

Chiltern Harriers Athletic Club

CLUB CONSTITUTION – “THE RULES”

1. NAME

The Club will be called Chiltern Harriers Athletic Club (“the Club”) and will be affiliated to UK Athletics/ England Athletics

2. HEADQUARTERS

The headquarters of the Club shall be the address of the Secretary. Notwithstanding the Secretary's address the Club shall operate mainly in the county of Buckinghamshire.

3. OBJECTIVES

The Objectives of the Club will be:

- to offer coaching, competitive and recreational opportunities in Athletics/Running and such activities as the Management Committee may from time to time deem appropriate.
- to promote the Club within the local community.
- to ensure a duty of care to all members of the Club.
- to provide all its services in a way that is fair and accessible to everyone.
- to ensure that all present and future members receive fair and equal treatment.

4. ETHOS

The Club is committed to ensuring that equity is incorporated across all aspects of its operations, activities and development. In doing so, the Club acknowledges and adopts the following Sport England definition of sports equity:

- 4.1. The Club respects the rights, dignity and worth of every person and shall treat everyone equally within the context of their sport, regardless of age, disability, gender, gender reassignment, race (including ethnicity and nationality), religious belief, sex, sexual orientation, pregnancy, maternity or social/economic status.
- 4.2. The Club is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment and abuse.
- 4.3 All Members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.

The Club will deal with any incidence of discriminatory behaviour seriously according to the Club's disciplinary procedures as set out in Section 18 of these Rules.

The Club has developed a range of Standards, Policies, Procedures and Codes of Practice which form the basis of the Club's governance. These are posted on the Club's website and will be subject to revision from time to time to reflect changed circumstances. Where there are national policies from England Athletics and UK Athletics they will be for guidance and adopted in as much as they are appropriate to a Club of the size and range of activities as provided by The Club.

5. CLUB COLOURS

The Club colours shall be a predominantly green top, for example vest, sweatshirt, or T-shirt, with black and white vertical panels and an optional Club badge or logo.

6. MEMBERSHIP

Membership shall be open to all regardless of age, sex, ability, disability, ethnic group, religion, political or other beliefs or sexual orientation.

Membership shall consist of Officers and members of the Club.

All members will be subject to the provisions of this Constitution and by joining the Club will be deemed to accept all regulations, policies, procedures and codes of conduct that the Club has adopted as published from time to time on the Club's website. Members also agree to comply with the reasonable requests and directions of Club Officers, coaches and officials

A candidate for membership of the Club must apply in writing on a form provided for the purpose or completion of an online form on the Club website. Every candidate for membership shall be considered by the Management Committee, which shall admit that candidate to membership unless to do so would be contrary to the best interests of the sport or the good conduct of the Club.

All members other than Associate and Honorary must be amateurs as defined by UK Athletics

Associate and Honorary members may be elected at the discretion of the Management Committee.

Honorary members may, on the same terms as Associate members, be nominated for election at a Management Committee meeting or Annual General Meeting. Those persons so elected shall hold such memberships until the next AGM.

Members will be enrolled in one of the following categories:

- Adult
- Student – persons in full time further education under the age of 25
- Full Junior member – aged 18 and below in full time education.
- Associate member - do not compete or train with the Club.
- Honorary member - may hold voluntary positions, including coaching.
- Life member

Associate, and Honorary members shall not have any voting rights.

Applications for Junior membership shall be counter signed by a parent/guardian.

7. RESIGNATION

A member intending to withdraw from the Club shall give notice in writing to the Membership Secretary

Membership shall cease on the actual date of tendering the notice, unless the member be financially indebted to the Club, in which case the member shall be deemed to have resigned from the Club but all outstanding debts and liabilities of the member to the Club shall not be extinguished but shall remain outstanding until the Management Committee determine otherwise.

A member not having tendered resignation within three months after a subscription becomes due shall be deemed to have resigned. No part of any subscription shall be refundable in the event of resignation.

8. MEMBERSHIP SUBSCRIPTIONS

The subscription year is from 1 April to 31 March. The Committee shall have the power to recommend a change to the subscription year for confirmation at an AGM or EGM.

Subscriptions shall be paid on an annual basis in the following categories:

- Adult and Family Members.
- Junior Members
- Associate Members,

Students, Honorary and Life Members do not pay fees.

The rates for subscription, which shall include a maximum per family, shall be fixed by the Club Management Committee and ratified at the Annual General Meeting.

A Coach or others approved by the Committee will not pay a subscription, including Family Membership where relevant, during the term that they are fulfilling the function. This will be at the discretion of the Management Committee.

The first subscription shall be payable on election and subsequent subscriptions shall be payable on the first day of the Subscription Year. The Management Committee shall have discretion to reduce subscriptions pro rata for members joining part way through the financial year.

The Management Committee reserves the right, in appropriate circumstances, to reduce the amount of any subscription.

The England Athletics Competition licence fee shall be paid at the same time as the Club subscription fee. No member can compete in the Club's Name in affiliated events until the Competition Licence has been issued by England Athletics.

Members who have not paid their subscriptions within three months of the due date are deemed to have resigned and cannot take part in any club activities or compete in the name of the Club.

9. OFFICERS OF THE CLUB

The Officers of the Club will be:

- Chair
- Secretary
- Treasurer
- Other officers as deemed necessary

Officers will be elected annually at the Annual General Meeting.

All Officers will retire each year but will be eligible for re-election.

The President will not be an Officer of the Club or a member of the Management Committee but can attend meetings in advisory capacity but will not have voting rights.

10. MANAGEMENT COMMITTEE

The management of the Club shall be vested in a Management Committee consisting of a Chair, Secretary and Treasurer, other officers as deemed necessary to fill specific roles and not less than three ordinary members.

All members of the Management Committee shall be elected and their services shall be honorary. Only members of the Management Committee will have the right to vote at meetings of the Management Committee.

The Management Committee shall have the power to appoint a new officer if a position becomes vacant during the year, such officer to retire at the end of the year but will be eligible for re-election.

The Management Committee shall have the power to co-opt additional members, such members to resign at the next following Annual General Meeting.

In the event of the Chairman not being available another committee member agreed by those present will Chair the meeting.

The quorum that is required for business to be agreed at Management Committee meetings will be four including at least one of the three main officers, namely the Chair, Secretary or Treasurer.

The Management Committee will be convened by the Secretary of the Club and hold no less than four meetings per year.

Decisions at committee meetings will be agreed by a simple majority of those present and those who have submitted a written (including email) vote to the Secretary before the meeting.

The Management Committee will be responsible for adopting new policy, codes of conduct and rules that affect the organisation of the Club.

The Management Committee shall have the power to appoint sub-committees as necessary and appoint advisers to the Management Committee as necessary to fulfil its business.

The Management Committee will be responsible for disciplinary hearings of members who infringe the Club rules, regulations, constitution or for undesirable behaviour or under instruction from the Regional or National Governing Body. The Management Committee will be responsible for taking any action of discipline, suspension or termination of membership following such hearings.

11.CONFLICT OF INTEREST

11.1 Each committee member shall declare the nature and extent of any direct or indirect interest in a transaction or arrangement with the Club or a third party which conflicts or may possibly conflict with his or her duties to the Club.

11.2 If the non-conflicted committee members deem there to be a material conflict, the conflicted committee member should withdraw from that part of the meeting and shall not vote.

11.3. If there is deemed not to be a material conflict by the non-conflicted committee members, the committee member that declared the conflict shall be allowed to re-join the meeting, take part and vote as applicable.

12. EXERCISE OF POWERS

In furtherance of the Objectives but not otherwise the Club may exercise the following powers:

12.1 to carry on a sporting club;

12.2 to provide sports coaching, training and equipment;

12.3 to participate in and organise leagues, competitions, tournaments and matches and related activities;

12.4 to provide information, advice and guidance in running and/or athletics, competitions, coach development and other related activities;

12.5 to publish or distribute information including by means of reports, books, leaflets, films, videos, websites and any other media;

12.6 to accept or disclaim gifts of money or any other property;

12.7 to raise funds and to invite and receive contributions;

12.8 to purchase, take on, hire, lease, acquire, alter, improve, construct and maintain property and equip it for use;

12.9 to reconstitute as a corporate body and transfer some or all of the undertaking, assets and liabilities of the Club to its corporate successor;

12.10 to insure the property of the Club against any foreseeable risk and to take out other insurance policies to protect the Club and the Officers when required including the provision of indemnity insurance to cover the liability of the Officers and other staff and volunteers;

12.11 to set aside income for special purposes or as a reserve against future liabilities; and

12.12 to do all such other lawful things as may further or are conducive to the Objectives or any of them.

13. FINANCE

All Club monies will be banked in accounts held in the name of the Club.

Monies may be invested in a Building Society, Bank or any other regulated financial organisation governed by the Financial Conduct Authority or other regulatory authority and approved by the Management Committee. Opening an account with any such organisation will be agreed by the Management Committee and a motion recorded in the minutes of the Management Committee meeting.

The Club Treasurer will be responsible for the finances of the Club.

The financial year of the Club shall run from 1st January to 31st December.

A statement of annual accounts approved by an External Examiner will be presented by the Treasurer at the AGM.

Any cheques or other instrument drawn against Club funds must hold the signatures of any two of the three officers of the Club authorised in accordance with the Bank mandate. One of the three officers will be the Treasurer.

The Treasurer may effect transactions via on-line banking services and payments can be made on-line subject to the prior approval of any two of the Chairman, Secretary or Membership Secretary, Expenditure related to Membership and England Athletics Competition licences can be approved by the Membership Secretary and either the Chairman or Secretary.

14. ANNUAL GENERAL MEETING (AGM)

An Annual General Meeting (AGM) shall be held within three months of the end of each Financial Year on a date to be agreed at the previous year's AGM. The agreed date shall be published on the Club website within one month of that AGM.

Any member wishing to submit a Resolution for consideration at the AGM shall submit the details in writing to the Secretary no less than 28 days before the meeting.

The Secretary shall give notice of the AGM by email communication sent to each member of the Club, at least 21 days before the due date, including the time, venue and the Agenda of business to be transacted. The notice will be placed on the Club website and Facebook or relevant social media page.

Notice sent to a member of a family shall be deemed sufficient notice to the remaining members of that family at the same address or email address in the case of electronic communication.

The AGM shall have a quorum of ten and voting power will be a simple majority of two thirds of those present or who have registered a written vote ahead of the start of the meeting.

The AGM will receive reports from Officers of the Management Committee and a statement of the accounts that have been signed off by the external examiner.

Election of Officers, Management Committee members and an external examiner shall take place at the AGM.

Nominations for Officers of the Management Committee must be sent to the Secretary prior to the AGM.

All members, except Associate members and Honorary members, have the right to vote at the AGM.

The Management Committee has the right to call an Extraordinary General Meeting (EGM) outside the AGM, and to have any matter placed on the agenda for any such meeting.

15. EXTRAORDINARY GENERAL MEETING (EGM)

The Secretary shall proceed to convene an EGM within 28 days of the receipt by him/her of a requisition in writing, stating the business to be brought before such a meeting, signed by not less than ten members of the Club having voting rights or at the request of the Management Committee.

Procedures for EGMs will be the same as for the AGM. However no business other than that stated on the Agenda shall be dealt with at any such meeting.

If the Management Committee so decide, voting at an EGM may be extended to allow for members to vote by an electronic vote ballot. In such case the necessary majority to change the Rules in this Constitution is two-thirds of the total combined votes cast by the members present at the meeting and members voting by email.

16. PRESIDENT AND VICE PRESIDENT

The Management Committee shall have power to nominate for election at an AGM a President and Vice President of the Club. Any President or Vice President elected shall retire at the next following AGM, but shall be eligible to be nominated for re-election.

The President or Vice President or an Officer, in the President's absence shall, take the Chair at a General Meeting of the Club during the election of the Chairman, or to conduct any business where the Chairman has declared a possible conflict of interest. The President may attend Management Committee meetings, but shall not have a vote unless entitled in some other capacity.

17. LIFE MEMBERSHIP

Life membership may be awarded, without payment of any further subscription, to a member or a person closely associated with the Club in recognition of particularly long or meritorious service to the Club.

A candidate for Life Membership shall be nominated by at least two members of the Club and his/her name shall be given to the Secretary in writing at least 14 days prior to an AGM for consideration by the Management Committee.

If approved by the Management Committee, a candidate's name shall then be put forward for election at such Annual General Meeting.

18. DISCIPLINE AND APPEALS

All concerns, allegations or reports of malpractice or abuse relating to the welfare of children or vulnerable adults will be recorded and responded to swiftly and appropriately in accordance with the Club's and UKA's/EA's safeguarding policy and procedures. The Welfare Officer shall be the lead Officer for all Members in the event of any safeguarding concerns.

All complaints regarding the behaviour of members should be submitted in writing to the Secretary.

The Secretary shall give the member at least seven days' notice to attend a meeting of the Management Committee and shall inform him/her of the complaints made. No member shall be disciplined or expelled without first having the opportunity of appearing before the Management Committee and answering the complaints.

The Management Committee has the power to take appropriate disciplinary action including the termination of membership. Disciplining or sanction shall require not less than two-thirds of the Management Committee present vote in favour of termination of membership

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 seven days of the hearing.

There will be the right to appeal to the Management Committee following disciplinary action being announced. The Management Committee shall consider the appeal within 28 days of the Secretary receiving the appeal. An arbitration panel consisting of two Club members, not on the Management Committee, and one person nominated by Buckinghamshire Athletic Association, or a related sporting governing body will then hear any appeal. The arbitration panel's judgement will be final.

19. DRUGS, STIMULANTS AND PROSCRIBED SUBSTANCES

Any member found guilty, or admitting to the taking of, or distributing, or encouraging others to take any drugs or stimulants that is proscribed by the governing body for amateur athletics in England may be expelled from the Club for life. In such cases the provisions set out in Section 18 above shall apply.

20. PERSONAL RISK

Members acknowledge and accept that playing or participating in sport of any kind can be dangerous and may result in injury and/or damage to property. Members and guests shall take personal responsibility for their own actions and participate in the Club's sporting activities at their own risk.

Subject to Rule 20.1 below, the liability of the Club and its Officers to any Member is limited to the net assets of the Club.

20.1 Nothing in these Rules shall limit or exclude liability for:

1. death or personal injury caused by negligence.
2. any loss or damage caused by criminal or fraudulent conduct.
3. any other liability which cannot lawfully be limited or excluded.

21. INDEMNITY

Without prejudice to any other indemnity to which an Officer may otherwise be entitled, every Officer of the Club shall be indemnified out of the assets of the Club against any liability incurred by him or her in the proper discharge of his or her duties to the fullest extent permitted by law.

22. DISSOLUTION

A resolution to dissolve the Club can only be passed at an AGM or EGM through a two-thirds majority of those of the membership present who are eligible to vote.

The Club is a non-profit making organisation, and any profits realised can only be distributed on Dissolution.

In the event of Dissolution, as distinct from merger or amalgamation, any assets of the Club that remain will be distributed to the Regional Athletic Association to which the Club is affiliated.

23. AMENDMENTS TO CONSTITUTION RULES

No alteration or addition may be made to The Rules except by a two-thirds majority vote of those members present at an AGM or an EGM, or by registered electronic vote, called for the express purpose of altering or amending The Rules.

The Management Committee, whose decision is final, shall determine where necessary the interpretation of any Rule and any matters not covered by The Rules.

24 DATA PROTECTION ACT

The Club and all members will act in accordance with the terms of the UK Data Protection Act(s) 2018 provisions as enacted, amended and updated from time to time.

25 DECLARATION

Chiltern Harriers Athletic Club hereby adopts and accepts this Club Constitution as a current operating guide regulating the action of members.

06 March 2023

Signature: Chairman)

Date:

Signature: (Secretary)

Date: