

KELLS SWIMMING CLUB CONSTITUTION

1. The name of the Club shall be “Kells Swimming Club
The colours of the club shall be Royal Blue
The headquarters of the Club shall be Kells Swimming Pool

OBJECTIVES

2. The objectives of the club are:
 - To foster and develop Swimming, Water Polo and Masters Swimming and other water related activities and its participants
 - To promote the teaching/coaching of these activities 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 Swimming, Water Polo and Masters Swimming in accordance with the affiliation status afforded to the Club.
 - To provide a positive and safe environment for all its members and staff.
 - 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.
 - 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.
3. Kells Swimming Club is fully committed to safeguarding the well being of its members. Every individual in Kells Swimming Club 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 Kells Swimming Club 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’ or most up to date equivalent.

AFFILIATION/MEMBERSHIP

4. By virtue of the affiliation of Kells Swimming Club to Swim Ireland, its members acknowledge that they are subject to the laws, rules and constitutions of:
 - Swim Leinster, the governing body for aquatics for the Province of Leinster
 - Swim Ireland, the governing body for aquatics 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.
5. The minimum age for Club Membership is five years of age.
All Club members, including adult staff members are registered as members of Swim Ireland, either as “Competitor Members” , “Non-competitor Members” or “Learn to Swim Members”.
Non-competitor and Learn to Swim Members may not enter in Swim Ireland competitions but may enter in Club, Schools and Community Games competitions.
6. The Club will run three terms in line with Autumn, Winter and Summer school terms and, if there is sufficient demand, a Holiday term during the summer holidays
Club Membership will be on a Term basis. Fees will be set by the Management Committee.
Members will be sent renewal notices at least three weeks before the start of a new term.
Members whose fees for a term have not been received by the closing date of that term, as decided by the Management Committee, will be deemed to have resigned from the Club. If they wish to rejoin their name will be added to the bottom of the Waiting List.
7. All members of the Club are required to read and sign the appropriate Code of Conduct.
Codes exist for Young People, Parents or Guardians, Teachers and Coaches, Leaders and Committee members.
8. All regular adult staff involved in the running of Kells Swimming Club including teachers and coaches shall act in a voluntary capacity.

9. All Coaching and Swimming Teachers shall have written agreements which outline their duties, functions and responsibilities.
10. All regular adult staff will undergo Garda vetting 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.

MANAGEMENT

11. The Club shall be administered by a Management Committee elected annually at the Annual General Meeting by members over eighteen years of age or parents/guardians of members.
12. Membership of the Management Committee shall consist of the following: - A Chairperson, a Secretary, a Treasurer, a Club Children's Officer and other adult members whose roles will be decided from time to time by the Management Committee. All Committee members are responsible for the smooth day to day running of the Club
- a) Duties of the Chairperson
To promote the interest of Kells Swimming Club at all times and act as the official spokesperson for the club.
To ensure the principles of due process and natural justice are applied in all decisions made by the committee.
- B) Duties of the Treasurer
- i) To keep a record of all financial transactions concerning Kells Swimming Club business.
 - ii) To keep appropriate books of record on Kells Swimming Club business.
 - iii) To identify all income received and all expenditures.
 - iv) To act as co-signature on cheques along with any one other person designated by the Management Committee.
- c) 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.
- d) Duties and responsibilities of the coaching and teaching staff
- i) 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 edition.
 - ii) The recruitment procedures of any individual engaged or working under the Kells Swimming Club, shall be in accordance with 'Swim Ireland Safeguarding Children Policies and Procedures 2010', 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.
 - iii) All Coaching and Swimming Teachers shall have written contracts 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.
 - iv) All coaching details are the ultimate responsibility of the Head Coach.
 - v) All teaching staff will undergo Garda vetting through Swim Ireland in accordance with 'Swim Ireland Safeguarding Children Policies and Procedures 2010' or most recent edition. If the applicant is from a jurisdiction outside Ireland, enquiries will be made to the relevant statutory bodies.
 - vi) Coaches and teachers shall not hold a management or elected position on the Club Committee where working as a coach or teacher for more than three hours a week.

vii) The Head Coach shall be accountable to the Committee and shall be entitled to attend any Committee meeting. A minimum attendance is also required of 4 meetings per year, effectively one per quarter, of the coach at Committee meetings.

viii) All Coaches and Leaders must be affiliated to Swim Ireland, and must possess the requisite qualifications

e) Duties and Responsibilities of the Club Children's Officer (CCO)

i) Act in the best interests of young people

ii) The CCO shall be the link between the children and adults in Kells Swimming Cub.

iii) Ensure young people have opportunity to express opinions and views

iv) Ensure safeguarding policies and procedures are implemented and effective in all areas of the club

v) Act as advisor for and report concerns of abuse to the appropriate authorities

vi) One CCO shall be a member of Kells Swimming Cub Management Committee and take responsibility for monitoring and reporting on how club policy impacts on young people and their Sports Leaders.

vii) The CCO 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.

viii) Any other CCOs are not members of the Committee but act in an advisory capacity towards it, and should attend a minimum of 4 committee meetings a year to report and update the Committee regarding Child Welfare matters. They can attend all meetings if they so wish however.

13. The Management Committee shall have the power to administer the Club, including the deciding of membership fees and the collection thereof, the hire of Pools, the administration of Club funds and the initiation of rules to maintain the objectives of the Club and the maintaining of acceptable standards of behaviour. No rule shall be inconsistent with anything contained in this constitution. A Club Rule Book should be in place and made available to all members.

14. The 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.

15. The Management Committee shall be responsible for all assets of the club.

16. The Management Committee, in conjunction with the CCO, will be responsible for formulating Club policy in accordance with the 'Swim Ireland Safeguarding Children Policies and Procedures 2010', or most recent edition, and on the direction the Club takes in the future in all its activities.

17. 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.

18. 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.

19. The Management Committee will be expected to follow codes of conduct in relation to their obligations to Kells Swimming Cub members. These include, but are not limited to, confidentiality, objectivity, loyalty, fairness and a constant awareness of their obligations to Kells Swimming Cub 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 Safeguarding Children Policies and Procedures 2010', or the most recent equivalent. The Committee will also adhere to any updated versions of these policy documents which are issued in the future.

20. The committee shall update the Club Constitution so as to immediately implement any law/rules changes as passed by a Swim Ireland Annual General Meeting. These changes shall be ratified later by an Annual General Meeting or by an Extraordinary General Meeting of the Club called by the committee and all changes shall be advised to Club members.

21. All members will be issued with a copy of the Club Rules and Information Booklet when paying their initial fees and whenever changes are made.
22. The Club recognizes Swim Ireland's four year rule for the three Officers (Chair, Secretary and Treasurer) of the Club and will implement this as soon as practical.
23. All updates/changes to the Constitution and/or the Club Rules and Information Booklet will be notified to Swim Ireland immediately.

MEETINGS OF THE MANAGEMENT COMMITTEE

24. The Committee shall meet once per month during term times with a minimum quorum of 50% plus 1 of the members of the committee present.
25. 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 Kells Swimming Club.
26. A minimum of three 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.
27. The Committee should set out its agenda for a meeting prior to the meetings.
28. The Chairperson has the casting vote on any motion arising during the meetings and has the final decision on a Point of Order
29. The Chairperson shall preside at all meetings.
30. The Secretary, or in her/his absence a member of the Committee, shall take minutes.
31. The Treasurer shall relay the financial position of the club at each meeting.
32. The other Committee members must also relay details on the areas of the club they are designated to.
33. The CCO, Coaching and Teaching staff 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.
34. Members can acquire the minutes of the meeting in a summary format by providing the Secretary with a self addressed envelope.
35. The Management Committee may also decide upon acceptable means of communication used, during periods between meetings, to ensure the day to day running of Kells Swimming Club.

MEETINGS

36. The Annual General Meeting shall be held in the Autumn Term and before November 15th of each year. Notice of the meeting shall be posted on the Club notice board and/or circulated at least 21 days in advance of the date thereof.
37. At this meeting, the Annual Report shall be presented, which shall consist of at least a: Chairman's Report; Secretary's Report and Treasurer's Report.
38. Members who are fully paid up and over eighteen years of age are eligible to vote.
39. 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. No voting by proxy is allowed.
40. An Extraordinary General Meeting may be called by the Club Committee or by a petition requiring the signatures of at least twenty members over the age of eighteen years of age.

41. A quorum at a meeting shall be as follows:

General Meeting:

Twelve members shall be present within 30 minutes of the stated time for the start of the meeting. In the absence of a quorum, the meeting shall be cancelled.

In the case of the Annual General Meeting only, the meeting shall be reconvened without the necessity of providing notice, within 14 days of the date of the aborted meeting, and shall proceed whether or not a quorum is present.

Committee Meeting:

Four members shall be present within 30 minutes of the stated starting time.

42. The outgoing Committee must step down during the AGM and may stand for re-election

43. 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. Initially this may not apply to the three officers of the Club who may remain for more than four years to ensure continuity during a transition period.

44. Nominations will be taken from the members present at the Annual General Meeting and, when accepted by the nominees, will be subject to election.

45. Two delegates to the Swim Ireland Annual General Meeting will be elected at the Club Annual General Meeting or at a later date by the Committee. They will be mandated by the Committee.

TRANSFERS

46. 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 monies before they will be released by the Club save with exceptional circumstances.

COMPLAINTS AND DISCIPLINARY PROCEDURES

47. The Club hereby adopts The Swim Ireland Complaints & Disciplinary Rules and Procedures as amended by Swim Ireland from time to time (the Disciplinary Rules) and the Club and its members recognise and accept that they are bound by and must comply with the provisions of the Disciplinary Rules in resolving all complaints and disciplinary matters which fall within the scope of the Disciplinary Rules. Any issue involving members under 18 must also be brought to the attention of the CCO.

48. The Committee will appoint a Club Complaints and Disciplinary Committee. Where possible complaints will be handled informally but if necessary the Club Complaints and Disciplinary Committee will deal with any complaints that are not resolved informally.

49. The Club may suspend and/or terminate membership owing, but not limited to, violation of the constitution and/or Club rules, criminal behaviour or any activity deemed unseemly by the Committee. All Club terminations and suspensions will be reported to Swim Ireland, and can also be appealed to Swim Ireland.

50. 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'.

EQUALITY

51. In accordance with the Equal Status Act 2000 – 2004 Kells Swimming Club will not discriminate against any persons or visitors within Kells Swimming Club. No discrimination of any kind against employed and voluntary staff, membership applications, members and individuals within the general public, will be tolerated.

CRIMINAL ALLEGATIONS

53. The Club will treat allegations of criminal activity very seriously. Any allegation of a criminal offence will be reported to Swim Ireland and the appropriate policing body.

DATA PROTECTION

54. The Club will follow the necessary data protection guidelines set down by the relevant bodies.

FINANCE

55. 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.

56. Annual Accounts of the Club should be prepared for the Annual General Meeting by the Treasurer.

57. The Management Committee shall be empowered to open Bank Accounts in the name of the 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 any one other person designated by the Committee.

58. The Club is registered with the Revenue Commissioners under Section 235 Taxes Consolidation Act 1997. (No. 746)

The following Revenue Rules apply:-

1. Income and Property: The income and property of the Club, shall be applied solely towards the promotion of its main object(s) as set forth in this Constitution. No portion of the Club's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit, to the members of the Club. No Officer shall be appointed to any office of the Club paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the Club in respect of such office. However, nothing shall prevent any payment in good faith by the Club of :

- a) reasonable and proper remuneration to any member or officer of the Club for any services rendered to the Club (other than as an officer);
- b) interest at a rate not exceeding 5% per annum on money lent by Officers or other members of the Club to the Club;
- c) reasonable and proper rent for the premises demised and lent by any member of the Club (including any Officer) to the Club;
- d) reasonable and proper out-of-pocket expenses incurred by any Officer in connection with their attendance to any matter affecting the Club;
- e) fees, remuneration or other benefit in money or money's worth to any Company of which an Officer may be a member holding not more than one hundredth part of the issued capital of such Company.

2. Winding-up: If upon the winding up or dissolution of the Club there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the Club. Instead, such property shall be given or transferred to some other institution or institutions having main objects similar to the main objects of the Club. The institution or institutions to which the property is to be given transferred shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Club under or by virtue of Clause one hereof. Members of the Club shall select the relevant institution or institutions at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object.

3. Additions, Alterations or Amendments: No addition, alteration or amendment shall be made to the main object(s) and/or the income and property clauses in this Constitution for the time being in force unless the same shall have been previously approved in writing by the Revenue Commissioners.

4. Keeping of Accounts : Annual accounts shall be kept and made available to the Revenue Commissioners on request.

