

# Worcester Canoe Club byelaws

Version 04/11/2018

## Defined Terms

In these Byelaws unless the context requires otherwise terms listed in section 1.2 of the Articles of Association shall have the meaning set out in the Articles.

### 1. Terms of Reference – Directors and Board

- To fulfil their duties as set out in the Articles of Association
- To set the long term strategy for the company / club taking advice from the Executive Committee and any other committees set up specifically to advise on such matters.
- To ensure appropriate processes are in place and in operation to manage risk including insurance and Health & Safety delegating to the Executive Committee as appropriate
- To ensure the company is in compliance with all statutory requirements including but not limited to maintaining records for companies house & tax authorities, running an AGM, communicating appropriately with the clubs membership etc.
- To ensure the company is properly represented in its dealing with external partners e.g. Worcester Riversports Association, British Canoeing, local councils and authorities etc.
- To support the workings of the Executive Committee as required
- To create such other committees as may be required from time to time and to delegate such matters to those committees as may be appropriate.
- To approve normal club expenditure and one off items of expenditure of over £5,000.
- To ensure Club Members are consulted prior to the letting of any legally binding contract or series of related contracts that exceed £25,000 in total.
- To receive reports on the Clubs finances to agree broad budgetary targets with the Executive committee and treasurer.

### 2. Membership of Board of Directors

- The Chairman of the Executive Committee
- The Treasurer
- Two to four other general Directors ( not necessarily members of the executive committee)

The chairman of the board to be appointed from amongst these directors by the members. The Chairman of the Executive Committee shall not be the Chairman of the Board.

(Ideally these directors should include

- a) A representative on the Riversports Association

- b) A qualified Canoeing Coach
- c) An accountant and / or a lawyer/ solicitor)

The Company may also appoint a Company Secretary. The Company Secretary may not be a Director of the company and may not necessarily be the same person as the Honorary Secretary and with a different role to the Honorary Secretary).

### 3. Terms of Reference – Executive Committee

- To promote Canoeing as defined by the Articles of Association (sporting, recreational and other activities carried out in water-borne craft propelled by a paddle with either one or two blades)
- To provide recreational and competitive opportunities for participants in canoeing
- To promote the club amongst the local community, nationally and internationally as appropriate
- To manage the premises and facilities of the Club
- To ensure a duty of care to all members of the Club along with visitors to the clubs site
- To maintain an appropriate Health & Safety Policy and to ensure that the activities of the club are carried out with due regard to Health and Safety
- To provide all its services in a way that is accessible and fair to everyone

### 4. Membership

a) Membership of the club is open to anyone as set out in the Articles of Association.

The membership categories are listed below. Ages are as on the 1<sup>st</sup> of January of the membership year.

- **Senior:** individuals aged 18 years to 64
- **Junior:** young people aged between 8 and 17 years. Applications must be accompanied by written permission of a parent or guardian
- **Student:** individuals 18 and over in full-time education
- **Couple / Family:** up to two married or co-habiting adults resident at the same address and up to three children under 18 years of age resident at the same address where at least one of the adults is the parent or guardian of each of the children. Any family member aged 16 or more will have a separate vote in all relevant club matters.
- **Senior citizen:** individuals aged 65 and over
- **Honorary Members:** The Executive Committee may at its discretion offer honorary membership for an appropriate period to anyone whose association with the club is of sufficient merit to justify it. Honorary Vice-Presidents shall be elected at the Annual General Meeting on the recommendations of the Executive Committee, in

recognition of past services to the Club. They shall have no specific duties. The number of Honorary Members at any one time shall not normally exceed ten.

- **Associate:** members of the club who are social members or supporters of the club but who do not use the clubs sporting facilities
- b) All members will be subject to the regulations of the constitution and by joining the club will be deemed to accept these regulations and codes of practice that the club has adopted.
- c) Members in each category will pay membership fees, as determined at the Annual General Meeting. The membership subscriptions will be due on the 1<sup>st</sup> January and membership will expire on the following 31<sup>st</sup> December. Subscriptions renewed after the end of March will incur an additional fee, as decided by the Committee, before that person's membership is reinstated.
- d) Individuals shall be eligible to take part in the business of the Club, vote at general meetings and/or be eligible for selection to any Club team if the applicable subscription has been paid by the due date and/or membership has been agreed by the Committee.
- e) Associate Members do not have voting rights.
- f) All voting members shall be Club Members and their name is entered in the Club's register of members, in accordance with section 112 of the Act, Under 16's will be registered as Club Members and be entitled to vote at the date of the first General Meeting after their 16<sup>th</sup> Birthday.

## 5. Sports Fairness and Equality

- a) This Club will ensure that equality is incorporated across all aspects of its development. In doing so it acknowledges and adopts the following Sport England definition of sports equity
- Sports equity is about fairness in sport, equality of access, recognising inequalities and taking steps to address them. It is about changing the culture and structure of sport to ensure it becomes equally accessible to everyone in society.
  - The Club and its members will respect 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.
  - The Club and its members will be committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment and abuse.
  - The Club and its club members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.

- The Club will deal with any incidence of discriminatory behaviour, according to club disciplinary procedures.

## **6. Directors of the Club**

- a) The appointment and powers of Directors of the Club are set out in the Articles of Association

## **7. Officers of the Executive Committee of the Club**

- a) The affairs of the Club shall be conducted by an Executive Committee (the Committee) which shall consist of the Chair, Treasurer, Secretary, Membership Secretary, Steward, Sprint Captain, Marathon Captain, Coaching co-ordinator, Media Editor, Child Protection Officer, Building/Maintenance Manager, Junior Member, Safety Officer and General Member. The requirements of these roles will be summarised on the Club's Website and may be updated by the Committee as it sees fit from time to time.
- b) All Committee members must be members of the Club.
- c) If required, the Committee may elect a Vice Chair from among its number. They shall chair meetings and have the associated casting vote in the absence of the Chair.
- d) Officers of the club shall be appointed in accordance with the process set out in the articles of association.
- e) The Committee will be responsible for and have the power to adopt and communicate to its members policies, codes of practice and rules relating to the health and safety of members and others, and the protection of children and vulnerable adults. Such rules, policies and codes shall be considered to be part of these by-laws, and infringements enforceable by the club's disciplinary mechanism (g)
  - a. Such codes of practice and rules shall as a minimum include:
    - i. A Club Health and Safety Policy
    - ii. A Club Child and Vulnerable Adults protection / welfare policy
- f) The Committee will have powers to appoint advisers to the Committee as necessary to fulfil its business but should agree any remuneration for such advice with the Directors prior to appointment.
- g) The Committee will be responsible for disciplinary hearings of members or Directors who infringe the club codes of practice/rules/regulations/constitution. The Committee will be responsible for taking any action of suspension or discipline following such hearings. The Directors will hear any appeals against such actions.
- h) Committee meetings will be convened by the Secretary of the Club, normally monthly and unless otherwise agreed by a majority of the Executive Committee this will be the first Wednesday of the month.
- i) All meetings shall be minuted and the minutes shall be made available to Club Members in a suitable manner subject to the deletion of any confidential items. Committee

meetings will normally be held in private. Any club member may request that they speak to or make representations in person or in writing on a matter to the committee.

- j) Only the posts listed above will have the right to vote at Committee meetings.
- k) The committee may agree to co-opt members to fulfil other roles in support of the Club as it sees fit.
- l) The quorum required for business to be agreed at Committee meetings will be 5.

## **8. Finances**

- a) The Club Treasurer will be responsible for managing the finances of the club within the framework set by the Directors.
- b) The financial year of the club will run from 1<sup>st</sup> January and end on 31<sup>st</sup> December in each year.
- c) All club monies will be banked in an account held in the name of the club.
- d) A statement of annual accounts will be presented by the Treasurer at the Annual General Meeting which has been reviewed by an independent Accountant appointed by the Club Members in General Meeting.
- e) All expenditure in excess of £50 incurred by the Club should be recorded in the minutes of the subsequent Executive Committee Meeting.
- f) Expenditure of more than £200 - Prior approval of the Executive Committee should be obtained. Such approval may be retrospective at the discretion of the committee.
- g) Expenditure of more than £1000 - 3 written quotes should be presented to the Executive Committee who should agree and approve any expenditure. Where there are specific reasons why 3 quotes cannot be obtained the reasons should be recorded in the minutes.
- h) Expenditure of more than £5000 – As for £1000 but in addition the Directors should be notified of the planned expenditure 5 days before such expenditure is committed. The Directors will have the right to question and / or refuse permission for such spend to take place.
- i) Expenditure of more than £25,000 – Any expenditure whether as a single contract or a number of linked expenditures that add up to more than £25,000 should be brought before Club Members in General Meeting for approval by special resolution.
- j) The Treasurer will be responsible for arranging that the Chairman and honorary secretary have access to view the Club's bank account online at any time and shall present a print out of the Club's bank statements for any period to any member of the committee or director of the club, at their request, within 14 days of such request being made. In addition the Treasurer shall provide the Executive Committee with Profit and Loss and balance sheet management accounts at least quarterly and more frequently by agreement.

## **9. Licensing and Bar**

- a) The Bar shall be open only at such times as may be fixed by the Committee and permitted by the Local Authority. No person under the age of 18 shall serve or be served or consume intoxicating liquor on the premises. Visitors to the club shall be able to use the bar.
  
- b) Intoxicating liquor may be sold for consumption on the premises to non-members of the Club attending at the club premises when functions are authorised by the Committee provided that : a) the function is promoted by, and is the responsibility of a Member of the Club who is present at the function or b) such other functions, not being a function promoted under subparagraph (a), limited to 12 functions in any one year.

## **10. Amendments to the byelaws**

- a) The byelaws will only be changed through agreement by special type of resolution at an AGM or EGM.

## **10. Discipline and appeals**

- a) All concerns, allegations or reports of poor practice/abuse relating to the welfare of children, young people and vulnerable adults will be recorded and responded to swiftly and appropriately in accordance with the club's child and vulnerable adults protection policy and procedures. The Club Welfare Officer is the lead contact for all members in the event of any child protection concerns.
  
- b) All complaints regarding the behaviour of members should be presented and submitted in writing to the Secretary or Chairman.
  
- c) The Committee or sub-committee nominated and agreed by the Committee will make the relevant parties aware of the complaint against them on a confidential basis. They have the right to submit their account of the dispute to the Secretary within 14 days.
  
- d) The Committee or nominated sub-committee will meet to hear complaints within 21 days of a complaint being lodged. The Committee or nominated sub-committee has the power to take appropriate disciplinary action including the termination of membership
  
- e) The outcome of a disciplinary hearing should be notified in writing to the person who lodged the complaint and the member against whom the complaint was made within 14 days of the hearing.
  
- f) There will be the right of appeal to the Board of Directors following disciplinary action being announced. The Board of Directors should consider the appeal within 14 days of the Secretary receiving the appeal. The Directors decision is final and binding on all parties.
  
- g) Where the dispute / allegation or complaint is raised by or relates to a person involved in this process that person should not take part in the process except as a witness to the events.