)
 - c) Any Individual
- BL4.2.2 A grievance is made in writing to the Club Secretary, not later than 14 days after the incident.
- BL4.2.3 An Enquiry Panel will be set up by the club to consider the grievance in accordance with the Club Regulations.
- BL4.2.3.1 The Enquiry Panel shall not comprise any member of the management committee should the complaint be made against a member of the management committee.
- BL4.2.4 If the decisions of the Enquiry Panel do not satisfy the person who made the grievance, that person shall have a right of appeal to Scottish Swimming in accordance with Section BL4.4.

BL4.3 Complaints

- BL4.3.1 A complaint is a formal expression of dissatisfaction or allegation of unfair practice in connection with aquatic sports as governed by Scottish Swimming.
- BL4.3.2 A complaint must be made in accordance with SS Company Rules, Section 12.

BL4.4 Appeals

- BL4.4.1 An appeal may be made against decisions taken by the Club in respect to the outcome of a submitted grievance or against decisions taken by a National Enquiry Panel.
- BL4.4.2 An appeal must be made in accordance with SS Company Rules, Section R.14.

POLICIES

To comply with the requirements of SASA Constitution C10.2.3 the following Regulations must be produced:-

- Club Grievance Procedure
- Child Protection Policy - Officer Appointments and Terms of reference

The Club shall also have a list of Policies as detailed below and appended to this document

- Disciplinary Procedures
- Coach's Code of Conduct
- Swimmer & Parent Code of Conduct
- Volunteer Code of Conduct
- Equal Opportunities
- Photographic and Video Equipment
- Coaching Sponsorships
- Expenses policy
- New Swimmer Entry Procedure
- Team Manager Policy
- Club Sessions
- Training Squads
- Coach(s)
- Technical Officials
- Sub Committees
- Trophies
- Annual Championships
- Whistle Blowing Policy
- Hardship Policy
- Leaving Policy
- Recognised Partner Organisations

Appendix A

Rutherglen Amateur Swimming Club Committee Structure

