

EDINBURGH SYNCHRONISED SWIMMING CLUB CONSTITUTION, BYE-LAWS AND REGULATIONS INDEX

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Child Protection Policy Statement

Edinburgh Synchronised Swimming Club is committed to the belief that children and young people have much to gain from swimming. Their natural sense of fun and spontaneity can blossom in a positive sporting environment and swimming provides an excellent opportunity for children to learn new skills, to become more confident and to maximise their own unique potential. The club will, however, always place the needs of the child first and competition second. Within this context, the welfare of children is the responsibility of all involved in the club – officials, coaches, parents, friends and children themselves – particularly when it comes to protecting children from abuse. The underlying principles with respect to child protection exercised at the club are that:

- the child's welfare is the first consideration
- all children, regardless of age, any disability they have, gender, racial origin, religious belief and sexual identity have a right to be protected from abuse
- children and young people must be treated with integrity and respect
- swimming programmes and competitions will be relevant to their ages and stages of development

All coaches and our adult helpers are members of the Scottish Amateur Swimming Association and the club is committed to following the current guidelines on child protection as set out by Scottish Swimming.

The club:

- aims to create an enjoyable environment, where young people have the right to be safe, secure and free from threat
- acknowledges that young people have the right to be treated with respect and for their concerns to be listened to and acted upon
- aims to ensure that junior members have specific programmes designated for them, with adequate supervision
- is committed to ensuring that all helpers, whatever their role, sign and adhere to a code of conduct
- provides clear, comprehensive and easily understood procedures for dealing with allegations of abuse and deals with requests for help and support on a confidential basis
- is committed to an equitable recruitment selection policy for coaches
- will always emphasise fair play

Further information is available from the Club Child Protection Officer. Contact information is found on the Edinburgh Synchronised Swimming Website (www.edinburghsynchro.co.uk).

Club Codes of Conduct

The Club is committed to the promotion of excellence in swimming and the fostering of a sense of individual achievement and sporting fairness within a competitive yet supportive environment. The codes of conduct are designed to assist in the achievement of these objectives and can be found on the Edinburgh Synchronised Swimming Website (www.edinburghsynchro.co.uk).

Equal Opportunities Policy

Edinburgh Synchronised Swimming Club is committed to ensuring that equity is incorporated across all aspects of its development. In doing so it acknowledges and adopts the following definition of sports equity:

“Equal opportunity in sport is about fairness, equality of access, recognizing inequalities and taking steps to address them. It is about ensuring the culture and structure of sport is equally accessible to everyone in society.”

Edinburgh Synchronised Swimming Club respects the rights, dignity and worth of every person and will treat everyone equally within the context of their sport regardless of age, ability, gender, race, ethnicity, religious belief, sexuality or social / economic status.

Edinburgh Synchronised Swimming Club is totally committed to the principals and practice of equal opportunities as stated above across its training, coaching and competitive programme by all its members.

Edinburgh Synchronised Swimming Club is committed to everyone having the right to enjoy their sport in an environment free from threat of discrimination, intimidation, harassment and abuse.

All club members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.

Edinburgh Synchronised Swimming Club will deal with any incidence of discriminatory behaviour seriously according to club disciplinary procedures and national governing body (Scottish Swimming) guidelines.

Club Grievance Procedure

If you are dissatisfied with any matter affecting the club, i.e. the coaching programme provided by the Club, your role within the club (if any), the swimming programme, general supervision within the club, or any other matter directly affecting the Club's activities, then you should in the first instance raise the matter informally with the Club Coach or in his/her absence the President, if it relates to any coaching or training swimming programme or supervision matter. If it relates to any other matter affecting the club's activities raise it informally with any member of the Club Management Group.

If you are dissatisfied with the response given or decision made you should raise the matter with the Club Management Group by writing to the Club Secretary giving details of your concerns and why you are unhappy with the response or decision given.

The Management Group will normally consider your letter at the first available meeting and will investigate and discuss the matter as required and will undertake to consider and determine all matters as quickly, fairly and as reasonably as possible.

The Management Group will normally advise you of their decision in writing within 14 days of the meeting and will endeavour also to advise you in writing of any further developments in relation to the grievance raised.

If you are dissatisfied with the Management Group's decision, you will have the right to appeal within 14 days of notification and should do this in writing to the Club President.

The Club President will consider the whole matter anew including your letter of appeal and may carry out further investigation or discussion at his/her discretion and will determine the matter by one of the following:

- By upholding the original decision
- By upholding your letter of appeal
- By substituting his/her own decision in the matter

The President will advise you of his/her decision in writing within 14 days of receiving your letter of appeal.

Disciplinary Procedure

In the event that the behaviour of a swimmer, member of the coaching team or Management Group or a parent volunteer seriously contravenes the club codes of conduct, the following action will be taken:

- The President or a deputising club official will in the first instance give the person concerned a formal verbal warning.
- Should further action be necessary, this will take the form of a formal written warning which will set out the Club's concerns and specify what response the Club requires. The person concerned will be required to submit a written response within 14 days of the correspondence having been received.
- If neither the verbal or written warnings adequately address the Club's concerns, the person will be excluded from the Club. The decision to exclude somebody from the Club will be communicated in writing.

Each stage of the disciplinary procedure will be taken by the Management Group and noted in its minutes so that an accurate record of events and decisions is maintained.

In the event that the disciplinary matter concerns a member of the Management Group, the person concerned will be asked to leave the room during the discussion.

The person against whom the disciplinary action has been taken will have a right of appeal. The appeal must be made in writing and must arrive with the Club Secretary within 14 days of having received either a written warning or correspondence communicating a decision of exclusion. The Management Group will consider the appeal and will, at its discretion, agree to a formal disciplinary hearing. A written response will be provided within 14 days of the appeal having been received.

Should the appeal be rejected, the matter will be considered closed and there will be no further right to appeal.

CONSTITUTION

C1.0 NAME

C1.1 The Club shall be called Edinburgh Synchronised Swimming Club.
(Hereinafter referred to as the Club)

C2.0 OBJECTS

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) Adult Member
An Adult is an individual 16 years and over, as recognised in Scots Law.
b) Junior Member
A Junior is an individual not recognised in Scots Law as an adult and not as defined in Scottish Swimming Company Rule R4.5.6.
c) Life Member
- C3.2 Membership fees shall be as agreed at each Annual General Meeting.
- C3.2.1 The Membership fees of existing members (agreed at the AGM) shall become due on 1 February in each year and those of new members on the date of acceptance for membership.
- C3.2.2 Members who have not amended their fees by 31 March will be deemed to be non-members and will be notified in writing accordingly.
- C3.2.3 All members will be excluded from taking part in any of the Clubs activities, competitions or meetings until their subscription is amended.
- 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 Secretary in writing.
- C3.6 A Club member wishing to change their 1st or 2nd Claim Club must do so in accordance with SS Company Rule R5.2.
- C3.7 The Management Committee shall have the power to turn down an application for membership, provided they act in accordance with paragraph C3.7.1.
- C3.7.1 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.

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, 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 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 Committee feels necessary to govern the activities of the Club.

C5.0 MEETINGS

C5.1 General

C5.1.1 Notices

At least 30 days notice and the Agenda shall be given to all Adult members of any General Meeting

C5.1.2 Attendance

All Adult 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 two Officers of the Club plus four members eligible to vote.

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 January to:

- a) Approve the minutes of the previous year's AGM.
- b) Receive reports from the President.
- 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 30 (thirty) days prior to the date of the AGM. This notice shall be 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 15 December.
- C5.2.5 Proposed alterations to the Constitution and Bye-Laws and notices of motion must be received by the Secretary not later than 15 December.
- C5.2.6 Having received all nominations and proposed alterations, the Secretary shall arrange for this information to be available to all members at least 7 (seven) days before the meeting.
- C5.2.7 The business for an AGM shall include:
- a) President's Remarks
 - b) Apologies for Absence
 - c) Approval of minutes from previous AGM & matters arising.
 - d) Head Coach's 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) Life Membership Awards)
 - k) 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 ten 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 30 days prior to such meetings being held.
- C5.3.3 The order of Business for an EGM shall be:
- a) President'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 Honorary Treasurer 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

- BL1.1 The affairs of the Club shall be conducted by a Management Committee which shall consist of the Officers of the Club
- BL1.2 The Officers of the Club, who shall be Honorary, shall consist of a President, Vice-President, Treasurer and Secretary who shall be elected at an Annual General Meeting, as shall be the said Adult Members.
- 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), Head Coach, Child Protection Officer, Fundraising Officer and at least one other Adult member.
- BL1.5.2 The term of office for President, Secretary and Treasurer shall be three years, one retiring annually in rotation.
- BL1.5.3 The Vice President shall be elected for a term of two years.
- BL1.5.4 The term of office for the other Adult Members shall be two years, half retiring annually.
- BL1.5.5 Retiring members of the Management Committee may offer themselves for re-election.
- BL1.5.6 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.
- BL1.5.7 Management Committee members co-opted by the committee shall be subject to endorsement at the first EGM or AGM thereafter.
- BL1.5.8 The Management Committee shall be responsible for:
- a) The organisation and control of all members during Club hours.
 - b) The annual 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) Appointing the Club Captains each year.
 - f) Presenting annually their nominations for Hon. President and Hon. Vice President(s) to the AGM for ratification.
 - g) Considering and approving or otherwise nominations for Life Membership of the Club.
- BL1.5.9 The Management Committee shall appoint such sub-committees as may be considered necessary.
- BL1.5.10 The Management Committee shall appoint at least one Child Protection Officer (CPO) who has attended a Scottish Swimming approved training course.

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 President
In the absence of the President, the Vice President shall substitute.
In the absence of the President and Vice President, 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 circulated to Adult and Life Members.

BL2.2 Management Committee Meetings

- BL2.2.1 The club shall hold Management Committee Meetings no less frequently than every three months.
- BL2.2.2 A Management Committee Meeting shall be called by the Secretary when there is business to transact or on request of an Officer of the Club or by an application in writing by at least four 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 communicated 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 agreement of the Chair.
- BL2.2.7 All, except ex-officio members shall have a deliberative 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.

BL3.0 FINANCE & ACCOUNTS

- BL3.1 The financial year shall run from 1 September to 31 August each year.
- BL3.2 The Treasurer shall be responsible for the preparation of Annual Accounts of the Club.
- BL3.3 The Accounts shall be audited / examined by an independent person(s) elected annually at the Annual General Meeting.
- 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.
- BL3.9 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.
- BL3.10 The Treasurer shall submit a budget, to the last meeting of the Management Committee prior to the AGM, for the following financial year.
- BL3.11 The Treasurer shall submit a financial statement to the Management Committee no less frequently than every 3 (three) calendar months.
- BL3.12 All outgoing payments shall be made by 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 conduct or breach of the Constitution, Bye-laws, Regulations which is detrimental to the interests or aims of the Club or for 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 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.
- BL4.1.2 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.
- BL4.1.3 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 30(thirty) 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.
- BL4.2.4 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.