**Constitution**

**List of Terms and Abbreviations**

**NDWSC** North Dublin Winter Swimming Club

**ISC** Irish Sports Council

**SI** Swim Ireland

**DP**  Designated Person

**LSP** Local Sports Partnership

**AGM** Annual General Meeting

**EGM** Extraordinary General Meeting

**CCO** Club Children’s Officer

**Officer** Officers of a club are the Chairperson,

Secretary and Treasurer.

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

**Sub-Committee** A committee formed by the Management committee tasked with a specific role

**Leader** 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.

**1. Name and Colours**

1. The name of the club shall be “North Dublin Winter Swimming Club” (NDWSC) founded in 1929 and first affiliated to the Leinster Branch of the Irish Water polo Association in 1936.
2. The colours of the club shall be black and white.
3. The logo of the club shall be the Skull and Crossbones.
4. The headquarters of the club shall be the home address of one of the Officers of the Club
5. The logo of the club can only be changed with the approval of the Annual General Meeting

**2. Objectives**

a) The objectives of the club are:

* + 1. To foster and develop water polo and swimming and its participants
    2. To promote the teaching/coaching and practice of water polo and swimming in line with current best practice.
    3. To promote the development of physical, moral and social qualities associated with sport, within the participants.
    4. To accept and enforce the rules and regulations set down by Swim Ireland regarding water polo and swimming in accordance with the affiliation status afforded to the club.
    5. To provide a positive and safe environment for all its members and staff.
    6. To ensure sport for young people in the club is fun, and conducted in an encouraging atmosphere in line with Swim Ireland guidelines and best practice.
    7. To provide equal opportunities whenever possible for successful participation, irrespective of ability or disability, so that individuals can be involved in sports activities in an integrated and inclusive way.

viii) To engage in all aspects of competitive /water polo, and where feasible swimming, to the highest levels and to this end may legally acquire and hold any necessary property

1. NDWSC is fully committed to safeguarding the well-being of its members. Every individual in NDWSC 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 NDWSC and the guidelines contained in the *Code of Ethics and Good Practice for Children’s Sport* and the ‘Swim Ireland Guidelines for Safeguarding Children 2008’ or most up to date equivalent.

**3. Affiliation**

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

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

**4. Membership**

1. All members are subject to the rules and constitution of NDWSC and the rules and regulations of Leinster, Swim Ireland, LEN and FINA.
2. *Membership Categories*

The following constitute as Members of the club:

1. Competitor – Members of NDWSC who decide to engage in competitive events.
2. Non-Competitor – This category includes but is not limited to: participants who wish to train but not compete; coaches; administrators; aquatics leaders; and CCO’s.
3. The Club Management Committee reserves the right to accept or reject applications for membership of the club. If they are refused, the applicant must be notified by the Management Committee in writing as to the reasons for their refusal.
4. *Application Procedures for Club Members*
5. All members and officials must complete the necessary application forms and attach the necessary fees as set down by Swim Ireland and NDWSC.
6. They must also be familiar with and comply with the Swim Ireland and NDWSC rules and read and sign the Swim Ireland and NDWSC Codes of Conduct.
7. These forms must then be forwarded to the Management Committee for approval. Those under 18 must have their parents sign the necessary application forms.
8. Upon acceptance the member will then be provided with a copy of the Constitution and Rules of NDWSC.
9. A copy of the Constitution and Rules of NDWSC will be available on the club website for all members.
10. 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.
11. A member who wishes to resign as a member of the club must have no financial liability to the club.
12. A member who wishes to resign from the club must return all perpetual trophies in his/her possession to the club.
13. Full membership status is only valid where a subscription has been paid in full or in a manner agreed by the Club Management Committee.
14. Members will be required to renew their membership with NDWSC and Swim Ireland on an annual basis.
15. Membership of NDWSC does not extend automatically to beginner’s classes.

1. *Annual Subscriptions*
2. Club fees will be determined by the Management Committee.
3. If a member is deceased, their Legal Personal Representative is not liable for any balance of subscriptions.
4. A member may resign by communicating this in writing to the Club Secretary, and if this persons wishes to renew membership at a later date they must re-apply.

g) *Learn to Swim / Play Water polo*

NDWSC wishes to promote participants to learn to swim and/or play water polo. NDWSC may run learn to swim/play classes. The participants in these classes will not for the first year automatically be members of the Club or Swim Ireland unless invited to do so, but will be insured as part of the club’s activities. Participants taking part for longer than a year will be required to become club and Swim Ireland members.

**5. Club Management**

1. *Description*

The Management Committee is the body elected by the Members for the management of the business and affairs of the Club. It consists of 11 who must be members of Swim Ireland in their own right

1. *Membership of the Management Committee*

Membership of the Management Committee shall consist of the following: - A Chairperson, a Secretary, a Treasurer, a Swimming Secretary, a Water polo Secretary, a Club Children’s Officer, and 4 other adult members one who may be nominated as PRO. Also, NDWSC shall have a Designated Person whose duty is to report any allegations of child abuse to the statutory body. The Designated Person for NDWSC shall be the CCO’s. If the CCO is unavailable, the Management Committee will appoint a Designated Person from within.

***Management Committee Officers of NDWSC***

1. *Duties of the Chairperson*
   * 1. To promote the objectives of NDWSC at all times and act as the official spokesperson for the club.
     2. To ensure the principles of due process and natural justice are applied in all decisions made by the committee.
     3. To maintain order and prevent unnecessary disruptions.
2. *Duties of the Treasurer*
   * 1. To keep a record of all financial transactions concerning NDWSC business.
     2. To keep appropriate books of record on NDWSC business.
   1. To identify all income received and all expenditures.
   2. To act as co–signature on cheques along with the Chairperson/Secretary.
   3. To be vigilant in the collection of all monies owed to the Club and in the payment of all monies owed by the Club.

e)  *Duties of the Secretary*

i) To record the minutes of all committee and club meetings.

ii) To keep records of membership, complaints and contracts regarding the dealings of the club. Records shall be kept for a minimum of 6 years.

iii) To set out meetings including agenda details, notice period and any other necessary information.

iv) To deal with all club correspondence.

f) *Other Committee Member*

Duties and Responsibilities of all Committee Members – All Committee members are responsible for the smooth day to day running of the Club. The Management Committee can agree amongst themselves the additional roles required, to be carried out by Committee Members.

1. *Duties and Responsibilities of the Club Children’s Officers (CCO)*
   * + 1. The Club may appoint two Club Children’s Officers, only one of whom will sit on the Management Committee.
       2. The CCOs shall be child centred in focus and have as the primary aim, the establishment of a child centred ethos within NDWSC.
       3. The CCOs shall be the link between the children and adults in NDWSC.
       4. The CCOs shall take responsibility for monitoring and reporting to NDWSC Management Committee on how club policy impacts on young people and their Sports Leaders and update the Committee regarding Child Welfare matters generally.
       5. The CCOs shall hold an up to date certificate of Child Protection from ISC/CNI/NISC and be familiar with the Code of Ethics and Child Welfare Guidelines of Swim Ireland.
2. Duties and Responsibilities of the Designated Person
   * 1. Any concerns or disclosures relating to child abuse shall be reported to the Designated Person (DP) who is responsible for reporting this to the statutory authorities.
     2. The Designated Person shall hold an up to date certificate of Child Protection from ISC/CNI/NISC and also be familiar with the Code of Ethics and Child Welfare Guidelines of Swim Ireland.
     3. The Designated Person shall be a member of the Committee, with this individual acting in a dual role capacity, performing both their existing role in conjunction with that of Designated Person.
3. Duties and responsibilities of the coaching and teaching staff
4. Those included, but not limited to Coaches, Teachers and Leaders, will comply with the guidelines set out in ‘Swim Ireland Guidelines for Safeguarding Children 2008’ or most recent edition.
5. The recruitment procedures of any individual engaged or working under the [club], shall be in accordance with ‘Swim Ireland Guidelines for Safeguarding Children 2008’, the Employment Rights (Northern Ireland) Order 1996, the Terms of Employment Act 1994 (ROI) and all other related recruitment legislation. Information relating to the responsibilities of the roles, duties and the level of experience/qualifications shall be indicated in the recruitment process.
6. All Coaching and Swimming/water polo Teachers, who operate in a paid capacity, shall have written contracts which outline their duties, functions and responsibilities. Where coaches and/or swimming/water polo 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.
7. All teaching and coaching staff will undergo a police vetting (Garda Siochana, PSNI, and Swim Ireland) in accordance with ‘Swim Ireland Guidelines for Safeguarding Children 2008’ or most recent edition.. If the applicant is from a jurisdiction outside Ireland, enquiries will be made to the relevant statutory bodies.
8. All Coaches shall be accountable to the Committee, whilst the Senior Coach shall be entitled to attend Committee meetings by invitation.
9. All Coaches and Leaders must be affiliated to Swim Ireland, and must possess the requisite qualifications.
10. Rights and Duties of the Management Committee
11. 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 this constitution. The Management Committee must ensure a Club’s Rule Book is in place which is made available to all members
12. The Management Committee have the power to appoint such sub committees as they may consider necessary. These sub committees will act on behalf of the Management Committee and follow procedures and relay information as directed by the Management Committee.
13. The Management Committee may appoint a Coaches sub-committee consisting of Management committee members, the Senior Coach and the lead coaches of all squads.
14. The Management Committee shall be responsible for all assets of the club.
15. The Management Committee will be responsible for formulating Club policy in accordance with the ‘Swim Ireland Guidelines for Safeguarding Children 2008, or most recent edition, and on the direction the Club takes in the future in all its activities.
16. 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 affairs of the club.
17. 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 content, discussions and decisions.
18. The Management Committee will be expected to follow codes of conduct in relation to their obligations to NDWSC members. These include, but are not limited to, confidentiality, objectivity, loyalty, fairness and a constant awareness of their obligations to NDWSC 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 (p.25) of the ‘Swim Ireland Guidelines for Safeguarding Children 2008’, or the most recent equivalent.. The Committee will also adhere to any updated versions of these policy documents which are issued in the future.
19. Meetings of the Management Committee
20. The Committee shall aim to meet 10 times per year with a minimum quorum of 5 of the members of the committee present.
21. 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 NDWSC.
22. A minimum of 7 days’ notice will be given to members save with exceptional circumstances. The Management Committee shall agree how notice shall be provided whether this is phone, email and so forth.
23. The Committee should set out its agenda for a meeting no less than 2 days prior to the meetings.
24. The Chairperson has the casting vote on any motion arising during the meetings.
25. The Chairperson’s decision on a Point of Order is final
26. The Chairperson shall preside at all meetings. If, due to exceptional circumstances, the Chairperson is unable to attend a meeting a stand-in Chairperson will be appointed by those in attendance for that meeting.
27. The Secretary, or in her/his absence a member of the Committee, shall take minutes.
28. The Treasurer shall relay the financial position of the club at each meeting.
29. The other Committee members must also relay details on the areas of the club they are designated too.
30. The CCOs, and Coaching and Teaching staff (when in attendance) must also be given the opportunity to report and voice the concerns of their designated areas within the Club, as well as to advise the Management Committee on relevant issues.
31. The Management Committee may also decide upon acceptable means of communication used, during periods between meetings, to ensure the day to day running of NDWSC.

**6. Voting Rights at General Meetings**

1. Members who are fully paid up and over 18 years of age are eligible to vote.
2. No voting by proxy is allowed.
3. 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 (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
4. Voting shall be conducted via a show of hands, which will be counted by the Secretary. The Committee may, however, recommend that a vote should be held in a secret ballot format owing to the context of the vote.
5. No business shall be transacted at a general meeting unless a quorum is present. A quorum of 15 of the eligible voting members is the number required. If this quorum is not fulfilled the General Meeting can be suspended for exactly one week.
6. Nominations will be passed at AGM’s by simple majority.
7. Motions for a change to the NDWSC constitution must be passed by a special resolution of 75% of persons present at the meeting entitled to vote.
8. The Chairperson will have a casting vote if there is an equality of votes

**7. Election of the Committee Members**

a) Election of the Management Committee members takes place at the Club AGM each year.

1. A Committee member may stand for re-election for four consecutive years. After this time period is up, eligibility for re-election is revoked for a period of two years. However, having due regard to the small size of the Club (and consequently the number of volunteers available for serving on the Management Committee), the willingness of members to carry out executive functions and the need for continuity on programs initiated by the Management Committee, the Club at AGM each year, by simple majority vote, may decide to overrule this provision.
2. Nominations for office and Notice of Motions must be received in writing by the Secretary no less than 14 days prior to the General Meeting.
3. A proposer and seconder are required for all Nominations and Notice of Motions.
4. Notices of Motion and nominations for the Management Committee shall be displayed on the Club website for not less than 7 days prior to the AGM. They will also be available on request from the Secretary. Motions without due notice will only be discussed at the discretion of the Chairperson. In the event that no nominations are received by the Secretary by, a nomination from the floor at the AGM can take place.

**9. Annual General Meeting (AGM)**

1. 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 posted on the club notice board, website or requested in writing by a member on providing a stamped addressed envelope.
2. The Management Committee must decide when the AGM is held each year.
3. The Committee shall distribute to Members its report and statement of accounts for the relevant financial year, not less than 7 days before the date fixed for holding the AGM.
4. At this meeting, the Annual Report shall be presented, which shall consist of a: Chairman’s Report; Secretary’s Report; Treasurer’s Report; Swimming Secretary’s Report, Water polo Secretary’s Report and the CCO(s) report.
5. Any changes or updates to the Club Constitution or Club Rules will be notified to the members and Swim Ireland within 14 days following the AGM.
6. 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.
7. Two delegates for the club will be elected to represent the club at the Swim Ireland AGM.
8. The President of the club will be elected at the AGM. The position of President is an honorary one and the does not have any voting entitlement.
9. The positions of Club Captain and Honorary Handicapper will also be elected at the AGM

**10. Extraordinary General Meeting (EGM)**

An Extraordinary General Meeting may be called at any time once two thirds of the Committee resolve to convene such a meeting. It can also be called within 7 days of the Secretary receiving a requisition in writing signed by 30 of the voting members.

**11. Transfers**

If a member wishes to leave a club and join another they must follow the rules set down by Swim Ireland. All members must have paid any outstanding subscriptions and returned all Club Cups, Trophies and any other Club assets in their holding before they will be released by the Club save with exceptional circumstances.

**12. Finance**

1. 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.
2. Annual Accounts of NDWSC should be prepared for the Annual General Meeting by NDWSC Treasurer.
3. The Management Committee shall be empowered to open Bank Accounts in the name of NDWSC 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.
4. The Treasurer will receive all money paid to the NDWSC and ensure all such sums are lodged to NDWSC bank account as soon as possible.
5. Any assets invested in by the Management Committee will be used for NDWSC 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 NDWSC.
6. The Committee will have the power to negotiate sponsorships on NDWSC behalf and engage from time to time fundraising activities. Any financial returns from these activities will be used for NDWSC Development purposes only.

**13. Appointments**

a) The Management Committee shall appoint a Senior Coach to the club for a specific period, and appoint any other coach in consultation with the Senior Coach.

b) In the event of resignations from the committee or insufficient nominations at an AGM, SGM or EGM the management committee may co-opt members to the committee.

c) Each year the Management committee will form a Complaints and Disciplinary committee in accordance with Swim Ireland’s ‘Complaints and Disciplinary Procedures’.

**14. Complaints and Disciplinary Procedures**

NDWSC will deal with complaints as laid out in Swim Ireland’s ‘Complaints and Disciplinary Procedures’, and shall adopt SI procedures in this regard. Any issue involving members under 18 must also be brought to the attention of the CCO.

**15. Cessation/Suspension/Expulsion of Membership**

1. NDWSC has 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. All club terminations and suspensions will be reported to Swim Ireland, and can be also appealed to SI.
2. 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’.

**16. Dissolution**

1. NDWSC may be dissolved:
   1. 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.
   2. A Court Order where a dispute exists within its membership.
2. Notice must be given to members and Swim Ireland for any Dissolution to come into affect, owing to a Resolution at a General Meeting
3. All assets 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 NDWSC or SI.
4. The Management Committee shall be responsible for the winding up of assets and liabilities of NDWSC.

**17. Equality**

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

**18. Criminal Allegations**

NDWSC 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.

**19. Data Protection**

NDWSC shall aim to follow the necessary data protection guidelines set down by the relevant bodies.

**20. Interpretation**

* 1. If, at any time, circumstances arise for which there is no provision in this Constitution the Management Committee shall take such action as seems reasonable and necessary.
  2. Such action shall be deemed valid until reviewed at a Special General Meeting or Annual General Meeting.

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***i)*** *A piece on criminal allegations has been included to, first of all, highlight a no tolerance approach and, secondly, to differentiate it from other unlawful activities regarding child abuse. Criminal activities here relate to incidences like stealing from the club’s finances, fraudulent representation, or the tort of passing off goods illegally.*

*ii) If a club has any concerns regarding data protection, it is worth contacting SI for templates or other details.*