

RULES of READING SWIMMING CLUB as at 25th October 2019

1. Name

- 1.1 The name of the Club shall be Reading Swimming Club. The club colours shall be black, red and white.

2. Objects

- 2.1 The objects of the Club shall be the teaching, development and practice of swimming and water polo for its members and shall where appropriate be to compete. In the furtherance of these objects:

2.1.1 The Club is committed to treat everyone equally within the context of their activity and with due respect to the differences of individuals. It shall not apply nor endorse unlawful or unjustified discrimination and shall act in compliance with the protections afforded by the Equality Act 2010.

2.1.2 The Club shall implement the Swim England Equality Policy (as may be amended from time to time).

- 2.2 The Club shall be affiliated to Swim England South East Region and shall adopt and conform to the rules of Swim England South East Region, and to such other bodies as the Club may determine from time to time.

- 2.3 The business and affairs of the Club shall at all times be conducted in accordance with the Articles, Regulations and Technical Rules of Swim England (c) and in particular:

2.3.1 All competing members shall be eligible competitors as defined in Swim England Regulations; and

2.3.2 The Club shall in accordance with Swim England Regulations adopt Swim England's Child Safeguarding Policy and Procedures ("Wavepower"); and shall recognise that the welfare of children is everyone's responsibility and that all children and young people shall have a right to have fun, be safe and protected from harm.

2.3.3 Members of the Club shall in accordance with Swim England Regulations comply with Wavepower.

- 2.4 By virtue of the affiliation of the Club to Swim England South East Region, the Club and all members of the Club acknowledge that they are subject to the regulations, rules and constitutions of:

2.4.1 Swim England South East Region; and

2.4.2 Swim England; (to include the Code of Ethics); and

2.4.3 British Swimming (in particular Anti-Doping Rules and Judicial Code) and

2.4.4 FINA, the world governing body for the sport of swimming in all its disciplines (together "the Governing Body Rules").

- 2.5 In the event that there shall be any conflict between any rule or by-law of the Club and any of the Governing Body Rules then the relevant Governing Body Rule shall prevail

3 Membership

- 3.1 The total membership of the Club shall not normally be limited. If however the Executive Committee considers that there is a good reason to impose any limit from time to time then that Committee shall put forward appropriate proposals for consideration at a General Meeting of the Club. The members shall have the right to impose (and remove) from time to time any limits on total membership (or any category of membership) of the Club.
- 3.2 All persons who assist in any way with the club's activities shall become members of the club and hence of Swim England and the relevant Swim England. membership fee shall be paid. Assisting with the club's activities shall include, but not be restricted to, administrators, associate members, instructors, teachers and coaches, whether employed, self-employed or voluntary, Committee members, helpers, Honorary members, life members, officers, patrons, Presidents, technical and non-technical officials, temporary members, Vice Presidents and verifiers or tutors of the Swim England 's educational certificates.
- 3.3 Paid instructors, teachers and coaches, who are not members of the Club must be members of a body which accepts that its members are bound by the Swim England's Code of Ethics, the Laws relating to "Wavepower" and those parts of the Judicial Rules and procedure necessary for their implementation and whilst engaged in activities under the jurisdiction of the Swim England shall be subject to all the constraints and privileges of the Judicial Laws and Rules.
- 3.4 Any person who wishes to become a member of the Club must submit a signed application to the Membership Secretary (and in the case of a junior swimmer the application must be signed by the swimmer's parent or guardian). Election to membership shall be determined by the Management Committee or other person(s) authorised by that Committee.
- 3.5 The Management Committee or such authorised person(s) shall be required to give reasons for the refusal of any application for membership. Any person refused membership may seek a review of this decision before a Review Panel appointed by the Committee ("Review Panel"), comprised of not less than three members (who may or may not be members of the Committee). The Review Panel shall, wherever practicable, include one independent member nominated by the Swim England South East Region. The person refused membership shall be entitled to make representations to the Review Panel. The procedures for review shall be at the discretion of the Review Panel whose decision shall be final and binding.
- 3.6 The Club shall not act in a discriminatory manner and in particular, shall adhere to the Equality Act 2010(as may be amended). Accordingly (unless the Club chooses to restrict its membership to only people who share the same protected characteristic) the club shall not refuse membership on the basis of protected characteristic within the Equality Act 2010, such as disability; Gender or Gender Identity; pregnancy; race; religion or belief; or sexual orientation. Neither may refusal be made on the grounds of political persuasion.
- 3.7 The Club may refuse membership only for good and sufficient cause, such as conduct or character likely to bring the Club or the sport into disrepute, or, in the case of a swimmer, being unable to achieve the entry standards as laid down and provided by the Club to the applicant for membership.

4 Subscription and Other Fees

- 4.1 The annual member's subscription and coaching and squad fees (as applicable) shall be determined from time to time by the Executive Committee and the Committee shall in so

doing make special provision for different classes of membership as it shall determine.

- 4.2 The annual subscription and entrance fee (if any) shall be due on joining the Club and thereafter on the first day of September each year, or in such instalments as the Executive Committee determine from time to time.
- 4.3 Any member whose subscription is unpaid by the date falling one month after the due date for payment may be suspended by the Management Committee from some or all Club activities from a date to be determined by the Committee and until such payment is made.
- 4.4 The Executive Committee shall, from time to time, have the power to determine the annual membership subscription and other fees. This shall include the power to make such increases in subscriptions as shall, where the Club pays the individual Swim England membership fees to the Swim England on behalf of members, be consequential upon the increase in individual Swim England membership fees. Any increase in subscription shall be advised to the members in writing with the reason for any increase to be reported to the members at the next Annual General Meeting.
- 4.5 The Executive Officers (or the Management Committee) shall have the power in special circumstances to remit the whole or part of the fees, including the Swim England membership fees, to address issues of social inclusion.

5 Resignation

- 5.1 A member wishing to resign membership of the Club must give to the Membership Secretary written notice of their resignation. A member's resignation shall only take effect when this (Rule 5.1) has been complied with.
- 5.2 The member who resigns from the Club in accordance with Rule 5.1 above shall not be entitled to have any part of the annual membership fee or any other fees returned.
- 5.3 Notwithstanding the provisions of Rule 5.1 above, a member whose subscription is more than 2 months in arrear shall be deemed to have resigned. Where the membership of a member shall be terminated in this way, they shall be informed in writing that they are no longer a member by notice handed to them or sent by post to their last known address.
- 5.4 The Swim England Membership Department shall be informed should a member resign when still owing money or goods to the Club

6 Expulsion and other Disciplinary action

- 6.1 The Management Committee shall have power to expel a member when, in its opinion, it would not be in the interests of the Club for him to remain a member. The Club in exercising this power shall comply with the provisions of Rules 6.3 and 6.4 below
- 6.2 Upon expulsion the former member shall not be entitled to have any part of the annual membership fee to be refunded and must return any Club or external body's trophy or trophies held forthwith. Clubs in exercising this power are required to comply with the provision of Rules 6.3 and 6.4 below.
- 6.3 The Club shall comply with the relevant Judicial Regulations for handling internal club procedures ("the Procedures") as the same may be revised from time to time. (A copy o f

the Procedures may be obtained from the Swim England website, Swim England Handbook or from the Office of Judicial Administration).

- 6.4 A member may not be expelled or (subject to Rule 6.5 below) be made the subject of any other penalty unless the panel hearing the complaint shall by a two-thirds majority vote in favour of the expulsion of (or other penalty imposed upon) the member.
- 6.5 The Officers of the Club (or any person to whom the Executive Committee shall delegate this power) may temporarily suspend or exclude a member from particular training sessions and/or wider club activities, when in their opinion; such action is in the interests of the Club. Where such action is taken the incident or matter will thereafter be dealt with in accordance with the Judicial Regulations

7 Executive Committee

- 7.1 The Executive Committee shall consist of its Chairman, the Secretary, Treasurer, (together “the Executive Officers of the Club”), Presidents, Life Presidents, Vice Presidents, office holders (as listed by resolution of an Annual or Special General Meeting - see the Appendix) and 4 elected members), all of whom must be members of the Club. All Committee members must be not less than 18 years of age, although the Committee may allow younger member(s) to attend their meetings as observers, without power to vote.
- 7.2 The Executive Committee shall appoint a member of the Club as Welfare Officer who must be not less than 18 years of age, who should have an appropriate background and who is required to undertake appropriate training in accordance with Wavepower. The Welfare Officer will have a right to attend Committee meetings without a power to vote.
- 7.3 The Executive Committee members (except the Chairman) shall be proposed, seconded and elected by ballot at the Annual General Meeting each year and shall remain in office until their successors are elected at the next Annual General Meeting. The Committee may fill any vacancy occurring by resignation or otherwise. Retiring members of the Committee shall be eligible for re-election.
- 7.4 Executive Committee meetings shall be held not less than quarterly (save where the Committee itself shall by a simple majority resolve not to meet), and the quorum of that meeting shall be a third of the members of the Executive Committee, to include not less than one Officer. The Chairman and the Secretary shall have discretion to call further meetings of the Committee if they consider it to be in the interests of the Club. The Secretary shall give all the members of the Committee not less than 7 days written notice of a meeting. Decisions of the Committee shall be made by a simple majority and in the event of equality of votes the Chairman (or the acting Chairman of that meeting) shall have a casting or additional vote. The Secretary, or in their absence a member of the Committee, shall take minutes.
- 7.5 In the event that a quorum is not present within thirty minutes of the published start time, a meeting shall stand adjourned to the time and date falling seven days after the date of the meeting, or such other date and time as may be determined by the Chairman. If a quorum is not present at the adjourned meeting then those Committee members attending may act for the purpose of calling a Special General Meeting of the members, to which the provisions as to minimum notice contained in Rule 11.1 shall not apply.
- 7.6 In addition to the members so elected, the Executive Committee may co-opt further members of the Club who shall serve until the next Annual General Meeting. Co-opted members shall be entitled to vote at the meetings of the Committee but shall not be counted in establishing whether a quorum is present.
- 7.7 The Executive Committee may from time to time appoint from among their number such sub-

committees as they may consider necessary (and to remove (in whole or in part) or vary the terms of reference of such sub-committees) and may delegate to them such of the powers and duties of the Committee as the Committee may determine. All sub-committees shall periodically report their proceedings to the Committee and shall conduct their business in accordance with the directions of the Committee.

- 7.8 The Executive Committee shall be responsible for the management of the Club and shall have the sole right of appointing and determining the terms and conditions of service of employees of the Club. The Committee shall have power to enter into contracts for the purposes of the Club on behalf of all the members of the Club. The Committee shall be responsible for ensuring that the Accounts of the Club for each financial year be examined by an independent examiner to be appointed by the members in General Meeting. The Committee shall also have power to make regulations and to settle disputed points not otherwise provided for in this Constitution.
- 7.9 Management functions in accordance with policy decisions of the Executive Committee shall be executed by a Management Committee composed of the Executive Officers and 3 other members, appointed by the Executive Committee, from amongst its members, at its first meeting after the Annual General Meeting.
- 7.10 At its first meeting each year after the Annual General Meeting, the Executive Committee shall elect a Chairman (to be one of the Executive Officers of the Club) and a Vice-Chairman.
- 7.11 The members of the Executive Committee shall be indemnified by the members of the Club against liabilities properly incurred by them in the management of the Club.
- 7.12 The Committee shall maintain an Accident Book in which all accidents to Club members at swimming related activities shall be recorded. Details of such accidents shall be reported to the insurers in accordance with the Accident/Incident Notification guidelines. The Club shall make an annual return to the Swim England Membership Department indicating whether or not an entry has been made in the prescribed online form.

8 President, Vice-President, Honorary Members and Club Captains

- 8.1 The President of the Club, whose role is to represent the Club and who must be a member of the Club, shall be elected at a General Meeting of the Club, on the recommendation of the Executive Committee, and shall hold office until death or resignation unless removed by a resolution passed at a General Meeting.
- 8.2 Vice-Presidents may be elected at a General Meeting of the Club and shall be entitled to vote at meetings and serve as Officers or on the Committee, provided they shall have retained their ordinary membership of the Club. Vice-Presidents shall hold office until death or resignation unless removed by a resolution passed at a General Meeting.
- 8.3 The Executive Committee may elect any person as an honorary member of the Club for such period as it thinks fit, or as a honorary life member, and they shall be entitled to all the privileges of membership except that they shall not be entitled to vote at meetings and serve as Officers or on the Committee unless any such person shall have retained, in addition, their ordinary membership of the Club. Such honorary members must be included in the Club's annual return as to membership.
- 8.4 The Club Captain/s shall be appointed annually by the Executive Committee, in consultation with the Head Coach. Full swimming members aged 15 and over by 31 December on the year of the appointment shall be eligible as captains, junior captains (aged 12-13 and under) may be appointed by coaches.

9 Annual General Meeting

- 9.1 The Annual General Meeting of the Club shall be held each year on a date falling within October. The Executive Committee shall fix the date for the Annual General Meeting.
- 9.2 The purpose of the Annual General Meeting is to transact the following business:
- 9.2.1 To receive the Chairman's report of the activities of the Club during the previous year;
- 9.2.2 To receive and consider the accounts of the Club for the previous year and the report on the accounts of the independent examiner and the Treasurer's report as to the financial position of the Club;
- 9.2.3 To remove and elect the independent examiner (who must not be a member of the Executive Committee or a member of the family of a member of the Committee) or confirm that he/she remain in office;
- 9.2.4 To elect the Officers and other members of the Executive Committee;
- 9.2.5 To decide on any resolution which may be duly submitted in accordance with Rule 9.3.
- 9.3 Nominations for election of members to any office or for membership of the Committee shall be made in writing by the proposer and seconder to the Secretary not later than 21 days before the Meeting. The nominee shall be required to indicate in writing on the nomination form their willingness to stand for election. Notice of any resolution proposed to be moved at the Annual General Meeting shall be given in writing to the Secretary not later than 21 days before the Meeting.

10 Special General Meeting

- 10.1 A Special General Meeting may be called at any time by the Executive Committee. A Special General Meeting shall be called by the Secretary within 28 days of receipt by them of a requisition in writing signed by not less than 20 members entitled to attend and vote at a General Meeting stating the purposes for which the meeting is required and the resolutions proposed.

11 Procedure at the Annual and Special General Meetings

- 11.1 The Secretary shall personally be responsible for the handing out or sending to each member at their last known address a written agenda giving notice of the date, time and place of the General Meeting together with the resolutions to be proposed thereat at least 14 days before the meeting and in the case of the Annual General Meeting a list of the nominees for the Committee posts and a copy of the examined accounts. The Secretary may, alternatively, with the agreement of members(s) concerned, distribute these by e-mails or similar form of communication. The Notice of Meeting shall in addition wherever possible be displayed on the Club notice board where one exists
- 11.2 The quorum for the Annual and Special General Meetings shall be 15 members entitled to attend and vote at the Meeting or (if greater) such number as represents one-tenth in number of such members.
- 11.3 The President, or in their absence a member selected by the Executive Committee, shall take the chair. Each member present shall have one vote and resolutions shall be passed by a simple majority. For the procedures for submitting resolutions to be considered at a General Meeting members are referred to Rule 9.3. In the event of an equality of votes the chairman shall have a casting or additional vote. Paid up members who have reached their 16th birthday

shall be entitled to be heard and to vote on all matters.

11.4 The Secretary, or in their absence a member of the Committee, shall take minutes at the Annual and Special General Meetings.

11.5 The Chairman shall at all General Meetings have unlimited authority upon every question of order and shall be, for the purpose of such meeting, the sole interpreter of the Rules of the Club.

12. Alteration of the Rules and other Resolutions

12.1 The rules may be altered by resolution at an Annual or Special General Meeting provided that the resolution is carried by a majority of at least two-thirds of members present and entitled to vote at the General Meeting. No amendment(s) to the rules shall become effective until such amendment(s) shall have been submitted to and validated by such person as authorised to do so by the Swim England South East Region.

12.2 Any member shall be entitled to put any proposal for consideration at any General Meeting provided the proposal in writing shall have been handed to or posted to the Secretary of the Club so as to be received by them not later than 14 days before the date of the meeting and thereafter the Secretary shall supply a copy of the proposal or resolution to the members in the manner provided in Rule 11.1.

13 By Laws

13.1 The Executive Committee shall have power to make, repeal and amend such by-laws as they may from time to time consider necessary for the well being of the Club, which by-laws, repeals and amendments shall have effect until set aside by the Committee or at a General Meeting.

14 Finance

14.1 All moneys payable to the Club shall be received by the Treasurer and deposited in a bank account in the name of the Club. No sum shall be drawn from that account except by cheque signed by two of the three signatories who shall be the Chairman, Secretary and Treasurer or by payment online by the Treasurer with a second authorisation of the Chairman or Secretary. The Executive Committee will elect a member of the Management Team to act as an additional second authorising signatory. Any moneys not required for immediate use may be invested as the Committee in its discretion think fit.

14.2 The income and property of the Club shall be applied only in furtherance of the objects of the Club and no part thereof shall be paid by way of bonus, dividend or profit to any members of the Club, save as set out in Rule 17.3.

14.3 The Executive Committee shall have power to authorise the payment of remuneration and expenses to any officer, member or employee of the Club and to any other person or persons for services rendered to the Club.

14.4 The financial transactions of the Club shall be recorded by the Treasurer in such manner as the Executive Committee think fit.

14.5 The financial year of the Club shall be the period commencing on 1 September and ending on 31 August. Any change to the financial year shall require the approval of the members in a General Meeting.

14.6 The Executive Committee shall retain for a minimum period of six years all financial records relating to the Club and copies of the Minutes of all meetings.

15 **Borrowing**

- 15.1 The Executive Committee may borrow money on behalf of the Club for the purposes of the Club from time to time at their own discretion up to such limits on borrowing as may be laid down from time to time by the General Meeting for the general upkeep of the Club.
- 15.2 When so borrowing the Executive Committee shall have power to raise in any way any sum or sums of money and to raise and secure the repayment of any sums or sums of money in such manner or on such terms and conditions as it thinks fit, and in particular by mortgage of or charge upon or by the issues of debentures charged upon all or any part of the property of the Club.
- 15.3 The Committee shall have no power to pledge the personal liability of any member of the Club for the repayment of any sums so borrowed.

16 **Property**

- 16.1 The property of the Club, other than cash at the bank, shall be vested in not more than four Custodians. They shall deal with the property as directed by resolution of the Committee and entry in the minute book shall be conclusive evidence of such a resolution.
- 16.2 The Custodians shall be elected at a General Meeting of the Club and shall hold office until death or resignation unless removed by a resolution passed at a General Meeting.
- 16.3 The Custodians shall be entitled to an indemnity out of the property of the Club for all expenses and other liabilities properly incurred by them in the discharge of their duties.

17 **Dissolution**

- 17.1 A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be carried by a majority of at least three - quarters of the members present and entitled to vote. A specific date for dissolution shall be included in the resolution.
- 17.2 The dissolution shall take effect from the date of the resolution and the members of the Committee shall be responsible for the winding-up of the assets and liabilities of the Club.
- 17.3 Any property remaining after the discharge of the debts and liabilities of the Club shall be given to a charity or charities (or other non-profit making organisation having objects similar to those of the Club for the furtherance of such objects) nominated by the last Executive Committee.

- 18.1 The Members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.

The following statement needs to appear on Club membership forms and is to be signed by the member and must also be countersigned by the parent, or a person having parental responsibility for the member, if under 18 years of age:

“I acknowledge receipt of the rules of _____ Club and confirm my understanding and acceptance that such rules (as amended from time to time) shall govern my membership of the Club. I further acknowledge and accept the responsibilities of membership upon members as set out in these rules.”

APPENDIX (Rule 7.1)

Office holders

1. Membership Secretary
2. Waterpolo Secretary
3. Masters Secretary
4. Liaison Officer
5. Home Meet Manager
6. Away Meet Manager
7. Swim 21 Co-Coordinator
8. Squad/Coaches' Representative
9. Fundraising Officer
10. Volunteer Coordinator
11. Communication Officer
12. Merchandising Officer

Other roles within the club not Office holders, listed herewith:

1. Honorary Medical Adviser
2. Website Administrator
3. Trophies Officer