



**Sundays Well
Swimming Club**
est. 1924

SUNDAYS WELL SWIMMING CLUB

CONSTITUTION

September 2018

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List of Terms and Abbreviations

AGM	Annual General Meeting
CCO	Club Children’s Officer
CLUB	Sundays Well Swimming Club
DP	Designated Person
Discipline	Aquatic Discipline
EGM	Extraordinary General Meeting
FINA	Federation International de Natation
LEN	Ligue Europeenne de Natation
Officer	Officers of a club are the Chairperson, Secretary and Treasurer.
SI	Sport Ireland – previously Irish Sports Council (ISC)
SWSC	Sundays Well Swimming Club

Management Committee – This is the body elected by the Members for the management of the business and affairs of the club.

Leader – this is any person, whether paid or unpaid, who is responsible for those participating in the aquatic disciplines; roles include but not limited to supervisor, team manager, sports science personnel, chaperone, helpers, committee members, tutors, coaches and teachers.

Swim Ireland – is the National Governing Body for the Aquatic Disciplines in Ireland, recognised as such by the Irish Government, the Irish Sports Council, Sport Northern Ireland, the Olympic Council of Ireland and FINA and LEN, the World and European Aquatic Governing Bodies.

National Governing Body (NGB) - The role of a NGB is to organise and administer the sport; train and deploy coaches; organise representative level sport; and provide sporting opportunities and pathways leading from grass root sport to national and international competition.

Swim Ireland website – www.swimireland.ie

Club website – www.sundayswellsc.com

Club contact details: chairswsc@gmail.com

1. Name(s) and Colour(s)

- The name of the club shall be Sundays Well Swimming Club
- The colours of the club shall be Green, Red and White
- The headquarters of the club shall be the postal address of the current Club Secretary
- **Club logo and crest not to be altered or changed without majority support from the committee**

2. Objectives

The objectives of the SWSC are:

- To foster and develop the sport of swimming and its participants
- To promote the teaching/coaching and practice of swimming in line with current best practice.
- To promote the development of physical, moral and social qualities associated with sport, within the participants.
- To accept and enforce the rules and regulations set down by Swim Ireland regarding Teaching, Coaching and the practice of Swimming in accordance with the affiliation status afforded to SWSC.
- To provide a positive and safe environment for all its members and staff
- To ensure sport for young people in SWSC is fun, and conducted in an encouraging atmosphere in line with Swim Ireland guidelines and best practice.
- To provide equal opportunities whenever possible for successful participation, irrespective of ability or disability, so as individuals can be involved in sports activities in an integrated and inclusive way.

SWSC is fully committed to safeguarding the wellbeing of its members.

Every individual in SWSC should, at all times, show respect and understanding for their rights, safety and welfare and those of others, and conduct themselves in a way that reflects the principles of SWSC and the guidelines contained in the *Code of Ethics and Good Practice for Children's Sport* and the *'Swim Ireland Safeguarding Children Policies and Procedures 2010*

3. Affiliation

By virtue of the affiliation of SWSC to Swim Ireland, its members acknowledge that they are subject to the laws, rules and constitutions of:

- Swim Ireland, the governing body for the whole of the island of Ireland.
- Ligue Européenne de Natation (LEN), the European governing body for the aquatics.
- Fédération Internationale de Natation (FINA), the world governing body for the aquatics.

4. Membership

All members are subject to the rules and constitution of SWSC and rules and regulations of Munster Region, Swim Ireland, LEN and FINA

4.1 Membership Categories

The following constitute as members of the club

- Honorary Members – members chosen by the Club Management Committee and passed at the following AGM. Secretary/Treasurer will be notified of the Affiliated fees due.
- Competitive Swimmers – Members who have paid their annual club/SI subscriptions and levies who decide to engage in competitive events.

- Non-Competitor Swimmers: includes, but is not limited to, members who have paid their annual club/SI subscriptions and levies and participate within the club as Coaches; Administrators; Leaders, and CCO's.

4.2 Membership Caveats

- The Club Management Committee reserves the right to accept or reject applications for membership of the Club. If applicants are refused, they must be notified by the Management Committee in writing as to the reasons for their refusal.
- SWSC will have rules and criteria covering requirements, trials and waiting lists for admission in place.
- The management committee may only suspend or expel from membership in accordance with the Swim Ireland Complaints and Disciplinary Rules and Procedures.
- Lapsed members may not participate in any activities of the club until all subscriptions have been paid and all liabilities to the club cleared.
- SWSC will publish all relevant club and Swim Ireland rules and regulations on the club's website or provide a link to Swim Ireland's website for a complete listing of abiding policies. Such documents will include but not be limited to; Swim Ireland Code of Ethics and Good Practice for Children's Sport, Swim Ireland Guidelines for Safeguarding Children, Swim Ireland Complaints and Disciplinary Rules and Procedures and (club) constitution.

4.4 Duration of Membership and Annual Subscriptions

- Membership fees shall be due in August and should be paid within one calendar month. Any variation from this must be agreed by the management committee.
- The membership year shall run from the 1st of September to the 31st of August each year
- Club fees will be determined by the management committee.
- If a member is deceased, their legal personal representative is not liable for any balance of subscriptions.

4.5 Application Procedures for Club Members

- All members must complete the required application forms and attach the requisite fees as set down by Swim Ireland and SWSC.
- All members must also be familiar with and comply with the Swim Ireland and SWSC rules and read and sign the relevant SI and SWSC codes of conduct annually.
- The forms must then be forwarded to the Management Committee for approval. Parents must sign the application form where the applying member is under 18.
- Upon acceptance the member will be advised that the Constitution and Rules/Regulations of SWSC can be viewed on the SWSC website.
- A member who wishes to resign as a member of the club must inform the secretary in writing. No refund of subscription monies will be paid upon resignation from the club and if this person(s) wishes to renew membership at a later date they must re-apply.
- Full membership status is only valid where a subscription has been paid in full or in a manner agreed by the Club Management Committee.
- Members are required to renew their membership annually with SWSC and Swim Ireland.

4.6 Types of Membership

- Family Membership shall consist of 2 parents, children under the age of 18, and shall have 1 vote even if both parents are present.
- Individual Membership shall consist of individuals over the age of 18 and shall have 1 vote.
- Junior/Youth Membership shall consist of individuals under the age of 18 and shall have no voting rights
- College/3rd Level Members shall consist of individuals over the age of 18 in full-time education and shall be entitled to vote and hold office.

4.7 Learn to Swim

- SWSC wishes to run learn to swim classes and promote participants to learn to swim.
- Details of the participants must be recorded. They are required to be members of the club but not Swim Ireland during their first year. Details must be forwarded to Swim Ireland to be insured under club activities.
- Any one taking part for longer than one year are required to become SWSC and Swim Ireland members to be insured under club activities.

5 Club Management

The Management Committee is the body elected by the members for the management of the business and affairs of SWSC. It consists of 12 persons who must be members of Swim Ireland in their own right. The Club Children's Officer is an appointed position, who must also be a member of Swim Ireland in their own right and sits on the committee in addition to the 12 elected.

5.1 Membership of the Management Committee

Membership of the Executive shall consist of the following:

President, Chairperson, Vice Chairperson, Secretary, Treasurer

- Membership of the Management Committee shall consist of the following:
President, Chairperson, Vice Chairperson, Secretary, Ass Secretary, Treasurer, Vice Treasurer, Club Children's Officer, Master Representative and four other ordinary members. Competition secretary will be elected from the group of four.
- The Management Committee will appoint a Complaints and Disciplinary Committee (CDC) in accordance with the SI Complaints and Disciplinary Rules and Procedures
- SWSC shall have a Designated Person whose duty is to report any allegations of child abuse to statutory body. This individual will be the CCO.
- One CCO, in addition to their existing responsibilities, will be appointed to the Club Committee and will have a vote. The appointment may not be shared between different CCOs where there is more than one in a club. The CCO on the committee will act as a liaison between the other CCOs and the committee.

5.2 Roles and Responsibilities of Management Committee Members:

Chairperson

- Comply with Swim Ireland rules and regulations
- Act as official spokesperson for SWSC
- Support the efficient running of the club
- Chair regular Committee and Annual General Meetings
- Help others understand their roles and responsibilities
- Communicate with various members within the club
- Be actively involved in developing an action plan for the club
- Represent the club at local and regional events
- Assist the club to fulfil its responsibilities to safeguard young people at club level
- Ensure an understanding of the legal responsibilities of the club to which the Club complies
- In order to maintain order and unnecessary disruption – the Chair will ensure the principles of due process and natural justice are applied in all decisions made by SWSC.

Vice Chairperson

Will chair meetings and fulfil the duties of the Chairperson in the Chairperson's absence.

Club Secretary

- Comply with Swim Ireland rules and regulations
- Be the first point of contact for club enquiries
- Organise and attend key meetings (including Annual General Meetings)
- Take and distribute minutes
- Delegate tasks to club members
- Deal with all correspondence
- Attend to club affiliations
- Keep records of all membership
- Keep records of all complaints
- Ensure insurance is up to date and relevant
- Maintain up to date records and reference files
- Keep records of all assets and goods held in trust.
- Act as co-signature on Club cheques.

Arrange handover or succession planning for the position

Assistant/Affiliation Secretary

- Will be responsible for the above in the absence of the Secretary.
- Will be responsible for all club membership/affiliations/SI Insurance.

Treasurer

- Comply with Swim Ireland rules and regulations
- Co-ordinate the clubs financial planning
- Manage the club's income and expenditure in accordance with SWSC rules and present a financial report at the monthly Management Committee Meetings.
- Keep accurate records of all financial transaction concerning SWSC in line with good accounting practices.
- Produce an end of year financial report
- Regularly report back to the club committee on all financial matters
- Efficient payment of invoices and bills

- Propose amendments to annual and monthly subscriptions as appropriate
- Deposit cash and cheques that the club receives
- Keep up to date financial records
- Act as co-signature on club cheques.

Arrange handover or succession planning for the position.

Vice- Treasurer

- Will assist the Treasurer in all of the above.

Competition Secretary

- Will keep up-to-date records of all swimmers times.
- Provide entries for galas.

Master Swimmer Representative

- Will manage all Master events.
- Will liaise with the Management Committee on all matters relating to Masters Swimming.
- Attend committee meetings to present master's report only, not for full participation.

Ordinary Members (4)

- Will attend 75% of committee meetings
- Chair sub-committee meetings
- Assist in the management of the Club's affairs.

Club Children's Officer

- Comply with Swim Ireland rules and regulations
- Ensure completion of required training and awareness of the role within the club and for other CCO's.
- Act in the best interest of young people
- Ensure young people have opportunity to express opinions and views
- Ensure safeguarding policies and procedures are implemented and effective in all areas of the club
- Act as advisor for and report concerns of abuse to the appropriate authorities
- Be child centred in focus and have as the primary aim, the establishment of the child centred ethos within SWSC.
- Be the link between the children and adults in SWSC.
- Shall hold an up-to-date certificate of Child Protection and be familiar with the Code of Ethics and Child Welfare Guidelines of Swim Ireland.
- Shall take responsibility for monitoring and reporting to SWSC Management Committee on how club Policy impacts on young people and their Sports Leaders.
- Act as the Designated Person

(Further details are contained in the latest Swim Ireland Safeguarding Policy document)

President

- To represent SWSC at all public and club functions.
- Has the right to attend and participate in all Management Committee Meetings.

Designated Officer

- Any concerns or disclosures relating to child abuse be reported to the DP who is responsible for reporting this to the statutory authorities.
- The Designated Person shall hold a current certificate of Child Protection and also be familiar the Code of Ethics and Child Welfare Guidelines of Swim Ireland.

- The Designated Person shall be the CCO, with this individual acting in a dual role capacity, performing both their existing role in conjunction with that of Designated Person.

5.3 Roles and responsibilities of the Coaching and Teaching staff

- Those included, but not limited to Coaches, Teachers and Leaders, will comply with the guidelines set out in 'Swim Ireland Safeguarding Children Policies and Procedures 2010' or most recent addition.
- Comply with Swim Ireland rules and regulations
- Operate within qualified level specifications
- Ensure all coaches/teachers hold an up to date Swim Ireland licence
- Plan and deliver coaching sessions appropriate to the ability of the athletes
- Work with the club's coaching and teaching team to deliver the coaching programme as agreed by the Director of Coaching /teaching and Head Teacher.
- Make athletes aware of their progress.
- A clear understanding of any special needs of the athletes involved i.e. fitness levels, medical conditions, physical impairments or disabilities.
- Be aware and understand the facility Emergency Action Plan and Normal Operating Procedures (EAP & NOP)
- Attend all appropriate competitions and gala's in accordance with agreed yearly coaching plan
- Ensure appropriate cover for sessions if unable to attend, meeting the requirements for the club, i.e. licensed member of Swim Ireland
- Coaches and Teachers shall not hold a management or elected position on the club committee.
- The Director of Coaching/teaching shall be accountable to the committee and shall be expected to attend Committee meetings. A minimum of 75% attendance is required. This will be compulsory from September 2019.
- Assist athletes to achieve their full potential.
- All Coaching and Swimming Teachers shall have written details which outline their duties, functions and responsibilities. Where coaches and/or swimming teachers operate on a voluntary basis, a written agreement as to new roles or duties shall be agreed, and put in place, within 2 months of appointment.
- All coaching details are the ultimate responsibility of the Director of coaching/teaching. In his/her absence the appointed coach has responsibility.
- Appropriating competitive swimmers into respective groups according to their ability. To report monthly to SWSC Management Committee
- To report to and act as liaison to Swim Ireland HQ.

All teaching details are the ultimate responsibility of the Director of coaching/teaching and Head Teacher.

5.4 Rights and Duties of the Management Committee

- The management committee shall be empowered to introduce rules, as the need arises, for the general regulation of the club. No rule shall be inconsistent with anything contained in the Swim Ireland rulebook or this constitution. The management committee must ensure the Club's Handbook is in place, which is made available to all members on the website.
- The committee have the power to appoint such sub committees as they may consider necessary. At least one member of the Management Committee will be a member of this committee.

These sub committees will act on behalf of the Management Committee and follow procedures and relay information as directed by the Management Committee.

- The Management Committee shall be responsible for all assets of the club.
- The Management Committee, in conjunction with relevant parties; i.e CCO, Director of Coaching will be responsible for formulating club policy in accordance with the 'Swim Ireland Safeguarding Children Policies and Procedures', and on the direction the club takes in the future in all its activities.
- The members of the Management 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.
- Committee members must declare any personal or business interest, which may conflict with their duties as a member of the Management Committee. Such a declaration may be discussed with the other committee members at a designated meeting, and they may be required to absent themselves from any content, discussions and decisions.
- The Management Committee will be expected to sign and follow Codes of Conduct in relation to their obligations to SWSC members. These include, but are not limited to, confidentiality, objectivity, loyalty, fairness and a constant awareness of their obligations to SWSC and its members. The Committee will familiarise itself with the 'Code of Ethics and Good Practice for Children's Sport' and fulfil the duties required in the Code of Conduct for Club Committees section of the 'Swim Ireland Safeguarding Children Policies and Procedures'.

5.5 Meetings of the Management Committee

- The Management Committee shall meet 10 times per year with a minimum quorum of 50% plus 1 of the members of the committee present.
- The Chairperson and the Secretary shall have discretion to call further meetings of the committee if they consider it to be in the interests of the SWSC.
- A minimum of 7 days' notice will be given to Management Committee members save with exceptional circumstances. The Management Committee shall agree how notice shall be provided.
- The Management Committee should set out its agenda for a meeting no less than 4 days prior to the meetings.
- The Chairperson, has the casting vote on any motion arising during the meetings.
- The Chairperson's decision on a Point of Order is final
- The Chairperson, or Vice Chairperson in his/her absence shall preside at all meetings.
- The Secretary, or in her/his absence a member of the committee, shall take minutes.
- The Treasurer shall relay the financial position of the club at each meeting.
- The other committee members must also relay details on the areas of the club they are designated to.
- The Director of Coaching and the CCO shall be given the opportunity to report and voice their concerns of their designated areas within the club, as well as to advise the management committee on relevant issues.
- The Club Secretary shall circulate points of note from the meetings of the management committee within (7 days) to all club members.
- The Management Committee may also decide upon acceptable means of communication used, during periods between meetings, to ensure the day to day running of club.

6. Annual General Meeting (AGM)

- The AGM will be held annually.
- Members shall be informed of the date, time, place and order of business of the AGM at least 21 days prior to the meeting. This information shall be emailed to club members as well as posted on the club notice board and website.

- All notice of motions and nomination forms must be returned to club secretary 14 days prior to the AGM.
- The committee shall distribute to members its Report and Statement of Accounts for the relevant financial year at the AGM.
- At the AGM, the Annual Report shall be presented, which shall consist of a: Chairperson's Report; Secretary's Report; Treasurer's Report; Director of Coaching Report and the CCO(s) report.
- Any changes or updates to the club constitution or club rules will be notified to the members and Swim Ireland within (7 days) following the AGM.
- Any resolution to amend the Club's Constitution which is successful at the General Meeting will come into immediate effect upon conclusion of the General Meeting.
- The Club AGM shall be run in accordance with Swim Ireland standing orders.
- Two delegates for the club will be elected to represent the club at the Swim Ireland AGM.

7. Extraordinary General Meeting (EGM)

An Extraordinary General Meeting may be called at any time in the following circumstances:

- If a resolution to convene a club EGM is passed at the preceding club AGM
- If 20% of club members serve on the club secretary a written notice duly signed seeking the holding of such a club EGM
- Where two-thirds of the club management committee resolve to convene a club EGM
- A club EGM must be held within 14 days of receiving such a request and must allow for 7 days' notice to all club members.
- The EGM shall be run in accordance with Swim Ireland standing orders, as amended from time to time.
- The total number of eligible voting club members will be made available by the management committee to club members.
- Only the specific matter outlined in the submitted EGM notice may be dealt with at the EGM.

8. Procedures at General Meetings (AGM & EGM)

- No business shall be transacted at a general meeting unless a quorum is present. A quorum of 25 of the eligible voting members is the number required.
- If such a quorum is not present within half an hour from the time appointed for the meeting, or if during a meeting such a quorum ceases to be present, the meeting shall stand adjourned to the same day in the next week at the same time and place or to such time and place as the club committee may determine and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members present shall be a quorum.
- Members who are fully paid up and over 18 years of age are eligible to vote.
- No voting by proxy is allowed.
- Parents shall hold one vote on behalf of their child/children within the club. Only one parent may exercise this vote and this must be so agreed between the parents (i.e. that is one vote only and not one vote per child). Parents who are club members in their own right may vote with this right for themselves and also cast one vote on behalf of their child/children
- Voting shall be conducted via a show of hands, which will be counted by the secretary. The Management Committee may, however, recommend that a vote should be held in a secret ballot format owing to the context of the vote
- Nominations will be passed at AGM's by simple resolution of (50%) plus one
- Motions for a change to the SWSC Constitution must be passed by a special resolution of 75% of persons entitled to vote present at the meeting.
- The Chairperson will have a casting vote if there is an equality of votes

9. Nominations, Notice of Motions and Election of the Management Committee

- Election of the Management Committee Members takes place at the club AGM each year. At this time the Executive Officers of the club shall be elected - Chairperson, Vice chair, Treasurer, and Secretary, along with President, Vice Treasurer, Ass Secretary and 4 other members of the Management Committee, master's rep.
- If an executive officer of the club must step down during their term the Management Committee may appoint an existing committee member to fill this vacancy to hold office from the date of such appointment until the expiry of the term of office that would have been served by that executive officer where he or she had completed a full term. The committee may co-opt a member of the club to fill any committee vacancy that may arise when filling an executive vacancy.
- A committee member may stand for re-election for four consecutive years. After this time period is up, they will be ineligible for election for a period of two years.
- Nominations for office and notice of motions must be received in writing by the club secretary no less than 14 days prior to the general meeting.
- A proposer and seconder are required for all nominations and notice of motions.
- Notices of motions and nominations for the Management Committee shall be displayed on the club notice board for not less than 7 days prior to the AGM. They will also be available on request from the club secretary. Motions and nominations without due notice will not be discussed.
- In the event that no nominations are received by the Secretary by 14 days prior to the general meeting, only then may a nomination from the floor at the AGM can take place.
- A Club Children's Officer must be appointed by the Management Committee and fulfil the criteria laid down by the 'Swim Ireland Safeguarding Children Policies and Procedures 2010', or most recent equivalent.

10. Transfers

- If a member wishes to leave SWSC and join another club, they must follow the Swim Ireland transfer rule (6.9 – Swim Ireland Rule Book).

11. Finance

- The financial affairs of the club shall be the responsibility of the Management Committee in general and in particular, the Treasurer. Correct accounts and book keeping shall be done by Treasurer or under his/her supervision.
- Annual accounts of SWSC should be prepared for the Annual General Meeting by SWSC treasurer.
- The management Committee shall be empowered to open bank accounts in the name of (club) and all transactions in these accounts shall be authorized by the management committee. All cheques, drafts and so forth shall be signed by the treasurer and either the chairperson or secretary.
- The treasurer will receive all money paid to SWSC and ensure all such sums are lodged to SWSC bank account as soon as possible.
- Any assets invested in by the management committee will be used for (club) purposes only. The management committee will delegate the use of these assets under advisement from coaches, teachers, club children's officers and others within the club.
- The committee will have the power to negotiate sponsorships on SWSC's behalf and engage from time to time fundraising activities. Any financial returns from these activities will be used at the discretion of the committee.

12. Complaints and Disciplinary Procedures

- The club hereby adopts The Swim Ireland Complaints & Disciplinary rules and procedures as amended by Swim Ireland from time to time.
- All members of SWSC must abide by the Swim Ireland complaints and disciplinary procedures.
- All complaints will be dealt with in accordance with the relevant complaints and disciplinary procedures
- The management committee will appoint a complaints and disciplinary committee (CDC) in accordance with the Swim Ireland Complaints and Disciplinary Rules and Procedures
- Any matter involving members under 18 must also be brought to the attention of the CCO

13. Cessation/Suspension/Expulsion of Membership

- SWSC have the power to terminate and suspend membership owing, but not limited to, violation of the constitution and/or rules, criminal behaviour or any activity deemed unseemly by the management committee in line with Swim Ireland complaints and disciplinary policies
- Any matter involving members under 18 must also be brought to the attention of the CCO
- All club terminations and suspensions will be reported to Swim Ireland.
- All club terminations and suspensions can be appealed in line with the Swim Ireland complaints and disciplinary policy.
- Suspension or termination of an individual's membership to Swim Ireland can only be done by Swim Ireland's board. These procedures are laid out in the 'Articles of Association of Swim Ireland'.

14. Dissolution

- SWSC may be dissolved:
- By a Resolution passed owing to the inactivity of its members. This Resolution would be passed at an EGM, specifically called for that purpose and carried by three quarters of the members present.
- A Court Order where a dispute exists within its membership
- Notice must be given to members and Swim Ireland for any Dissolution to come into effect, owing to a resolution at a general meeting
- All aspects of the club, having discharged debts and liabilities, shall be distributed to a charity, charities or other non-profit making organization having an agenda similar to those of SWSC or Swim Ireland.
- The management committee shall be responsible for the winding up of assets and liabilities of SWSC.

15. Equality

- In accordance with the Equal Status Act 2000 – 2004 and the Equality Act 1996 in Northern Ireland, SWSC will not discriminate against any persons or visitors within SWSC. No discrimination of any kind against employed and voluntary staff, membership applications, members and individuals within the general public, will be tolerated.

16. Criminal Allegations

- SWSC shall treat allegations of criminal activity very seriously. Any allegation of a criminal offence will be reported to Swim Ireland and the appropriate policing body.

17. Data Protection

- The club hereby adopts The Swim Ireland Data protection policy as amended by Swim Ireland from time to time.

