

## EDINBURGH ARTISTIC SWIMMING CLUB CONSTITUTION, BYE-LAWS AND REGULATIONS INDEX

### Club policies and statements

#### Constitution

SECTION	C1.0	NAME
SECTION	C2.0	OBJECTIVES
SECTION	C3.0	MEMBERSHIP
SECTION	C4.0	GOVERNANCE
SECTION	C5.0	GENERAL MEETINGS
	C5.1	General
	C5.2	Annual General Meeting (AGM)
	C5.3	Extraordinary General Meeting (EGM)
SECTION	C6.0	AWARDS
SECTION	C7.0	TROPHIES
SECTION	C8.0	DISSOLUTION

#### Bye-Laws

SECTION	BL1.0	MANAGEMENT
SECTION	BL2.0	MEETINGS
	BL2.1	Standing Orders
	BL2.2	Management Committee Meetings (MCM)
SECTION	BL3.0	FINANCE AND ACCOUNTS
SECTION	BL4.0	DISCIPLINARY PROCEDURE, COMPLAINTS and APPEALS
	BL4.1	General
	BL4.2	Disciplinary Procedure
	BL4.3	Complaints
	BL4.4	Appeals
	BL4.5	Suspension and Fines

## Club policies / Statements

### EDINBURGH ARTISTIC SWIMMING CLUB WELLBEING & PROTECTION STATEMENT: CHILDREN & YOUNG PEOPLE

Edinburgh Artistic Swimming Club believes that good practice is as follows:

1. The safeguarding of children is everyone's responsibility, particularly when it comes to protecting children from abuse. Everyone in swimming – administrator, Club official, coach, parent, friend, children themselves, everyone – can help. Children and young people have a lot to gain from swimming. Their natural sense of fun and spontaneity can blossom in positive sporting environments. Swimming provides an excellent for children to learn new skills, become more confident and maximise their own unique potential. The Club will place the needs of the child first and winning and competition second.
2. The underlying principles with respect to Wellbeing & Child Protection are that:
  - a. the child's well-being is the first consideration
  - b. all children, regardless of age, any disability they have, gender, racial origin, religious belief and sexual identity have a right to be protected from abuse
  - c. children and young people must be treated with integrity and respect
  - d. children and young peoples' programmes and competitions will be relevant to their ages and stages of development.
3. We are committed to following the current Scottish Swimming's Wellbeing & Protection: Child & Young People policy & guidelines. All our volunteers / staff are members of Scottish Swimming.
4. The Club:
  - a. aims to create an enjoyable environment, where young people have the right to be safe, secure and free from threat
  - b. acknowledges that young people have the right to be treated with respect and for their concerns to be listened to and acted upon
  - c. will aim to ensure that junior members have specific programmes designated for them, with adequate supervision
  - d. is committed to ensuring that all helpers, whatever their role, completes SASA membership registration and sign a Code of Conduct
  - e. is committed to ensure that all regulated positions are PVG Scheme Members and complete a Self-Declaration Form
  - f. provides clear, comprehensive, easily understood procedures for dealing with:
    - i. allegations of abuse
    - ii. requests for help and support on a confidential basis
  - g. is committed to an equitable recruitment selection policy for coaches.
  - h. will always emphasise fair play.

Our Wellbeing & Protection Officer is:  
Makiko Konishi – EdinburghSynchroCPO@gmail.com

**Updated by EASC January 2022**

## **CLUB CODES OF CONDUCT**

The Club is committed to the promotion of excellence in swimming and the fostering of a sense of individual achievement and sporting fairness within a competitive yet supportive environment. The codes of conduct are designed to assist in the achievement of these objectives and can be found on the Edinburgh Artistic Swimming website ([www.edinburghsynchro.co.uk/club-governance/](http://www.edinburghsynchro.co.uk/club-governance/)).

***Codes updated by EASC January 2022***

## **EQUALITY STATEMENT**

*Sports Equality is about fairness in sport, equality of access, recognising inequalities and taking steps to address them. It is about changing the culture and structure of sport to ensure it becomes equally accessible to everyone in society.*

Edinburgh Artistic Swimming Club is strongly committed to the principals and practice of equal opportunities for all sectors of the community as stated above across its training, coaching and competitive programme by all its members.

It is the policy of Edinburgh Artistic Swimming Club to ensure that no participant, volunteer, coach or parent receives less favourable treatment on the grounds of age, disability, race, religious belief, nationality, pregnancy, parental or marital status, sex, sexual orientation, class or social background, transgender or political belief.

The Club welcomes individuals from all parts of the community to enjoy the sport in an environment that is free from all forms of discrimination and will endeavour to provide open access to all those who wish to participate in swimming.

The Club ensures that any incidences of discrimination will be treated fairly and according to the club disciplinary procedures.

The Club is committed to making equity an integral part of all development plans for the future

Edinburgh Artistic Swimming Club expect all those acting on behalf of the club to adhere to this policy.

In pursuance of this policy Edinburgh Artistic Swimming Club reserve the right to discipline any of its members who practise any form of discrimination on the grounds of a person's age, disability, race, religious belief, nationality, pregnancy, parental or marital status, sex, sexual orientation, class or social background, transgender or political belief.

***Updated by EASC January 2022***

## COMPLAINT PROCEDURE FOR SCOTTISH SWIMMING AFFILIATED CLUBS

### INTRODUCTION

A complaint<sup>1</sup> may be made in the circumstances described within the Club's Governance documentation. Any Individual or Body who is the subject of a complaint must be offered the opportunity to be heard in their defence.

#### The appropriate body to consider the complaint is as follows:

1. For Club constitution and/or rules - the Club
2. For Scottish Swimming Governance and/or rules – Scottish Swimming
3. For child protection, vulnerable group protection or criminal offence - Scottish Swimming
4. For drug offences - British Swimming

### RESOLVE THROUGH INFORMAL CONCILIATION

Taking time to try and resolve a complaint at the outset results in a quicker and more acceptable outcome for all parties. However, it must be appreciated that volunteers do not always know the best steps to follow and can often be embroiled in the complaint itself. The informal conciliation service is focused around mediation and involves the following steps:

1. To start the management process correctly, the Club will contact Scottish Swimming's Director of Services for advice on how to proceed (Elaine Mackenzie, 01786 466522/07713 245734 or email @ [e.mackenzie@scottishswimming.com](mailto:e.mackenzie@scottishswimming.com)).
2. Where appropriate, and providing all parties involved are willing to participate, Scottish Swimming is now offering an independent facilitator to arrange a meeting to work towards informal resolution of the club complaint.

#### The facilitator will:

1. Outline the process
2. Allow each party the opportunity to present their issue and suggest a resolution
3. Encourage all parties to consider resolutions put forward and to try and agree on a workable outcome
4. Record the outcomes
5. Advise next steps

#### Who should attend the meeting:

- The Scottish Swimming Facilitator
- Complainant
- Complainant's friend, if desired
- Respondent
- Respondent's friend, if desired
- Club President (or independent club rep)
- Club Secretary (or independent club rep)

***For the mediation process to work, we require attendance from all parties.***

3. If the mediation process is unsuccessful, Scottish Swimming will be happy to talk through the correct process to file the complaint more formally.

### FORMAL PROCEDURE FOR DEALING WITH THE COMPLAINT

If the complaint involves the Club constitution and/or rules a Club Complaints Panel (CCP) should be formed.

If the complaint involves the SASA constitution and/or rules the complainant should contact the Director of Services to pursue the complaint.

If the complaint involves child abuse or other criminal offences the complaint shall be referred to Scottish Swimming's Safeguarding Officer or Chief Executive within 48 hours. Failure to do so may result in disciplinary action. The Chief Executive, Safeguarding Officer, Legal Adviser, Director of Services and the

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<sup>1</sup> Where you read 'complaint' this refers to a club grievance or club complaint

Chair of the Board of Directors shall deal with such cases as appropriate. For such cases no fee is required and the initial contact need not be in writing.

If the complaint involves the use of drugs the complaint shall be referred to the Secretary of British Swimming for action, and no further action taken by the Club under the complaints procedure. British Swimming shall deal with all cases involving drugs and their decisions in such cases shall be accepted by the Club.

### **CLUB COMPLAINTS PANEL**

The Club Complaints Panel should be appointed from three members of the Management Committee or Club Members who are not all members of the Club Executive.

#### **Panel Membership**

No Panel Members shall participate in a hearing in which they have a personal involvement with either the subject matter(s) or the parties to the complaint or be present at such a panel.

One member should be appointed as Chair of the panel and the Club Secretary should carry out the administration for all complaints.

In any case, where a complaint is upheld, the record of any previous transgressions of the person concerned shall be sought by the Chair of the Panel before the Panel considers the imposition of a penalty.

A Panel may make whatever order it considers just, including the imposition of a financial penalty and/or exclusion/suspension for a period.

The Chair of the Panel shall arrange for the decision to be communicated in writing to the parties and the Club within 14 days of the date of the meeting.

The Chair of the Panel at which the complaint is heard shall arrange for a copy of the finding with all the attendant documents to be sent to the Club Secretary for record.

### **COMPLAINANT (*The person making the complaint*)**

A complaint is made to the Club on the appropriate form, which can be obtained by contacting the Club Secretary.

The written complaint must reach the Club not later than 30 days after the incident that gave rise to it, but the CCP Chairperson may at their discretion extend this period up to six months in any case in which they are satisfied that it was not practicable for the complaint to be made within 30 days of the incident.

The written complaint must detail the matter(s) with which the complainant is dissatisfied and the reasons for their dissatisfaction.

### **RESPONDENT (*The person to whom the complaint is against*)**

All Respondents will be given the opportunity to respond to the complaint against them.

They will be sent a copy of the written complaint and then given 14 days to respond to the allegations in writing.

### **PROCEDURE**

Within 14 days of receipt of a complaint, the Club shall send a copy to each of the parties who are involved, and the Chair of the Club Complaint Panel.

The CCP Chair shall arrange the date and venue for the Club Complaint Panel to consider the complaint, which must be within 60 days of receipt of the complaint and shall give the parties at least 14 days notice of the arrangement.

If the CCP Chair becomes aware of any unavoidable circumstances which will prevent a hearing being held within 60 days from receipt of the complaint, they shall have the discretion to extend the period for the hearing to a maximum of 120 days from receipt of the complaint, and shall notify the parties as soon as the decision to extend the period is made giving the reasons.

The Chair may seek written or verbal evidence from any person who may be able to help the Hearing.

The proceeding shall be flexible and shall be at the discretion of the Chair who shall ensure that manuscript notes of the proceedings are taken.

## **OUTCOMES**

### **Powers of the Club**

For a breach of its own Rules, a Club may suspend a member from activities wholly within its own jurisdiction provided that before doing so, it informs the member of the alleged offence and the requirements of their governance documentation have been satisfied.

### **Powers of Club Complaints Panel**

Suspensions and fines may be imposed on Individuals by the Club Complaints Panel provided the requirements of their governance documentation have been satisfied.

## **SUSPENSIONS**

A person under suspension shall not participate in any activity organised by the Club or controlled by the Club unless there are any exceptions detailed within their governance documentation.

Where appropriate a person may be given a limited suspension provided the limitation(s) are clearly defined (e.g. a person may be suspended from all competition activities but allowed to continue in training and administration activities).

An eligible competitor taking part in competitions, exhibitions or demonstrations with someone whom they know to be under suspension may themselves be suspended.

Suspensions by the Club Complaints Panel shall be binding on all Clubs and Districts of Scottish Swimming.

Suspensions and the lifting of suspensions shall be reported to Clubs, Districts and Scottish Swimming as appropriate.

## **APPEAL PROCESS**

There is LEAVE TO APPEAL against a decision taken by a Club, or any individual(s) or organisations empowered to act on behalf of the Club.

An Appeal shall be made by lodging the appeal with Scottish Swimming no later than 14 days after receipt of the written notification of the decision. The appeal fee must be sent along with the appeal.

In dealing with Appeals for a decision of a Club or the Club Complaints Panel the appropriate Body to consider an appeal will be Scottish Swimming.

Decisions arising from the normal course of business of a Club on administrative and technical matters, appointments and selection of teams may not be the subject of an appeal.

When Leave to Appeal is made, the decision against which the appeal is being made shall be suspended, except in exceptional cases which shall include but not be limited to circumstances where Child Protection is an issue. For the avoidance of doubt the Company will decide whether or not the case is an exceptional case for the purposes of the forgoing sentence.

***Updated by Scottish Swimming Oct 2021***

***Adopted by EASC January 2022***

## COACHING PHILOSOPHY AND SELECTION PROCESS 2021

### Coaching philosophy

*“Our coaching philosophy is to build a culture of learning, professionalism, commitment, challenge and independence. Artistic swimming is fundamentally a team sport. We will champion a positive, respectful and hardworking attitude, the ability to work as a team and appreciate each team member, in order for each individual to become the best artistic swimmer they can be.”*

We hope that this will not only help support all athletes in becoming the best artistic swimmer they can be but will also develop life skills that will serve them in their future lives beyond artistic swimming.

### How can we all support this philosophy?

#### Coaches:

- Championing best efforts\*
- Communication with athletes and parents
- Holding team building exercises
- Providing opportunities for independent learning
- Providing an environment for learning and challenge
- Planning, reflecting and evaluating training and competitions

#### Athletes:

- Commitment to attendance
- Championing best efforts\*
- Communication with the coaches
- Open to and ready for learning and challenge

#### Parents:

- Supporting the commitment to attendance
- Championing best efforts\*
- Communication with athletes and coaches
- Providing opportunities for independent learning

*\*'Best efforts' refers to: concentration, positive attitude, work ethic and trying to achieve the best outcomes for each session.*

### Selection process

It is the club's aim that every swimmer will have the opportunity to swim in at least one competition every year. This means that the club will ensure that all swimmers are in a combination team. Combination teams in the recreational category will be determined by grade level. Competitive combinations will come only from the age group squads. Age group swimmers will also have the opportunity to swim in a free team and in duets and solos, but there may be a selection process for each of these.

Selections for routines and squads is one of the most challenging areas for athletes, coaches and parents. An understanding of the process and criteria is crucial for all parties. This is the purpose of this document. The information below is intended as general guidance for coaches, parents and athletes with regards to selection.

#### 1. Selection to age group squad

All swimmers with the required grade for the Scottish Nationals figure / team section will be invited to be in the squad at the beginning of the year. They must be able to train with the required intensity and commitment. They can decide to remain in a recreational team if they do not wish to be in the squad.

There may be an opportunity to move into a squad after the first grade assessment day of the year. It will not be possible to move into a squad after the second grade assessment day as it is too late in the year to start learning routines.

Each age group squad will be working on a free team (if there are enough swimmers), a combination routine, duets and solos. The primary routine is the free team. All swimmers must put their best efforts\* into this routine. If a swimmer is struggling with more than one routine, they could decide not to do a duet or solo, or even the combination routine. However, if they decide that the free team is not for them they must withdraw from the age group squad and move to a recreational group. The club has a large recreational section and it is not seen as a

negative to move into it. It may also be necessary due to an increase in other commitments or an injury, for example.

## 2. Selection for competition

The purpose of selections is to try to achieve an optimum performance and development of skills in a target competition.

### 2.1 Selection for the free team

For each competition the scenario of the team, swimmers, routine and external factors are completely unique. Therefore it is crucial that coaches draw upon their experience and expertise to make the decision they feel is appropriate, based on these factors, and the selection criteria below. It is likely that different combinations of swimmers will swim in the team at different competitions.

In training before selections, swimmers may alternate in and out of pattern. We encourage alternating places in training to develop more skills (picking up counts and patterns quickly, adaptability) and provide everyone the opportunity to practice the routine in pattern. Please be aware that the ability to alternate is a skill, and that places in training do not necessarily indicate places at a competition.

### 2.2 Selection to final ten

If there are more than ten swimmers in an age group squad, the figure scores so far that year will be ranked and normally the top ten will be selected as the final ten to be entered into the competition for the free team. Please note that injury, illness, exams, etc may mean that someone in the top ten is not able to compete and will be excluded from the selection.

### 2.3 Selection to final eight

The decision as to who will be in the team at the competition will be based on the following criteria:

**Figures**, including recent performance in figures in training and competitions (this makes up 50% of a total score at Age Group competitions). *NB. In a Senior or combination event this will not be considered as the routine is 100% of the score.*

**Routine skills** in training, competition and selection swims (this makes up the other 50% of the total score at Age Group competitions) including:

- Height in figures
- Height in eggbeater and head first boosts
- Manner of presentation
- Pattern awareness
- Accuracy and sharpness of movement
- Synchronisation
- Flexibility
- Fitness
- Highlights, such as lifts
- Extension

**Personal skills:** Contribution to a positive team dynamic, attendance, positive attitude, work ethic, ability to make corrections quickly, concentration and trying to achieve the best outcomes for each session.

The three above areas will be evaluated when deciding which swimmers will perform.

Following a selection, athletes will be informed as quickly as possible as to whether they have been selected. If not selected, the coaches will communicate their individual strengths and main areas to develop, to understand what they need to do to be selected in future.

*The decision will be made by the team coaches and the Head Coach. Their decision is final regarding any selection decision and any amendments.*

Following selection, best efforts\* must be made in training sessions. If lack of attendance or effort becomes detrimental to a routine, a change in selection may be required. The team can change up to the day of competition.

### 2.4 Reserves

Reserves will be expected to fully commit to training. They will be expected to attend competitions if there is a figure section. If there is not a figure section one reserve is expected to attend the competition, although both are welcome to attend for their development.



There is a lot of learning that takes place as a reserve athlete and it can really cement skills that help the swimmer in the following competition / year.

Reserve swimmers train and prepare in exactly the same way as the rest of the team because they *are* part of the team. Reserve swimmers are some of the most important members in the team. They need to know the counts to multiple places in the routine. This means in training they will swap in and out of different places and become experts in the patterns and counts.

If one swimmer is injured / ill at a competition, the reserve athlete is needed to swim their place. This ensures that the team can swim their routine as choreographed and not incur a 0.5 point penalty. This is quite a common occurrence.

Reserve swimmers experience the competition in the same way as the rest of the team – training, walking through and preparation right up until the swim, and they stand next to the coaches during the performance to show that they are part of the team that contributed towards this. They gain lots of experience by being at the competition. Reserve swimmers may receive medals if the team is awarded one, because they are considered a crucial part of the performance.

### **Duets and solos**

Competitions differ in their duet and solo entry criteria. Some have a maximum number per club or age group, some need to qualify based on their figure score at the competition. The club views duets as more important than solos.

Duets and soloists need to choreograph their own routine in all age groups. Unfortunately coaching time is very limited and the majority of the coach's time must be spent on the team routines and figures / elements. As well as some duet and solo coaching time, the club aims to provide some sessions for swimmers to work on their own or with a poolside volunteer but this cannot be guaranteed. It is therefore recommended that duets and solos are also worked on in the swimmers' own time. Coaches will determine the appropriate allocation of their coaching time for each upcoming competition and will communicate that to the swimmers. At the beginning of the year the coaches will determine what is needed for each competition and will discuss with each swimmer whether they would like to do a duet and / or solo, and what the likelihood is of them getting a swim during the year.

Duet pairings will be based on:

- age
- figures, routine skills and personal skills (as above)
- how well the swimmers match whilst performing
- the availability of the swimmer to attend training sessions and work together outwith training

Swimmers do not have to take up the opportunity to do a duet or solo. For some swimmers having a free routine and a combination routine is enough.

***Updated by EASC January 2022***

## **EXPENSES POLICY**

Edinburgh Artistic Swimming Club is a non-profit making organisation. All income shall remain in the club to contribute to the activities of the club. Volunteers should neither profit nor be left out of pocket as a result of their participation in events on behalf of the club. Allowable expenses are determined by the committee and must be agreed in advance by the Officers of the club.

Where the club provides transport to competitions and camps, no expenses can be claimed. Where no transport is provided, volunteers who will be providing a service for the club (coaches, judges, team managers, officials, etc) can claim travel by bus, train, car or taxi, if agreed in advance. They can also claim reasonable cost to cover overnight accommodation and food expenses, where this is not included in the event and has been agreed in advance.

Where volunteers purchase items for the club, or are out of pocket due to an activity performed on behalf of the club, they can claim reimbursement, where the expense has been agreed in advance.

In order for reimbursement volunteers must fill out a claim form and provide evidence of expense (wherever possible).

***Updated by EASC January 2022***

## COMPETITION FEES POLICY

- The club pays entry fees. Swimmers should notify coaches immediately if unable to attend any competitions. If swimmers have been entered for a competition and have to pull out, for whatever reason, they may be charged for their entry fee and/or any penalty charge that the competition organisers impose.
- Soloists and duets are responsible for organising their own routine costumes and hairpieces.
- Swimmers are required to pay for their food.

If the competition does not require an overnight stay the following applies:

- The club will levy a £10 competition fee per day for each competition that is not in Edinburgh. This will cover travel costs, preferred type of gelatine, hair pins and nets, and team routine costumes and hairpieces. This will be invoiced in advance of each competition and should be paid before the day of the competition.

If the competition requires an overnight stay the following applies:

- The club will organise travel and accommodation for volunteers and swimmers. This cost will be divided between the swimmers. This will be capped at £170 per swimmer for a two-night trip, and £90 per swimmer for a single-night trip. The club will pay for any remaining amount due.
- The fee will cover accommodation, travel costs, preferred type of gelatine, hair pins and nets, and team routine costumes and hairpieces. This will be invoiced in advance of each competition and should be paid before the day of the travel.
- There is a discount for the second swimmer from a family of £20.

Swimmers can pay in instalments and the club will encourage anyone who is having difficulty meeting the cost to contact the club to discuss this.

***Updated by Edinburgh Synchro January 2020***

**CONSTITUTION**

**C1.0 NAME**

C1.1 The Club shall be called Edinburgh Artistic Swimming Club.  
(Hereinafter referred to as the Club)

**C2.0 OBJECTS**

C2.1 The objectives of the Club shall be to:-  
a) Advance the public participation in Aquatic Sports in accordance with paragraph C2.1 of the SASA Constitution where relevant.

**C3.0 MEMBERSHIP**

- C3.1 The membership shall consist of the following categories:-  
a) Adult Member  
An Adult is an individual 16 years and over, as recognised in Scots Law.  
b) Child Member  
A Child is an individual under 16  
d) Parent/Guardian  
As per a change to the constitution in 2019, one parent/guardian of a child member of the club (under 16) is required to be an adult member of the club, to be jointly liable.  
c) Life Member
- C3.2 Membership fees shall be as agreed at each Annual General Meeting.
- C3.2.1 The Membership fees of existing members (agreed at the AGM) shall become due on 1 February in each year and those of new members on the date of acceptance for membership.
- C3.2.2 All members will be excluded from taking part in any of the Clubs activities, competitions or meetings unless their fee payments are up to date.
- C3.3 All Club Members must be registered with the SASA in accordance with the categories defined in SASA Constitution C3.3.3.
- C3.4 All members joining the Club shall be deemed to accept the terms of this Constitution, the Club Bye-Laws and any Regulations adopted by the Club.
- C3.5 A member wishing to resign from the Club shall inform the Secretary in writing, giving a full month's notice.
- C3.6 A Club member wishing to change their 1st or 2nd Claim Club must do so in accordance with Scottish Swimming Company Rule R5.2.
- C3.7 The Management Committee shall have the power to turn down an application for membership, provided they act in accordance with paragraph C3.7.1.
- C3.7.1 When an application for membership is turned down by the Management Committee, the applicant must be advised of the reason and their right of appeal to Scottish Swimming, in writing.

**C4.0 GOVERNANCE**

- C4.1 The Club, and its members, shall be subject to and bound by, the Scottish Swimming Governance Documentation (SASA Constitution, Company Articles and Company Rules) and the appropriate SASA District Rules.
- C4.2 The Club shall comply with the Scottish Swimming Codes of Conduct, Ethics and Wellbeing and Protection Policies.
- C4.3 The Club shall be governed by its Constitution, Bye-Laws and Regulations.
- C4.4 Amendments to the Constitution shall only be made at a General Meeting, provided at least a two thirds majority of those present and voting is secured.
- C4.5 Amendments to the Bye-Laws shall only be made at a General Meeting provided a simple majority of those present and voting is secured.
- C4.6 The Management Committee shall have the power to publish and enforce such Regulations as the Committee feels necessary to govern the activities of the Club.

**C5.0 MEETINGS**

**C5.1 General**

- C5.1.1 **Notices**  
At least 30 days notice and the Agenda shall be given to all Adult members of any General Meeting.
- C5.1.2 **Attendance**  
All Adult Members and Life Members are entitled to attend, take part and vote unless specifically excluded from doing so by the Club's Constitution.
- C5.1.3 **Voting**  
a) With the exception of changes to the Constitution, decisions put to a vote shall be resolved by simple majority at General Meetings.  
b) Voting shall be by a show of hands unless decided otherwise by a majority of those attending the meeting.
- C5.1.4 **Quora**  
The quorum at General Meetings shall be two Officers of the Club plus four members eligible to vote.
- C5.1.5 **Changes to the Constitution and Bye-Laws**  
A proposal to change the Constitution or Bye-Laws must be submitted in writing to the Secretary, signed by two members eligible to vote at a General Meeting.
- C5.1.6 **Conduct of Business**  
The conduct of business shall be in accordance with Bye-laws Section BL2.1.

**C5.2 Annual General Meeting (AGM)**

- C5.2.1 The Club shall hold an AGM in the month of October.
- C5.2.2 The Secretary shall give written notice of not less than 30 (thirty) days prior to the date of the AGM. This notice shall be circulated to all Adult and Life Members.
- C5.2.3 Appended to the notice of intimation of an AGM shall be the Agenda, minutes of the last AGM, a note of the process governing alteration to the Constitution, Bye-Laws and nomination for the Management Committee.
- C5.2.4 Nominations for Officers of the Club and other members of the Management Committee shall be submitted in writing, signed by two Adult Members and the nominee, to the Secretary no later than 14 days before the meeting.
- C5.2.5 Proposed alterations to the Constitution and Bye-Laws and notices of motion must be received by the Secretary not later than 14 days before the meeting.

- C5.2.6 Having received all nominations and proposed alterations, the Secretary shall arrange for this information to be available to all members at least 5 days before the meeting.
- C5.2.7 The business for an AGM shall include:
- a) President's Remarks
  - b) Apologies for Absence
  - c) Approval of minutes from previous AGM & matters arising
  - d) Secretary Report
  - e) Financial Report
  - f) Head Coach Report
  - g) Proposed changes to Constitution
  - h) Proposed changes to Bye-Laws
  - i) Notices of Motion
  - j) Election of Management Committee Members
  - k) Appointment of Auditors / Independent Examiners
  - l) Life Membership Awards
  - m) Other relevant business

**C5.3 Extraordinary General Meeting (EGM)**

- C5.3.1 An Extraordinary General Meeting shall be called by an application in writing to the Secretary supported by at least ten Adult Members of the Club. The Management Committee shall also have the power to call an EGM by decision of a simple majority of its members.
- C5.3.2 The Secretary will give notice, in writing of all Extraordinary General Meetings, stating the Agenda, to all Adult and Life Members at least 15 days prior to such meetings being held.
- C5.3.3 The order of Business for an EGM shall be:
- a) President's Remarks
  - b) Apologies for Absence
  - c) Business to be transacted of which due notice has been given
- C5.3.4 No business shall be transacted at the EGM other than business of which due notice has been given.

**C6.0**

**AWARDS**

C6.1

Life Membership

- C6.1.1 Life membership may be presented to person(s) who have given outstanding service, over many years, to the Club and shall be presented at the Annual General Meeting or at any other time decreed suitable by the Management Committee.
- C6.1.2 A recommendation for Life Membership may be made by any Adult or Life Member to the Secretary for submission to the Management Committee. Full details of the nominee's service should be included with the recommendation.
- C6.1.3 In the event that a Life Membership should require to be removed from any recipient, the Management Committee will make the decision to rescind and notify the Member concerned.

**C7.0**

**TROPHIES**

- C7.1 All trophies belong to the Club in perpetuity and cannot be won outright.
- C7.2 The Club Honorary Treasurer shall act as Trustee of Club trophies.
- C7.3 The winner of a Club trophy shall guarantee safe custody and return of the trophy when requested by the Management Committee.

**C8.0**

**DISSOLUTION**

- C8.1 In the event of the dissolution of the Club, any funds, property and other assets shall not be distributed amongst the members of the Club in any way whatsoever, but shall be applied towards the objectives of Scottish Swimming.
- C8.2 So long as four members agree to support the Club it cannot be dissolved.

## BYE-LAWS

### BL1.0 MANAGEMENT

- BL1.1 The affairs of the Club shall be conducted by a Management Committee which shall consist of the Officers of the Club.
- BL1.2 The Officers of the Club, who shall be Honorary, shall consist of a President, Vice-President, Treasurer, Head Coach and Secretary who shall be elected at an Annual General Meeting, and shall be the said Adult Committee Members. These Officers form the “Management Group”.
- BL1.3 If the post of any Officer or Adult committee member should fall vacant after such an election, the Management Committee shall have the power to fill the vacancy.
- BL1.4 All Management Committee members shall be Adult or Life Members of the Club.
- BL1.5 **Management Committee**
- BL1.5.1 The Management Committee shall comprise the Officers of the Club / Management Group (as defined in paragraph BL1.2), Wellbeing & Protection Officer, Development Coordinator, Team Manager Coordinator and at least one other Adult member.
- BL1.5.2 The term of office for President, Vice President, Head Coach, Secretary and Treasurer shall be three years.
- BL1.5.3 The term of office for the other Adult Members shall be two years.
- BL1.5.4 The Club Captain shall be appointed for one year.
- BL1.5.5 Retiring members of the Management Committee may offer themselves for re-election.
- BL1.5.6 Management Committee member(s) elected or co-opted to fill a vacancy part way through a term of office shall retire in sequence with the original order of rotation.
- BL1.5.7 Management Committee members co-opted by the committee shall be subject to endorsement at the first EGM or AGM thereafter.
- BL1.5.8 The Management Committee shall be responsible for:
- a) Running the day to day management and affairs of the Club.
  - b) The organisation and control of all members during Club hours.
  - c) The appointment of coaches and instructors.
  - d) The selection of members to represent the Club.
  - e) The organisation of activities as may be requested by other bodies.
  - f) Appointing the Club Captain each year.
  - g) Considering and approving or otherwise nominations for Life Membership of the Club.
- BL1.5.9 The Management Committee shall appoint such sub-committees as may be considered necessary.
- BL1.5.10 The Management Committee shall appoint at least one Wellbeing and Protection Officer (WPO) in accordance with section C10.6 of the SASA Constitution.

**BL2.0 MEETINGS**

**BL2.1 Standing Orders**

- BL2.1.1 At all meetings, if a quorum is present, the Chair shall be taken not later than fifteen minutes after the appointed time of the meeting.
- BL2.1.2 All Members when called to order at any meeting or gathering of the Club and not complying to the “rule of order” shall be expelled from the meeting.
- BL2.1.3 The Chair at all meetings of the Club shall be the President  
In the absence of the President, the Vice President shall substitute.  
In the absence of the President and Vice President, those in attendance shall appoint a substitute.
- BL2.1.4 In the event of equality of votes in any resolution before the meeting which requires a choice to be made for the continued good governance of the Club, the Chair of a meeting shall have a second or casting vote.
- BL2.1.5 The Chair of a meeting shall be the sole judge of questions of order and interpreter of the “rules” governing the Club.
- BL2.1.6 The Chair shall not speak to, oppose or move any motion from the Chair. In order to do so, they shall vacate the Chair until that business is concluded. The meeting shall be presided over by a substitute Chair elected from among those present.

**BL2.2 Management Committee Meetings**

- BL2.2.1 The club shall hold Management Committee Meetings no less frequently than every three months.
- BL2.2.2 A Management Committee Meeting shall be called by the Secretary when there is business to transact or on request of an Officer of the Club or by an application in writing by at least four Adult Members of the Club.
- BL2.2.3 A quorum for Management Committee Meetings shall be at least one Officer of the Club and four Committee members.
- BL2.2.4 The business of the meeting shall be enacted in accordance with Section BL2.1.
- BL2.2.5 Notice of the date, time and venue of each committee meeting shall be communicated at least 7 (seven) days prior to the meeting.
- BL2.2.6 Adult Members who are not members of the Committee, may attend, but may only participate with the agreement of the Chair.
- BL2.2.7 All, except ex-officio members shall have a deliberative vote.
- BL2.2.8 No decision of the Committee may be altered or revoked without 14 (fourteen) days prior notice of intent, in writing, being given to the Secretary.



**BL3.0 FINANCE & ACCOUNTS**

- BL3.1 The financial year shall run from 1 September to 31 August each year.
- BL3.2 The Treasurer shall be responsible for the preparation of Annual Accounts of the Club.
- BL3.3 The Accounts shall be audited / examined by an independent person(s) elected annually at the Annual General Meeting.
- BL3.4 All invoices / expenses received by the club should be signed off by an Officer of the Club before being processed by the Treasurer. All cheques drawn against the Club's funds shall be signed by a minimum of two Officers of the Club. When payments are required to be made by direct Bank transfer the Treasurer shall process invoices/expenses online for approval by the President or another authorised Officer of the Club who shall complete the electronic bank transfer payment process.
- BL3.5 The Management committee can enter into contracts and/or partnerships, on behalf of the Club, provided each proposal is fully discussed at and recorded in the notes of a quorate committee meeting prior to the commitment being made.
- BL3.6 As an unincorporated organisation the responsibility for the financial liabilities of the club shall normally be dependent on who was responsible for the liability.  
**(Interpretation)**  
 As an unincorporated association the members are liable for the debts of the club on a "joint and several" basis. Determining which members are liable is usually considered on a case by case basis, and will depend on how the relevant decision that resulted in the liability has been made.  
 For example, if a decision was made by the members at a general meeting then it might be all members of the club who are liable, or it might be all of the committee, or one or more persons (whether office-bearers or not) who assumed the responsibility for taking a particular decision.  
 Further, if a member of the club's committee acts ultra vires or out with the club's constitution then they may have personal liability.)
- BL3.7 Any surplus of the Club's income will be re-invested in the Club and not distributed to its members by way of dividend, distribution, bonus, honoraria or otherwise by way of profit.
- BL3.8 The Treasurer shall arrange for the Auditor(s) / Independent Examiner(s) to examine and certify the accounts and balance sheet before presentation of a certified summary to the AGM.
- BL3.9 The Treasurer shall submit a budget, to the last meeting of the Management Committee prior to the AGM, for the following financial year.
- BL3.10 The Treasurer shall submit a financial statement to the Management Committee no less frequently than every 3 months.
- BL3.11 All outgoing payments shall be made by cheque or via online transfer, signed / authorised in accordance with paragraph BL3.4.
- BL3.12 Any request by a Member for an outgoing payment, whether by way of reimbursement or repayment, should be submitted to the Treasurer for approval as soon as possible after the event giving rise to the request, and no later than 6 months after that event. Online transfer details should be provided with any such request. After this time the club reserves the right to treat the sum as a donation to the club.  
 A parent or guardian of a child member (under 16) is required to be a member of Scottish Swimming to allow them to share liability. A one-off charge will be invoiced at Scottish Swimming membership renewal.  
 a) A parent or guardian on behalf of a Child member as defined in paragraph C3.1(b)  
 b) A parent or guardian on behalf of a Member classified as a Vulnerable Person, defined as a person who lacks sufficient capacity to present a complaint by themselves.  
 c) Any Individual

**BL4.0 DISCIPLINARY PROCEDURE, COMPLAINTS and APPEALS**

**BL4.1 General**

- BL4.1.1 All complaints and appeals, except for doping, wellbeing or protection, or alleged criminal offences, shall be dealt with in accordance with Sections BL4.2, BL4.3 and BL4.4.
- BL4.1.2 Complaints involving doping should be referred to British Swimming as per Scottish Swimming Company Rule R13.1.3.
- BL4.1.3 Complaints involving wellbeing or protection, or other criminal offences shall be referred to Scottish Swimming within 48 hours, in accordance with Scottish Swimming Company Rule R13.2.1.

**BL4.2 Disciplinary Procedure**

- BL4.2.1 In the event that the behaviour of a swimmer, member of the coaching team or Management Group or a parent volunteer contravenes the Club's codes of conduct, the following action will be taken.
- BL4.2.2 The President, or a deputising club official, will conduct an investigation into the alleged breach of the Club's codes of conduct as they see fit and all persons and parties shall cooperate fully with the same. Failure to co-operate may amount to misconduct.
- BL4.2.3 The Investigating Club Official shall thereafter be entitled at any time to decide to:
  - a) Apply a sanction to the person(s) being investigated
  - b) Refer the matter to a Club Complaint panel
  - c) Take no further action
  - d) Pursue an alternative resolution, which may include Mediation, Arbitration or Conciliation.
- BL4.2.4 The Club will keep a record of each stage of the disciplinary process.

**BL4.3 Complaints**

- BL4.3.1 A complaint, which is a formal expression of dissatisfaction or allegation of unfair practice in connection with aquatic sports as governed by Scottish Swimming, can be made by:
  - a) Any member of the Club
  - b) A parent or guardian on behalf of a Child member as defined in paragraph C3.1(b)
  - c) A parent or guardian on behalf of a Member classified as a Vulnerable Person, defined as a person who lacks sufficient capacity to present a complaint by themselves.
  - d) Any Individual
- BL4.3.2 A complaint must be made in accordance with Scottish Swimming Company Rules Sections R12 to R15.

**BL4.4 Appeals**

- BL4.4.1 An appeal may be made against decisions taken by the Club in respect to the outcome of a submitted complaint or against decisions taken by a National Complaints Committee.
- BL4.4.2 An appeal must be made in accordance with Scottish Swimming Company Rules Sections R12 to R15.

**BL4.5 Suspensions and Fines**

- BL4.5.1 The Management Committee may take action (e.g. fine, suspend or cancel membership) against any Club Member proved guilty of conduct or breach of the Constitution, Bye-laws, Regulations which is detrimental to the interests or aims of the Club or for acting in such a manner as to bring disrepute to the Club. Such action shall only be taken if the principles and procedures embodied in the Complaints, Appeals and Suspension & Fines sections of the Scottish Swimming Governance Documentation (Company Rules Sections R12 to R15) have been applied.