



STAFFORDSHIRE AMATEUR SWIMMING ASSOCIATION
125 YEARS - 1898 - 2023

COUNTY CONSTITUTION

OCTOBER 2023

1. Name

- 1.1 The Association shall be called the Staffordshire Amateur Swimming Association hereinafter referred to as "The County".

2. Objects

- 2.1 The County shall encourage and promote competitive swimming, water polo, diving and artistic swimming. In the furtherance of these objects:

2.1.1 The County is committed to treating everyone equally within the context of its activity and with due respect to the differences of individuals. It shall not apply nor endorse unlawful or unjustified discrimination and shall act in compliance with the protections afforded by the Equality Act 2010.

2.1.2 The County shall implement the Swim England Equality Policy (as may be amended from time to time).

- 2.2 The County shall appoint members to serve on the Regional Management Board should the need arise.

- 2.3 The County shall alternatively appoint a Special Disciplinary Committee of not less than three of the Executive who shall act on behalf of the Executive Committee and exercise its full disciplinary authority, to meet at appropriate intervals or at such times as the business of the County may demand.

- 2.4 The business and affairs of the County shall at all times be conducted in accordance with the Articles, Regulations and Technical Rules of Swim England ("Swim England Regulations") and in particular:

2.4.1 the County shall in accordance with Swim England Regulations adopt the current Swim England's Safeguarding Policy ("Wavepower"); and shall recognise that the welfare of children is everyone's responsibility and that all children and young people have a right to have fun, be safe and be protected from harm.

2.4.2 all the Clubs of The County shall in accordance with Swim England Regulations comply with Wavepower.

- 2.5 The County shall be affiliated to Swim England West Midland Region and shall adopt and conform to the rules of Swim England West Midland Region, and to such other bodies as the County may determine from time to time.

- 2.6 By virtue of the affiliation of the County, Swim England West Midland Region and the County acknowledge that they are subject to the regulations, rules and constitutions of:

2.6.1 Swim England West Midland Region; and

2.6.2 Swim England (to include the Code of Ethics); and

2.6.3 British Swimming (in particular its Anti-Doping Rules and Judicial Code); and

2.6.4 European Aquatics governing body for the aquatic sports; and

2.6.5 World Aquatics, the World governing body for aquatics; and

2.6.6 World Para Swimming.

(hereinafter defined as "Rules of a Governing Body").

- 2.7 In the event that there shall be any conflict between any rule or by-law of the County and the Rules of the Governing Body then the relevant Rule of the Governing Body shall prevail.

3. Membership and fees

- 3.1 The County component of the Swim England annual membership fee that is payable by Club members of Swim England affiliated clubs shall be set annually by the Executive Committee.
- 3.2 Members of the County are Clubs and other organisations affiliated to Swim England. The total membership of the County is not limited. If, however, the Executive Committee considers that there is a good reason to impose any limit from time to time then the Executive Committee shall put forward appropriate proposals for consideration at a General meeting of the County.
- 3.3 County membership is determined by time to time by Swim England policy as implemented by its Swim England West Midland Region.
- 3.4 All persons who assist in any way with the County's activities shall be a member of a Swim England affiliated Club and hence Swim England and the relevant Swim England membership fee shall be paid by that Club.
- 3.5 Paid individuals who do not belong to a member club must be members of a body which accepts that its members are bound by Swim England's Code of Ethics, Swim England Regulations relating to Wavepower, those parts of the Judicial Regulations and procedures necessary for their implementation and whilst engaged in activities under the jurisdiction of Swim England shall be subject to all the constraints and privileges of the Judicial Regulations.
- 3.6 The County is open to any individual who is a member of any Staffordshire Club and interested in assisting the sport shall apply by expressing their interest to the County's Honorary Secretary. In its consideration of applications for membership, the County shall not act in a discriminatory manner and, shall adhere to the Equality Act 2010 (as may be amended). Accordingly, (unless the County chooses to restrict its membership to only people who share the same Protected Characteristic) the County shall not refuse membership on the basis of a Protected Characteristic within the Equality Act 2010. Neither may refusal be made on the grounds of political persuasion.

4. Resignation

- 4.1 An Executive Committee member wishing to resign from a position on the County Executive Committee must give the Honorary Secretary written notice of their resignation via post or electronic means.
- 4.2 A member of the executive Committee who resigns from the County or whose membership is terminated shall not be entitled to have any part of the annual Swim England or County membership fee refunded and must immediately return money or property they hold on behalf of the County.

5. Expulsion and Other Disciplinary Action

- 5.1 The Executive Committee of the County shall have power to expel a member when, in its opinion, it would not be in the interests of the County to remain a member.
- 5.2 The County shall comply with the relevant Judicial Regulations for handling County Disputes as the same may be revised from time to time.
- 5.3 Swim England shall have power to temporarily suspend County members or suspend members for a specified term in accordance with Judicial Regulations and Child Safeguarding Regulations as the same may be revised from time to time.

6. Committee

- 6.1 The Officers of the County shall be; Chair, Honorary Secretary and Honorary Treasurer. These Officers shall be elected at the Annual General Meeting and shall serve for three years. The appointments will be offset by one year. The President, the President-Elect, Honorary Secretary and Honorary Treasurer shall be ex-officio members of any Committee which may be formed. Nominees for the office of President-Elect must be a member of a club within the County.
- 6.2 The Executive Committee shall consist of the Honorary Secretary for Water Polo, the Honorary Workforce Co-ordinator, the Honorary Facilities Officer, the Honorary Trustee of Trophies, the Honorary Secretary for Artistic Swimming, the Honorary Secretary for Masters Swimming, the Honorary Secretary for Swimming, the Honorary Secretary for the Swimming League, the Honorary Secretary for Officials, the Honorary Disability Liaison Officer, the Honorary Welfare Officer as per Wavepower, Honorary Secretary for Diving, Honorary Secretary for Open Water and the Honorary Solicitor and not more than six members to be elected at the Annual General Meeting, together with the Life Members/Past Presidents ex-officio (each member of the Executive Committee shall be a bona fide member of an affiliated club).
- 6.3 The Officers of the County must be not less than 18 years of to age to be elected onto the Executive Committee.
- 6.4 Nominations for the Officers of the County and for Membership of the Executive Committee shall be formally submitted in writing to the Honorary Secretary of the County at least 28 days prior to the Annual General Meeting. Nominations must be proposed and seconded by bona fide members of an affiliated Club. (Retiring members shall be eligible for re-election without re-nomination).
- 6.5 The Executive Committee may co-opt members to fill vacancies or with specialist knowledge of swimming.
- 6.6 The Executive Committee may from time to time appoint such sub-committees and may delegate to them such of the powers and duties of the Executive Committee. All sub-committees shall periodically report their proceedings to the Executive Committee.
- 6.7 A quorum of seven members shall form a quorum at Executive Committee Meetings with at least one of the following present: Chair, Honorary Treasurer and Honorary Secretary.
- 6.8 The Honorary Secretary shall keep a record of attendances at Committee Meetings and any member who absents themselves (without accepted explanation) for three consecutive meetings shall forfeit their seat, the vacancy so caused being declared void until the next Annual General Meeting.
- 6.9 The Executive Committee shall be responsible for ensuring that the Accounts of the County for each financial year be examined by an independent examiner to be appointed by the Executive Committee at the Annual General Meeting
- 6.10 The Executive Committee shall retain all financial records relating to the County and copies of minutes and of all meetings for a period of six years.

7. Ceremonial Positions and Honorary Members/Life Members

- 7.1 The Annual General Meeting of the County shall elect a President and President-Elect.
- 7.2 The Executive Committee may nominate any person as an honorary member of the County for a specified period of time, or as a life member. Life members are entitled to vote on any subject.
- 7.3 Such honorary members and life members must be elected at the Annual General Meeting.

8. Annual General Meeting

- 8.1 The Annual General Meeting of the County shall be held during the first week of December.
- 8.2 For the purpose of participation in voting at an Annual General Meeting each affiliated Club shall be entitled to two delegates at all Annual General Meetings, each with the power to vote. Members must be fully paid up members of Swim England. Ex-officio members of the County are entitled to vote.
- 8.3 The purpose of the Annual General Meeting is to transact the following business:
 - 8.3.1 to receive and vote upon the financial report for the year ended 30th September; to receive and vote upon the Independent examined statement of Account and Balance Sheet for the year ended 30th September;
 - 8.3.2 to elect and/or re-elect the Executive Officers and other members of the Committee; and
 - 8.3.3 to elect and/or re-elect Honorary Independent Financial Examiner(s) (who must not be a member of the Committee or a member of the family of a member of the Committee) or confirm that he/she remain in office.
- 8.4 For the Annual General Meeting the Hon Secretary shall be responsible for notifying each affiliated Club of all General Meetings, **14** days notice shall be given, and the notice shall state the business of the meeting.

9. Special General Meeting

- 9.1 Special General Meetings may be called at the discretion of the Executive Committee.
- 9.2 A Special General Meeting shall be called by a requisition signed by four Honorary Secretaries of affiliated Clubs (such requisition shall be received at least 28 days prior to the date desired for the meeting and it shall state the business to be placed before such meeting).
- 9.3 For the purpose of participation in voting at a Special General Meeting of the County, all persons shall have been a member as at the membership deadline day which is the date that the requisition for the meeting was made by the Committee or members.
- 9.4 In the case of a Special General Meeting the Honorary Secretary shall be responsible for sending to each member at his/her last known postal or electronic address a written agenda giving notice of the date, time and venue no later than **21** days prior to the date agreed by the Committee following the requisition submitted stating the purposes for which the meeting is required, and the resolutions proposed.

10. Procedure at the Annual and Special General Meetings

- 10.1 The Executive Committee can decide to hold the Annual or Special General Meeting virtually, using such electronic and video technology as it sees fit.
- 10.2 The quorum for the Annual and Special General Meetings shall be seven members with at least one of the following present; the Chair, Honorary Treasurer and Honorary Secretary entitled to vote at the Meeting or, if greater, such number as represents one-tenth in number of such members.
- 10.3 The Chair, or in the Chair's absence a member appointed by the Executive Committee shall take the chair. Each member present shall have one vote and resolutions shall be passed by a simple majority. In the event of an equality of votes the Chair shall have a casting or additional vote.
- 10.4 The Honorary Secretary or in his/her absence a member of the Executive Committee, shall take minutes at the Annual and Special General Meetings.
- 10.5 The appointed Chair of the meeting shall have unlimited authority upon every question of order and shall be, for the purpose of such meeting, the sole interpreter of the Rules of the County.

11. By-Laws

- 11.1 The Executive Committee shall have power to make, repeal and amend regulations and by-laws as they may from time to time consider necessary for the wellbeing of the County. Such regulations, by-laws, repeals and amendments shall have effect until set aside by the Committee or at a General Meeting. The Committee shall have power to settle disputed points not otherwise provided for in this Constitution.

12. Finance

- 12.1 All monies payable to the County shall be received by the Honorary Treasurer and deposited in a bank account in the name of the County.
- 12.2 No sum shall be drawn from that account except by the method agreed by the Executive Committee which includes a minimum of two authorisations.
- 12.3 The financial transactions of the County shall be recorded by the Honorary Treasurer in such manner as the Executive Committee thinks fit.
- 12.4 The financial year of the County shall be the period commencing on 1st October and ending on 30th September. Any change to the financial year shall require the approval of the members in a General Meeting.

13. Awards and recognition of Longevity

- 13.1 County Colours shall be awarded to an athlete after the first occasion on which they take part as a representative in the Staffordshire County team in a recognised Inter-Counties event.
- 13.2 Certificate of Thanks.
 - a) The Recipient of this award will have made a substantial contribution to the promotion or support of aquatics for and within the County.
 - b) A Framed Certificate of Thanks will be awarded to anyone from the County, who in the opinion of the Executive Committee meets the above criteria.
 - c) The Certificate will be presented at an appropriate time by the President or the President's representative.
 - d) Nominations shall normally be in writing to the Honorary Secretary, including a brief curriculum vitae outlining clearly the details and indicating why the nominee is to be considered for this award.
 - e) Nominations will be considered by the Executive Committee. The decisions of the Executive

Committee are final.

- f) Current members of the Executive shall not be eligible for nomination and persons who have served on the Executive in the past shall not be eligible for nomination by reason of that service.

13.3 Trophies – any desire to present a trophy to the County shall be brought to the Executive Committee of the County, together with details of the donor, a brief description of the trophy and for insurance purposes, its cost. After approval by the Executive Committee, the trophy will be formally presented to the County through the President on any appropriate occasion. The event to which the trophy is allocated any and inscriptions to be engraved by the trophy will be decided by the Executive Committee, having due regard to the wishes of the donor.

14. Acknowledgement

14.1 The Member Clubs acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the County.

14.2 This constitution must be readily available to all County members. This may be via posting on the County website or shared with members annually.