

University of Bath Students' Union Swimming Club Constitution

Preamble

The University of Bath Swimming Club is a competitive and recreational club, led and run by students at the University. Sport is the deciding factor of university destination for many students, and as such it is important that the Club has a clear framework in place to ensure that a high standard of sporting offer is available to all students. The aim of the Club is to promote and facilitate swimming within the University of Bath. The Club is a volunteer-run, not-for-profit organisation.

1) Definition of terms

- a) 'Students' Union Sport' (SU Sport) refers to the Sub-Group of The University of Bath Students' Union (Bath SU), its Executive Committee and its Club Committees, and all affiliated groups.
- b) 'Club' refers to the Swimming Club which is a Sub-Group affiliated to SU Sport.
- c) 'Club Committee' refers to those members of the Swimming Club elected to the positions outlined in Appendix I
- d) 'DSDR' refers to the Department of Sports Development and Recreation.
- e) 'NGB' refers to National Governing Body; this is ASA.
- f) 'BUCS' refers to British Universities and College Sport.
- g) 'ASA' refers to Amateur Swimming Association (NGB).

2) Mission Statement

- a) To work with the DSDR to provide a complete sporting offer to the student body;
- b) To maintain excellence in sport, as measured by British Universities and College Sport ranking;
- c) To improve the health and wellbeing of the student population through accessibility to the sport by supporting a wide range of abilities;
- d) To promote the Students' Union and the University in a positive light both locally, nationally and internationally;
- e) To offer personal development opportunities to those partaking in and organising swimming at the University;
- f) To offer social opportunities to those partaking in and organising swimming at the University.

3) This Constitution

- a) This constitution lays out the governance of the Club.
- b) This constitution is superseded by the SU Sport Constitution, Bath SU's Articles of Governance, By-Laws and Regulations.
- c) This constitution should be reviewed on an annual basis by the Club Committee.
- d) The core of this constitution may only be ratified by a Club General Meeting and must be reported to the Sports and Societies Office.
- e) The appendices of this constitution may not supersede the core of this constitution and a may only be ratified by a Club General Meeting.
- f) Any change to this constitution proposed by any Club Member, seconded by any other Club Member and agreed by the majority of the Club Committee may be proposed at the next Club General Meeting.

4) Affiliations & Memberships

- a) The Club is an affiliated group of SU Sport;
- b) The Club must affiliate annually to ASA (NGB);
- c) The membership of the Club shall consist of the Sport Officer and all Members of SU Sport who have paid the Club membership fee;
- d) To be a member of a Club you must first be a member of SU Sport;
- e) Members shall be students at the University of Bath plus others by approval of SU Sport;
- f) Swimming membership is payable by every Member of the Club, regardless of competitive or recreational participation;
- g) Insurance is provided by *****.

5) Club Committee Officers

- a) All members of the Club Committee must be Club members and may not also be an SU Officer.
- b) All Club Committee members shall be elected annually by a secret online ballot open to all Club members.
- c) All Club Committee members are expected to attend regular Club Committee and General Meetings.
- d) The roles of the Club Committee members are laid out in Appendix I.

6) Financial Management

- a) Approval of Club expenditure will be managed in accordance with Bath SU's finance procedures (Bath SU Regulation 2). Only those authorised under those regulations will act as signatories, up to set financial limits. Within SU Sport clubs, the authorised signatories are: Club Treasurers, Club Chairs, SU Sport Executive Treasurers and Sport Officer, as per Bath SU Regulation 2.
- b) All Clubs must abide by BUSU policies and guidelines on sponsorship agreements, and all such agreements must be approved and signed-off in accordance with such policies and guidelines.

7) Bath SU Responsibilities

- a) Bath SU will:
 - i) Ensure the Club can afford Club affiliations to Sport England recognised governing bodies (not including individual members' affiliations);
 - ii) Give appropriate training to Club committee members to include:
 - (1) Finance training
 - (2) Health and Safety training
 - (3) Bathstudent.com training
 - (4) Specific training for BUCS captains
 - iii) Provide developmental support to the Club and its members to include as a minimum:
 - (1) Coaching/Coach Education support.
 - (2) Competitive and non-competitive administrative support
 - (3) Representation of students to appropriate bodies within the University and externally
 - (4) To support Club committees in achieving requirements set out in 8a
 - (5) To provide online elections services to Clubs to support them in achieving requirements set out in 8a(ii).
 - iv) Keep the Club informed of any relevant or ongoing issues which may affect their running;
 - v) Commit to supporting, promoting and implementing the Clean Sport policies of UK Anti-Doping and WADA;
 - vi) Commit to funding MIDAS qualifications for members wishing to use it within their club. This includes support for 8b(iii);
 - vii) Provide transport for all teams of more than 12 people for all BUCS fixtures.

8) Club Responsibilities

- a) The Club will:
 - i) Have at least 30 members by the end of week 3 of the second semester of each academic year;
 - ii) Democratically elect a Committee via online secret ballot annually for a term of one year;
 - iii) The Club Committee must be elected before the end of the final SU Sport General Meeting, including a minimum of those positions outlined in Appendix I;
 - iv) Ensure all playing kit is as close as possible to University colours <pantones 123 (yellow) and 286 (blue)>;
 - v) Have an up-to-date Club constitution;

- vi) Provide the Sports and Societies Office with all relevant trip lists and forms prior to events;
 - vii) Maintain equipment and take audits;
 - viii) Provide risk assessments where appropriate;
 - ix) Provide up-to-date contact details of Committee, first-aiders and Captains to the Sports and Societies Office;
 - x) Hold Committee meetings at least once a month during term time and at least one Club General Meeting a year;
 - xi) Ensure minutes are taken at all Club meetings and are available on request by the SU Sport Executive Committee or Sport Officer;
 - xii) Adhere to their allocated budget;
 - xiii) Encourage members to gain coaching and officials' qualifications;
 - xiv) Adhere to all SU Sport policies;
 - xv) Communicate with SU Sport effectively (including attendance at GMs, regularly checking pigeon holes, replying to e-mails promptly, etc.);
 - xvi) Provide a recreational offer to ensure every club member has the opportunity to participate in core club activities on a regular basis in the way of social or competitive recreational sport; Aim to send two representatives to each SU Sport General Meeting as outlined in Appendix II;
 - xvii) Submit a completed handover pack (including Club development plan, budget request, equipment inventory and facility request) in the hand-over period in April each year;
 - xviii) In the event of the resignation of an individual from one of the 3 core committee positions, to democratically replace that individual within 4 weeks;
 - xix) Maintain an inclusive recruitment strategy which may include making reasonable adjustments or additions to club activities;
 - xx) Provide a safe and welcoming environment for all members, staff and visitors;
 - xxi) Actively oppose discrimination, harassment and victimisation of any kind. No person that comes into contact with the club will be discriminated against on any grounds, including but not limited to age, race, nationality, ethnicity, disability, skin colour, religion, gender, sexual orientation, marital status, HIV status, physical appearance, political belief, medical status, social or financial status, family responsibility, or trans- status;
 - xxii) Ensure all athletes are aware of their responsibility to themselves and to their sport to train and compete clean with regards to 7)a)vi);
 - xxiii) Maintain an up to date webpage on www.bathstudent.com/sport with the following information:
 - (1) What the club does;
 - (2) Reasons to join the club;
 - (3) Contact details of full committee and coaches where relevant;
 - (4) PDF of constitution, development plan and risk assessment;
- b) In addition, BUCS (or equivalent) Clubs must:
- i) Fulfil all BUCS fixtures;
 - ii) The Club Chair must nominate a person in each team that is responsible for filling out team sheets, chasing match fees, and reporting results to SU Sport within the time period set out by the Sport Officer or SU Sport staff;
 - iii) When the size of the team is 12 people or less, use the SU Vehicles or private cars over coaches for travel. Only if clubs cannot fulfil this (at the discretion of the Sport Officer) shall SU Sport arrange alternate transport.
- c) Additional desirable actions of SU Sport affiliated Clubs include:
- i) Provide an annual report to the club GM on the clubs progress and activities during the year;
 - ii) Regularly meet with other members of sub-group and the SU Sport Executive Committee member assigned to the club;

- iii) iii) Use a form of internet communication to inform club members of club activities;
- iv) iv) Encourage members to gain coaching and officials' qualifications;
- v) v) Actively partake in fundraising activity, including seeking sponsorship;
- vi) vi) Look to engage with their Alumni, in association with the Alumni Department;
- vii) vii) Promote the wider activity of the SU including encouraging members to volunteer in the local community, enrol on the Bath Award and complete Skills Training Courses;
- viii) viii) Where possible, provide a competitive recreational Inter-Halls programme;
- ix) ix) Seek accreditation relevant to the club within its National Governing Body (NGB) or Sport England;
- x) x) Maintain a strong social media presence.

Appendix I: Club Committee Members

1) Club Chair

- a) Responsible for overseeing all activities of the SU Sport Club
- b) Regular liaison with and delegation of duties to committee members
- c) Maintaining an up to date club strategy, to be reviewed in hand-over each year
- d) Liaises with Club Coaches to ensure an efficient and productive coaching set-up, registering Students Union paid and voluntary coaches at the start of each year
- e) Engages with members and represents their views at SU Sport General Meetings
- f) Act as a signatory on the club's accounts for sums of up to £1000
- g) Responsible for ensuring health and safety standards are adhered to in all club activities
- h) Jointly responsible with Treasurer for ensuring the club remains within budget as determined by Sport Officer
- i) Oversees promotion of the club to ensure membership targets are met, including organisation of Sports Day and Sports Fair and keeping webpage and social media up to date
- j) In-depth knowledge of BUCS fixtures, essentials, tournaments and key deadlines if applicable
- k) Informs and works with the Sport Officer on any disciplinary matters as per disciplinary policy
- l) Submits club development plan, budget and facility requests in collaboration with Chairman elect in April each year
- m) To ensure the relevant club members have made their nominations for the Blues Awards
- n) Places kit orders where necessary
- o) Additional duties as requested by Sport Officer

2) Club Treasurer

- a) Working with the Chair is responsible for ensuring the club remains within budget as set by Sport Officer
- b) Act as a signatory on the club's account for sums up to £1000
- c) Keeps regular accounts and spending plans for the year
- d) Brings accounts updates to Club Committee Meetings
- e) Knowledge and enforcement for the payment of Club Fees, including club membership, BUCS fee and any other online payments
- f) Set up online products where appropriate
- g) Work with Chair to submit club budget request;
- h) Develop a detailed spending plan for the academic year before the start of Freshers' Week. This should be available to the SU Sport Officer on request.

3) Club Secretary

- a) Arranges a minimum of one committee meeting per month during term time.
- b) Sends out a request for agenda items a minimum of 7 days before committee meetings
- c) Sends out a full agenda a minimum of 24 hours before committee meetings
- d) Takes full minutes of committee meetings to be circulated to the committee within 48 hours of the meeting
- e) Knowledge of all the core documents required for participation including risk assessments
- f) Ensure correct procedures and policies are followed for trips, tours and socials
- g) Checking club mail shelf and distributing post
- h) Organising umpires/referees for all matches where appropriate
- i) Liaise with SU Sport Staff in checking fixtures are suitable and there are no clashes
- j) Liaise with SU Sport Staff for all facility matters.

4) Club Social Secretary

- a) Responsible for organising club socials;
- b) Ensures the club at least breaks even on its social activity over the year;
- c) Responsible for ensuring all club socials adhere to the current SU Sport and Bath SU Socials Policy;

- 5) **Recreational Squad Captain**
 - a) Responsible for organising activities of the recreational squad
 - b) Liaise with chair issues related to the squad
 - c) Organise competitions and events for the recreational squad
 - d) Ensure a volunteer coaches are organised for recreational training sessions
- 6) **Competition Squad Captain**
 - a) Responsible for organising activities of the competition squad
 - b) Liaise with chair issues related to the squad
- 7) **Performance Squad Captain**
 - a) Responsible for organising activities of the performance squad
 - b) Liaise with chair issues related to the squad

Appendix II: Meetings

- 1) **Club General Meetings**
 - a) Chaired by:
 - i. Club Chair
 - b) In Attendance:
 - i. All Club Committee Officers
 - c) Speaking rights:
 - i. All Club Members
 - ii. Any others with permission from the Chair
 - d) Voting rights:
 - i. All Club Members
 - e) Club General Meetings shall take place at least once in each academic semester.
 - f) Members will be asked for agenda items one week prior to the meeting and sent an agenda two days before the meeting.
 - g) Each Club Member has the right to one vote.
 - h) Quoracy for this meeting is twice the Club Committee Membership.
 - i) Minutes from Club General Meetings shall be taken by the Club Secretary, available on request of the Sport Officer and sent to the Club membership within 1 week of the meeting taking place.
- 2) **Club Committee Meetings**
 - a) Chaired by:
 - i. Club Chair
 - b) Membership:
 - i. All Club Committee Officers
 - c) In attendance:
 - i. Any individual with permission from the Chair (including team captains)
 - ii. Sport Officer (on request)
 - iii. SU Sport Executive Committee Representative (on request)
 - d) Speaking rights:
 - i. All Club Committee Officers
 - ii. Sport Officer
 - iii. Any other individual with permission from the Chair
 - e) Voting rights:
 - i. Club Committee Officers
 - f) Roles:
 - i. To discuss and draft policy;
 - ii. To handle operational tasks;
 - iii. To oversee spending of budget set by the Sport Officer;
 - iv. To conduct disciplinary proceedings for the Club;
 - v. To plan the development of the Club;
 - vi. To ensure a smooth relationship between the Club and SU Sport;
 - vii. To promote the sport within the student body;
 - g) Quoracy for this meeting is half the number Committee Officers plus one.

- h) These meetings should be carried out at least once every month during term time.
- i) Minutes from Club Committee Meetings shall be taken by the Club Secretary, available on request by the Sport Officer and circulated to the Club Committee members within 3 days of the meeting.

Appendix III: Responsibilities and Disciplinary Proceedings

1) Member and Group Responsibilities

- a) All members will:
 - i) Adhere to the rules set out in this constitution, its appendices and the SU Sport constitution;
 - ii) Take due diligence when using equipment for which the Club is responsible;
 - iii) Respect other members of the Club;
 - iv) Act responsibly with Club funds;
 - v) Ensure that the Club and SU Sport reputation is not damaged by their action or inaction.
- b) All members must acknowledge that they are representing the Club:
 - i) At Club Activities;
 - ii) When journeying to and from Club activities;
 - iii) When out on Club socials.
- c) Each individual and team must not:
 - i) Bring their Club or sport into general disrepute.
- d) The Club Committee shall consider complaints made by any person against any member(s), team(s) or Club(s) (hereafter 'the defendant') in respect of:
 - i) Misconduct (not including harassment or attacks contrary Bath SU Equal Opportunities Policies);
 - ii) Negligent or wilful damage of Club property;
 - iii) Negligent or wilful misuse of Club finances;
 - iv) Breach of the terms of the Club Constitution or its appendices;
 - v) Breach of a Club or SU Sport Policy, including those concerning socials (presently Socials Policy 2005/6-8)
 - vi) Any other complaint referred to them by a Club Committee member, Sport Officer or the SU President as part of BUSU Disciplinary Procedures
- e) Serious cases (at the discretion of the Club Chair, and including all cases of potential gross misconduct) will be automatically referred to the Sport Officer for consideration under the SU Sport Disciplinary Procedures.

2) Disciplinary Responsibilities

- a) The Club Committee is responsible for ensuring that Clubs and members are aware of their responsibilities.
- b) The Club Committee is responsible for ensuring that any complaints received by the SU Sport Executive Committee are handled appropriately within two academic weeks of reception.
- c) Members of the Club Committee must remain impartial throughout disciplinary proceedings.
- d) Any conflict of interest must be declared to the Chair of the meeting or Club Chair prior to the meeting.
- e) Any decision made in disciplinary proceedings may be appealed via Bath SU's appeals process.
- f) When specific individuals are not identified in an incident it is the prerogative of the Club Disciplinary Panel to penalise the team instead.
- g) In exceptional circumstances the team captains may be deemed responsible for the activities of the members of their team.

3) Disciplinary Panel

- a) The Disciplinary Panel will consist of:
 - i) Chair- ex-officio and chair
 - ii) Two members of the Club Committee- elected from within the Club Committee each year.
 - iii) In the absence of additional Club Committee members a Club member(s) will be elected to the Club Disciplinary Panel
 - iv) In the instance of a conflict of interest for the Chair, the Sport Officer may name an alternative, from the Club or otherwise, and name that individual or

- any other member of the panel as chair, for that case. In both instances this will normally be the Club Treasurer
- v) In the instance of a conflict of interest for an elected member of the panel, the chair of the panel may name an alternative from the members of the Club Committee for that case.
 - vi) In the absence of additional committee members they may name a club member as the alternative.
 - vii) Where there is a clear conflict of interest for all Club Committee members the case shall be referred to the SU Sport Disciplinary Panel
- b) The following will be in attendance at all disciplinary hearings:
 - i) The Club Secretary, who will act as secretary to the meeting;
 - ii) The Captain of each Team related to the case.
 - c) Each defendant may bring one companion, who may be a friend or representative. A companion must be a Member of Bath SU and may not be an SU Officer or a witness in the case.
 - d) In the interest of consistency records of each case will be submitted to the SU Sport office and be accessible for future hearings.
 - e) If it is the view of the SU Sport office that the case has not been properly dealt with a full SU Sport Disciplinary Hearing will be held.
 - f) General principles of cases will be freely available to Members of Bath SU. Specific details will be available to the members of the Club Committee, SU Sport Executive Committee and the SU President, and may only be revealed to others at the discretion of the Club Committee, SU Sport Executive Committee, the Sport Officer or the SU President.

4) Disciplinary Procedure

- a) Allegation of misconduct must be made in writing to the Club Chair.
- b) On receipt of an allegation of misconduct, the Club Chair will within 5 working days summon the defendant in front of the Club Disciplinary Panel for a hearing.
- c) In the case that allegation of misconduct is a team or Club, the chair of the hearing will choose the appropriate individuals/representatives to be defendants at the hearing.
- d) The Disciplinary Panel will convene the hearing at its earliest convenience (usually within 10 working days), and having considered the matter will impose one of the sanctions outlined in this appendix.
- e) In a case involving multiple defendants, the Club Disciplinary Panel may elect to hold one or more separate hearings as it deems appropriate.
- f) The disciplinary hearing shall be conducted as follows:
 - i) The complainant will be asked to submit in writing their allegation of misconduct and present any supporting evidence, including witness statements, also in writing.
 - ii) The defendant will then respond to the allegation and present any supporting evidence.
 - (1) The evidence of any witnesses called by the defendant will also be heard at this point.
 - (2) The defendant, their companion and any witnesses called may be asked questions by the panel and the complainant.
 - iii) Both parties will be asked to sum up, following which they will be asked to withdraw.
 - iv) The panel will then come to a judgment on the allegation.

5) Disciplinary Outcomes

- a) The Disciplinary Panel may for each individual:
 - i) Decide that there is 'no case to answer'
 - ii) Issue a warning
 - iii) Ban the individual(s) from taking part in Club activities for a fixed term (including BUCS or equivalent competition)
 - iv) Revoke the individual(s) membership of the Club
 - v) Refer the case to the Sport Officer for consideration under SU Sport Disciplinary Procedures
- b) For a team:

- i) Decide that there is 'no case to answer'
- ii) Issue a warning
- iii) Ban the team from taking part in Club Activities for a fixed term (including BUCS or equivalent competition)
- iv) Refer the case to the Sport Officer for consideration under SU Sport Disciplinary Procedures

6) Decision Notification

- a) The defendant, the complainant and the Sport Officer shall be informed of any decision made in writing within 2 working days.
- b) The SU Sport Executive Committee shall be informed of any decision at their next meeting.
- c) All copies of documents should be kept on file. An annual report of disciplinary action will be presented to the SU President

7) Appeals

- a) Either the defendant or the original complainant shall have the right to appeal against the decision of the Club Disciplinary Panel and any actions resulting from it.
- b) An appeal must be lodged in writing to the Sport Officer within ten (10) working days of the date of the original decision.
- c) If there is any new evidence this may be submitted to the Sport Officer, but an appeal can still be lodged without new evidence.
- d) An Appeals meeting shall be held of the SU Sport Disciplinary Panel at its earliest convenience – usually within ten (10) working days of receipt of the appeal.
- e) The SU Sport Disciplinary Panel will not include any members of the Club Disciplinary Panel.
- f) Either the defendant or the original complainant shall have the right to appeal against the decision of the SU Sport Disciplinary Panel and any actions resulting from it, in accordance with Bath SU Regulation 4a as outlined in the SU Sport Constitution.

8) Clarifications

- a) The identification and interpretation of what constitutes a Club social is at the discretion of the Club Disciplinary Panel, upon which the chair of that hearing will have the final say.
- b) Suggested evidence of a Club social includes:
 - i) prominence of Club branded clothing and Club songs;
 - ii) the number of members from the same Club;
 - iii) links to recent sporting events.
- c) No individual or team may receive more than one warning in an academic year.
 - i) A second 'warning offence' will immediately result in at least the next penalty up.
 - ii) This may disqualify those affected for a University Blues Award (including colour, half-blue, honorary awards and special awards).
 - iii) This is the decision of the Blues Committee who will receive details of all bans annually.
- d) It will be up to the Club Disciplinary Panel's discretion (depending on the time of year penalty is incurred) as to whether this fine should be included in the current or next year's accounts.

Appendix V: Notes

- This constitution was written by Ben Stuckey
- It was seconded by Freddie Sherratt
- It was ratified by a GM on 7th April 2016
- It was approved by BUSU Management Group on _____