

# ***Titans Swimming Club***

CLUB CONSTITUTION

August 2019

Greystones  
Co Wicklow



## Contents

List of Terms and Abbreviations .....	3
1. Name(s) and Colour(s) .....	4
2. Objectives .....	4
3. Affiliation .....	5
4. Membership .....	5
5. Club Management.....	7
6. Voting Rights at General Meetings .....	14
7. Election of the Committee Members.....	15
8. Annual General Meeting (AGM) .....	16
9. Extraordinary General Meeting (EGM).....	16
10. Transfers .....	17
11. Finance .....	18
12. Complaints and Disciplinary Procedures .....	20
13. Cessation/Suspension/Expulsion of Membership .....	20
14. Dissolution .....	21
15. Equality .....	22
16. Criminal Allegations.....	23
17. Data Protection.....	23
18. Additions Alterations or Amendments .....	24



## **List of Terms and Abbreviations**

**Titans** – The name of your club.

**Swimming** – The aquatic discipline(s) in which the members participate.

**ISC** – Irish Sports Council

**SI** – Swim Ireland

**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.

**Leader** – this is 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.

**Swim Ireland** – is the National Governing Body for the Aquatic Disciplines in Ireland, recognised as such by the Irish Government, the Irish Sports Council, Sport Northern Ireland, the Olympic Council of Ireland and FINA and LEN, the World and European Aquatic Governing Bodies

**National Governing Body (NGB)** - The role of a NGB is to organise and administer the sport; train and deploy coaches; organise representative level sport; and provide sporting opportunities and pathways leading from grass root sport to national and international competition.

**Swim Ireland website** – [www.swimireland.ie](http://www.swimireland.ie)



## **Titans Constitution Section 1**

### **1. Name(s) and Colour(s)**

- a) The name of the club shall be '**Titans Swimming Club**'
- b) The colours of the club shall be **Dark Turquoise, Light Turquoise and Silver**
- c) The headquarters of the club shall be **Greystones, Co. Wicklow**

### **2. Objectives**

- a) The main object of the Club shall be to promote the sport of swimming.
- b) In furtherance exclusively of the foregoing main object the Club shall have the following subsidiary objects:
  - i) To foster and develop swimming and its participants
  - ii) To promote the teaching/coaching and practice of swimming in line with current best practice.
  - iii) To promote the development of physical, moral and social qualities associated with sport, within the participants.
  - iv) To accept and enforce the rules and regulations set down by Swim Ireland regarding swimming in accordance with the affiliation status afforded to the club.
  - v) To provide a positive and safe environment for all its members and staff.
  - vi) 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.
  - vii) 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.
- c) Titans is fully committed to safeguarding the well being of its members. Every individual in Titans 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 Titans 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.



### **3. Affiliation**

- b) By virtue of the affiliation of Titans to Swim Ireland, it's members acknowledge that they are subject to the laws, rules and constitutions of:
  - i) Swim Ireland, the governing body for the whole of the island of Ireland.
  - ii) Ligue Européenne de Natation (LEN), the European governing body for the aquatics.
  - iii) Fédération Internationale de Natation (FINA), the world governing body for the aquatics.

### **4. Membership**

- a) All members are subject to the rules and constitution of Titans and rules and regulations of Republic of Ireland, Swim Ireland, LEN and FINA.
- b) Membership Categories

The following constitute as Members of the club:

  - i) Competitor – Members of Titans who decide to engage in competitive events.
  - ii) 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.
- c) Membership Caveats
  - i) The club management committee reserves the right to accept or reject applications for membership of the Club. Titans will have rules and criteria covering requirements, trials and waiting lists for admission in place. If applicants are refused, they must be notified by the management committee in writing as to the reasons for their refusal.
  - iii) The management committee may only suspend or expel from membership in accordance with the Swim Ireland Complaints and Disciplinary Rules and Procedures.
  - iv) Lapsed members may not participate in any activities of the club until all subscriptions have been paid and all liabilities to the club cleared.
  - v) Titans will publish all relevant club and Swim Ireland rules and regulations on the club's website or provide a link to Swim Ireland's website for a complete listing of abiding policies. Such documents will include but not be limited to; Swim Ireland Code of Ethics and Good Practice for Children's Sport, Swim Ireland Guidelines for Safeguarding Children, Swim Ireland Complaints and



d) Application Procedures for Club Members

- i) All members and officials must complete the necessary application forms and attach the necessary fees as set down by Swim Ireland and Titans.
- ii) They must also be familiar with and comply with the Swim Ireland and Titans rules and read and sign the Swim Ireland and Titans Codes of Conduct.
- iii) These forms must then be forwarded to the Management Committee for approval. Those under 18 must have their parents sign the necessary application forms.
- iv) Upon acceptance the member will then be provided with a copy of the Constitution and Rules of Titans
- v) 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.
- vi) Full membership status is only valid where a subscription has been paid in full or in a manner agreed by the Club Management Committee.
- vii) Members will be required to renew their membership with Titans and Swim Ireland on an annual basis.

e) Annual Subscriptions

- i) Club fees will be determined by the Management Committee.
- ii) If a member is deceased, their Legal Personal Representative is not liable for any balance of subscriptions.
- vi) A member may resign by communicating this in writing or verbally to the Club Secretary, and if this persons wishes to renew membership at a later date they must re-apply.

f) Learn to Swim

Titans wishes to promote participants to learn to swim. Titans will run learn to swim classes. These participants in these classes will not for the first year be members of the Club, or Swim Ireland, 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**

#### **a) 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 seven who must be members of Swim Ireland in their own right

#### **b) Membership of the Management Committee**

Membership of the Management Committee shall consist of the following: - A Chairperson, a Secretary, a Treasurer, and four other adult members. A Club Children's Officer must also be nominated who will have access to the Management Committee, and its meeting, but not be a member of it.

#### **Management Committee Officers of Titans**

#### **c) Duties of the Chairperson**

- i) Comply with Swim Ireland rules and regulations
- ii) Support the efficient running of the club
- iii) Chair regular committee and annual general meetings
- iv) Help others understand their roles and responsibilities
- v) Communicate with various members within the club
- vi) Be actively involved in developing an action plan for the club
- vii) Represent the club at local and regional events
- viii) Assist the club to fulfil its responsibilities to safeguard young people at club level
- ix) Ensure an understanding of the legal responsibilities of the club to which the Club complies

#### **d) Duties of the Treasurer**

- i) To keep a record of all financial transactions concerning Titans business.
- ii) To keep appropriate books of record on Titans business.
- iii) To identify all income received and all expenditures.
- iv) To act as co-signature on cheques along with the Chairperson/Secretary.
- v) Comply with Swim Ireland rules and regulations
- vi) Co-ordinate the clubs financial planning
- vii) Manage the club's income and expenditure in accordance with club rules



- viii) Produce an end of year financial report
- ix) Regularly report back to the club committee on all financial matters
- x) Efficient payment of invoices and bills
- xi) Propose amendments to annual and monthly subscriptions as appropriate
- xii) Deposit cash and cheques that the club receives
- xiii) Keep up to date financial records
- xiv) Arrange handover or succession planning for the position

e) Duties of the Secretary

- i) Comply with Swim Ireland rules and regulations
- ii) Be the first point of contact for club enquiries
- iii) Organise and attend key meetings (including Annual General Meetings)
- iv) Take and distribute minutes
- v) Delegate tasks to club members
- vi) Deal with all correspondence
- vii) Attend to club affiliations
- viii) Ensure insurance is up to date and relevant
- ix) Maintain up to date records and reference files
- x) Arrange handover or succession planning for the position

f) Other Committee Member

- i) 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 rules required, to be carried out by Committee Members.





## **Titans Constitution – Section 4**

### **a) Duties and Responsibilities of the Club Children's Officer (CCO)**

- i) Comply with Swim Ireland rules and regulations
- ii) Ensure completion of required training and awareness of the role within the club
- iii) Act in the best interest of young people
- iv) Ensure young people have opportunity to express opinions and views
- v) Ensure safeguarding policies and procedures are implemented and effective in all areas of the club
- vi) Act as advisor for and report concerns of abuse to the appropriate authorities

(Further details are contained in the latest Swim Ireland Safeguarding Policy document).

### **b) 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 Titans, shall be in accordance with 'Swim Ireland Safeguarding Children Policies and Procedures 2010', 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.
- 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. These duties are as follows
  - Select coaching team (see below)
  - Training content
  - Training schedule
  - Team selection (relays)



- Appropriating competitive swimmers into respective groups according to their ability
  - To report to and act as liaison to Swim Ireland HQ.
- v) All teaching staff will undergo a police vetting (Garda Siochana, PSNI, and 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.
- 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.
- ix) Coaching Staff selection shall be the responsibility of the Head Coach however the following must be adhered to:
- Every member of coaching staff must be suitably qualified / experienced for the task and squad for which they are being employed
  - Their selection must be signed off by at least one officer of the committee of the Club



## **Titans Constitution – Section 5**

### **a) Rights and Duties of the Management Committee**

- i) 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
- ii) 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.
- iii) The Management Committee shall be responsible for all assets of the club.
- iv) 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.
- v) 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.
- vi) 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.
- vii) The Management Committee will be expected to follow codes of conduct in relation to their obligations to Titans members. These include, but are not limited to, confidentiality, objectivity, loyalty, fairness and a constant awareness of their obligations to Titans 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.



## **Titans Constitution – Section 6**

### **a) Meetings of the Management Committee**

- i) The Committee shall meet 4 per year with a minimum quorum of 50% plus 1 of the members of the committee present.
- ii) 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 Titans.
- iii) A minimum of fourteen 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.
- iv) The Committee should set out its agenda for a meeting no less than seven days prior to the meetings.
- v) The Chairperson has the casting vote on any motion arising during the meetings.
- vi) The Chairperson's decision on a Point of Order is final
- vii) The Chairperson shall preside at all meetings.
- viii) The Secretary, or in her/his absence a member of the Committee, shall take minutes.
- ix) The Treasurer shall relay the financial position of the club at each meeting.
- x) The other Committee members must also relay details on the areas of the club they are designated too.
- xi) 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.
- xii) Members can acquire the minutes of the meeting in a summary format by providing the Secretary with a self addressed envelope.
- xiii) The Management Committee may also decide upon acceptable means of communication used, during periods between meetings, to ensure the day to day running of Titans.



### **6. Voting Rights at General Meetings**

- a) Members who are fully paid up and over 16 years of age are eligible to vote.
- b) No voting by proxy is allowed.
- c) 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
- d) 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.
- e) 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.
- f) Nominations will be passed at AGM's by simple resolution of 50% plus one.
- g) Motions for a change to the Titans Constitution must be passed by a special resolution of 75% of persons present at the meeting entitled to vote.
- h) Motions for a critical change in club's structure, including but not limited to, removal of the head coach must be passed by a special resolution of 75% of the entire club's members.
- i) 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. At this time a Chairperson, Treasurer and Secretary along with four other members of the Management Committee shall be elected.  
  
If an executive officer of the club must step down during their term the management committee may appoint an existing committee member to fill this vacancy to hold office from the date of such appointment until the expiry of the term of office that would have been served by that executive officer where he or she had completed a full term.
- b) 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.
- c) 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.
- d) A proposer and seconder are required for all Nominations and Notice of Motions.
- e) Notices of Motion and nominations for the Management Committee shall be displayed on the Club notice board for not less than 7 days prior to the AGM. They will also be available on request from the Secretary. Notices and Motions without due notice will not be discussed.
- f) In the event that no nominations are received by the Secretary by 21, only then may a nomination from the floor at the AGM can take place.
- g) A Club Children's Officer must be appointed by the Management Committee and fulfil the criteria laid down by the 'Swim Ireland Safeguarding Children Policies and Procedures 2010', or most recent equivalent.



### **8. Annual General Meeting (AGM)**

- a) 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 or requested in writing by a member on providing a stamped addressed envelope.
- b) The Management Committee must decide when the AGM is held each year.
- c) The Committee shall distribute to Members its report and statement of accounts for the relevant financial year, not less than 14 days before the date fixed for holding the AGM.
- d) At this meeting, the Annual Report shall be presented, which shall consist of a: Chairman's Report; Secretary's Report; Treasurer's Report; Coaches' Report and the CCO(s) report.
- e) Any changes or updates to the Club Constitution or Club Rules will be notified to the members and Swim Ireland within 21 days following the AGM.
- f) Any resolution to amend the Club's Constitution which is successful at the General Meeting will come into immediate affect upon conclusion of the General Meeting.
- g) Two delegates for the club will be elected to represent the club at the Swim Ireland AGM.

### **9. 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 twenty eight days of the Secretary receiving a requisition in writing signed by five people of the voting members.





### **10. 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 before they will be released by the Club save with exceptional circumstances.



### **11. Finance**

- a) 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.
- b) Annual Accounts of Titans shall be prepared for the Annual General Meeting by Titans Treasurer and shall be made available to the Revenue Commissioners on request.
- c) The Management Committee shall be empowered to open Bank Accounts in the name of Titans 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.
- d) The Treasurer will receive all money paid to the Titans and ensure all such sums are lodged to Titans bank account as soon as possible.
- e) Any assets invested in by the Management Committee will be used for Titans 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 Titans.
- f) The Committee will have the power to negotiate sponsorships on Titans behalf and engage from time to time fundraising activities. Any financial returns from these activities will be used for Titans Development purposes only.

#### **g) Income and Property**

The income and property of the Club shall be applied solely towards the promotion of the 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 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. However, nothing shall prevent any payment in good faith by the Club of:



- i. reasonable and proper remuneration to any member or servant of the Club (not being an officer) for any services rendered to the Club;
- ii. interest at a rate not exceeding 1% above the Euro Interbank Offered Rate (Euribor) per annum on money lent by an officer or other members of the Club to the Club;
- iii. reasonable and proper rent for premises demised and let by any member of the Club (including any officer) to the Club;
- iv. reasonable and proper out-of-pocket expenses incurred by any officer in connection with their attendance to any matter affecting the Club;
- v. 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;



## **Titans Constitution – Section 12**

### **12.Complaints and Disciplinary Procedures**

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.

### **13.Cessation/Suspension/Expulsion of Membership**

- a) Club's have 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.
- b) 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'.



### **14.Dissolution**

- a) Titans may be dissolved:
  - a. 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.
  - b. A Court Order where a dispute exists within its membership.
- b) Notice must be given to members and Swim Ireland for any Dissolution to come into affect, owing to a Resolution at a General Meeting.
- c) If upon the winding up or dissolution of the Club there remains, after satisfaction of all 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 or transferred shall prohibit the distribution of their income and property among their members to an extent at least as great as is imposed on the Club under or by virtue of the Income and Property clause 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. Final accounts will be prepared and submitted that will include a section that identifies and values any assets transferred along with the details of the recipients and the terms of the transfer.
- d) The Management Committee shall be responsible for the winding up of assets and liabilities of Titans.



### **15.Equality**

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



### **16.Criminal Allegations**

Titans 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.

### **17.Data Protection**

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

### **18.Additions, alterations or amendments**

No addition, alteration or amendment shall be made to the provisions of the main object clause, the income and property clause, the winding up clause, the keeping of accounts clause or this clause of the Constitution for the time being in force unless the same shall have been previously approved in writing by the Revenue Commissioners.

