

Battieford Sporting Club



Charter Standard Clubs – Codes of Good Practice

Rules / Constitution

CLUB RULES

- 1 **NAME**
The club shall be called BATTYEFORD SPORTING CLUB (hereinafter called – The Club). All teams who play for, or otherwise represent the club will bear the name Battieford Sporting Club. Any suffixes or changes to this name will be made only to meet the requirements of those bodies to which the club is affiliated and, where any addition or change is required written permission must be obtained from the Executive Committee.

- 2 **AIMS**
To promote sport and develop sporting activity for the people of Mirfield and its surrounding locality and to help people develop self confidence, self discipline and a feeling of citizenship in belonging to a wider community.

- 3 **OBJECTIVES**
The objectives of the Club shall be:
 - a) To arrange sporting and social activities for its members. This will include association football matches and liaison with other clubs and organisations in the promotion and organisation of sporting activities.
 - b) To seek and maintain standards of excellence in sport as promoted by The Football Association (e.g. Charter Standard Club status) and any other sporting body for which the Club offers provision.
 - c) To develop all Club members at all levels within the Club in order to be able to meet the standards required of the FA and other sports governing bodies. The Club is committed to appropriate members attending formal training and attainment of recognised qualifications in order to achieve these objectives.
 - d) The environmental objective of Battieford Sporting Club is to maintain and improve its main public amenity and its surrounds (currently West Mills Playing Fields in Mirfield), plus any other public areas at which it conducts its sporting endeavours, as well as any associated buildings (such as the clubhouse), where they are open to the general public.

- 4 **STATUS OF THE RULES**
These rules (the Club Rules) form a binding agreement between each member and official with the Club.

- 5 **RULES AND REGULATIONS**
 - a) The Club shall have the status of an Affiliated Member Club of The Football Association by virtue of its affiliation to / membership of The Football Association. The Rules and Regulations of The Football Association limited and parent County Association and any League or Competition to which the Club is affiliated for the time being shall be deemed to be incorporated into the Club Rules.
 - b) Alterations to the Club Rules must, in the first instance, have approval at either an AGM or an extraordinary meeting called especially for the purposes of considering such rule changes. No alteration to the Club Rules shall be effective without prior approval by the parent County Association.
 - c) The Club will also abide by The Football Association's Child Protection Policies and Procedures, Codes of Conduct and the Equal Opportunities and Anti-Discrimination Policy.

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6 CLUB MEMBERSHIP

- a) The members of the Club shall be those persons listed in the register of members (the Membership register) maintenance of which shall be under control of the Club Membership Secretary.
- b) Any person who wishes to be a member must apply on the Membership Application Form (plus any associated documentation) and deliver it to the Club Membership Secretary. Election to membership shall be at the sole discretion of the Club Executive Committee. Membership shall become effective upon an applicant's name being entered in the Membership Register and the receipt of the appropriate fees in line with the Club's current fee structure.
- c) In the event of a Member's resignation or expulsion, his or her name shall be removed from the Membership Register.
- d) The Football Association, parent County Association or any other body to whom the Club is affiliated shall be given access to the Membership Register on demand.

MEMBERS WHOS FEES ARE PAID BY A THIRD PARTY

These members must have declared on their application form, the name of a third party (usually a parent or legal guardian) who will be responsible for them both in fulfilling their fee commitment and meeting their obligation regarding the Club Rules. These third parties are known as subscribers. These members are not entitled to attend Annual General Meetings or cast a vote but their subscribers can do so as proxy for them.

7 FINANCIAL CONTROL

- a) Battleyford Sporting Club is a 'not for profit' organisation.
- b) All subscriptions/donations will be utilised solely for the operational running of the Club and its facilities, for the delivery of its plan and achieving any other stated long term objectives.
- c) No finance raised will be used for the direct benefit of the contributors (for more detailed control of donations/grants awarded from external bodies these will be embodied at the appropriate point within the rules/constitution).
- d) The Treasurer will account for all monies collected for and donated on behalf of the Club and a summary account will be independently audited approved by the Executive Committee and the Trustees and then presented to the Annual General Meeting for consideration/approval.
- e) The Executive committee will ensure clear rules and processes are in place to ensure the Treasurer can achieve these financial controls.

8 MEMBERSHIP FEES

- a) An annual fee payable by each member shall be determined from time to time by the Club Executive Committee and agreed at an AGM or Extraordinary General Meeting. Any fee shall be payable on a successful application for membership and annually by each member. Fees shall not be repayable to members/subscribers. Any person enrolling as a member part way through a season will have his fee decided pro-rata to the length of time remaining in the season but will not be less than 50% of the annual fee.
- b) The Club Executive Committee shall have the authority to levy further subscriptions from the members as are reasonably necessary to fulfil the objectives of the Club. Any permanent change to subscriptions will require approval at an AGM or Extraordinary General Meeting.
- c) The Club reserves the right to state the mechanisms used for collecting such fees.
- d) Fees for members/subscribers will be equitable across all playing members.

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- 8a WAIVING OR REDUCTION OF FEES
- a) Non-playing members, the Club reserves the right to charge a differential fee for those members who wish to support the Club and participate only in its social provision. This grade of membership allows for persons wishing to support the Club to remain active within the Club whilst NOT participating in the sports offered by the Club. It allows such members to participate in social activities of the Club, participate in the monthly draw, receive communications from the Club via the established routes, avail themselves of any training opportunities offered by the Club, attend formal meetings of the Club and be proposed for and act as officials of the Club. It excludes them from active participation in sports offered by the Club.
 - b) Hardship – any member who suffers long term hardship in relation to payment of Club fees and subscriptions may appeal in writing to the Treasurer for consideration of waiving of all or part of these fees and subscriptions. The Treasurer will consult with at least two Club Executive Committee members before making a decision and any such decision will be reported (in confidence) at the next Executive meeting.
 - c) Injury – any player experiencing a long term injury (in excess of 6 weeks) may appeal via their Team Manager to the Treasurer for suspension of fees until playing is resumed. The Team manager is responsible for monitoring this situation and reporting between the player and the Treasurer on matters affecting the cessation or resumption of fee paying. The Treasurer will consult with at least two Club Executive Committee members before making a decision and any such decision will be reported at the next Executive meeting.
- 9 RESIGNATION AND EXPULSION
- a) A member shall cease to be a member of the Club if, and from the date on which, he/she gives notice to the Club Committee of their resignation.
 - b) A member whose annual membership fee or further subscription is more than 2 months in arrears shall be deemed to have resigned.
 - c) The Club Executive Committee shall have the power to expel a member when, in their opinion, it would not be in the interests of the Club for them to remain a member. There shall be no appeal procedures.
 - d) A member who resigns or is expelled shall not be entitled to claim any, or a share of any, of the Club Property.
 - e) Members who either resign or are expelled will remain liable for any outstanding debt to the Club. In the event of a subscriber being in breach of the Club Rules warranting expulsion from the Club then this expulsion automatically includes the person for whom they subscribe.
 - f) A member transferring from another club shall be deemed to have no outstanding debt with that club. Non declaration of any such debt will result in automatic expulsion from the Club.
- 10 CLUB EXECUTIVE COMMITTEE (hereinafter called the Committee)
- a) The Committee is responsible for the day to day and year on year running of the Club in line with club rules and is responsible to the Club's trustees for the proper use and upkeep of all the club's assets.
 - b) The Committee shall consist of the following Club Officers: Chairperson, Treasurer and Secretary plus no less than 5 other officers, elected on a three year rotation, at an Annual General Meeting.
 - c) Each Club Officer shall hold office from the date of appointment for three years (unless otherwise resolved at a Special General Meeting). One person may hold no more than two positions of Club Officer at any time. Decisions of the Committee shall be made by a simple majority of those attending the Committee meeting. The Chairperson of the Club Executive Committee meeting shall have a casting vote in the event of a tie. Meetings of the Club Committee shall be chaired by the Chairman or, in their absence, an Executive Member nominated by the Chairperson, or if unable to by the President. The quorum for the transaction of business of the Committee shall be four.



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- 10 CLUB EXECUTIVE COMMITTEE (hereinafter called the Committee) cont.
- d) The Club will establish either standing or ad-hoc sub-committees as appropriate to support it in conducting its business. In the event of such sub-committees being established the Chairperson will be an Executive Committee officer to ensure appropriate liaison with the Executive Committee.
 - e) Decisions of the Committee at meetings shall be entered into the Minute Book of the Club to be maintained by the Club Minutes Secretary. Minutes will be displayed at a general access point within the Club and will also be provided to the Trustees of the club.
 - f) The Committee shall hold not less than four meetings a year. Any four members of the Club Executive Committee may call an extraordinary meeting of the Committee by contacting the Executive Secretary who will call a meeting giving not less than 7 days' notice to all members of the Committee.
 - g) The Executive Committee will ensure there are clear written duties and responsibilities for each of its Executive members and other Club officials such as Team Managers and Coaches.
 - h) The secretary will ensure that there are regular reports from executive members and standing and ad-hoc sub-committees of the Executive Committee.
 - i) An outgoing member of the Committee may be re-elected. Only in extraordinary circumstances will outgoing members be electable for more than two consecutive terms of office in the same post and three consecutive terms of office in total.
 - j) In the event of resignation from the Committee, the Committee members reserve the right to invoke Chairperson's action and co-opt members to the Committee as interim Committee members for proposal/confirmation at the next AGM.
 - k) Save as provided for in the Rules and Regulations of the Football Association and the County Association and any other organisations to which the Club is affiliated, the Committee shall have the power to decide all questions and disputes arising in respect of any issue concerning the Club Rules.
- 11 ANNUAL AND SPECIAL GENERAL MEETINGS
- a) An annual General Meeting (AGM) shall be held in the first half of each financial year to:-
 - i. Receive a report of the activities of the Club over the previous year.
 - ii. Receive a report of the Club's finances over the previous year.
 - iii. Receive a report from the Trustees.
 - iv. Elect the members of the Club Executive Committee.
 - v. Consider any appropriately made resolutions.
 - b) The AGM is only open to the Club officials, paying members, subscribers and honorary members.
 - c) Nominations for election of members as Club Officers or as members of the Club Executive Committee shall be made in writing by the proposer and seconder, both of whom must be existing paying members/subscribers or officials of the Club, to the Club Secretary not less than 1 month before the AGM. Notice of any resolution to be proposed at the AGM shall be given in writing to the Club Secretary not less than 1 month before the meeting.
 - d) A Special General Meeting (SGM) may be called at any time by the Committee and shall be called within 1 month of the receipt by the Club Secretary of a requisition in writing signed by not less than 25% of members/subscribers stating the purposes for which the meeting is required and the resolutions proposed. Business at an SGM may be any business that may be transacted at an AGM.
 - e) The Secretary shall notify members (via the Team Managers, the Club newsletter, the local press and a prominent site within the Club) of the date of a General Meeting together with the resolutions to be proposed, at least 14 days before the Meeting.
 - f) The quorum for an Annual General Meeting shall be 15 members/subscribers.



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11 ANNUAL AND SPECIAL GENERAL MEETINGS (cont)

- g) The Executive Chairperson, or in their absence an Executive member selected by the Committee, shall take the Chair. Each member present shall have one vote and resolutions will be passed by simple majority. In the event of an equality of votes the Chair shall have a casting vote.
- h) The Club Minutes Secretary, or in their absence an Executive member selected by the Committee, shall enter the Minutes of General Meetings into the Minute Book of the Club.
- i) A copy of the AGM Minutes will be passed to all trustees of the Club.

12 NON ELECTED CLUB OFFICERS / DIGNITARIES

TRUSTEES

These are a group of persons of standing within the community from the professional and business world preferably having had an association with the Club. They have a responsibility for all the clubs assets**** and ensuring the Executive Committee uses these assets for the purpose for which they were acquired.

They will ensure proper direction is given to allow the Executive Committee to fulfil their responsibilities with regard to the clubs assets

There should be a minimum of four trustees. This group will appoint a Chairman from within their ranks. They can call on the Club's Treasurer to provide details of a current asset audit for them to consider (usually on an annual basis for the annual meeting of trustees).

Trustees will serve for a maximum of five years with the potential for a renewal for two further terms of 3 years each term as a maximum.

Appointment of Trustees will be via recommendations to either the Executive Chairman or Chairman of Trustees with consideration from a subgroup of Executive and Trustee members.

These recommendations must be approved by an election at an AGM or special general meeting.

****The Clubs assets are classed as:

- I. Financial
- II. Fixed i.e. clubhouse and its contents, storage containers etc.
- III. Moveable i.e. football kit and accessories needed for the pursuance of sport.
- IV. Intellectual i.e. Club name, badge and Club colours

PRESIDENT

This post is established for the appointment of a dignitary from within the Club who has served the Club well in a Committee capacity and has an intimate knowledge of the running of the Club. They have a right of attendance at the Executive meetings and will be able to lend their experience and expertise to the proceedings.

The President is not in a position to vote.

The Presidency will be for five years with the option for renewal.

In the event of the President standing down, the Executive Committee will take responsibility (in conjunction with dialogue with appropriate Club members/dignitaries) for recommending a new President.

LIFE MEMBERS

These are Club members who have previously given long and meritorious service to the Club over and above that expected as a member or parent of a player, and have now ceased to do so. Proposals for Life Members must be seconded and made in writing to the Committee who will consider the applications and make a proposal where appropriate to the AGM for acceptance. Membership fees will be waived for these members (subject to their agreement). They are entitled to attend the General Meetings of the Club but are not entitled to vote.



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HONORARY MEMBERS

These are persons who are appointed by the Committee to take on official duties on behalf of the Club but who are not currently members of/subscribers to the Club. They are entitled to attend and vote at the General Meetings of the Club; these will automatically include Trustees.

13 CLUB TEAM MANAGERS

At its first meeting following each AGM, the Committee shall appoint an appropriate person (preferably but not exclusively a Club member) as Team Manager to be responsible for each of the Club's football teams.*** The appointed members shall be responsible for managing the affairs of the team in line with the Club's Manager's Contract. The appointed managers shall present to the Committee, at its last meeting prior to an AGM, a written report on the activities of the team and provide team information at other times to support the production of an informative club news sheet.

*** Existing managers can assume that if they have not heard to the contrary by 31st July that they are automatically re-appointed as team manager.

Non-reappointment: - In the event of this occurring then the individual may appeal for a hearing by the Clubs disciplinary panel.

Resignation: - Team managers must inform the Executive Secretary of impending resignation, giving as much notice as possible, preferably indicating a recommended successor to ensure a smooth transition of management.

14 HANDLING OF CLUB FINANCES AND ASSETS

BANK ACCOUNTS – CURRENT/RENEWAL

- a) A financial current (bank) account (accounts) shall be opened and maintained in the name of BATTYEFORD SPORTING CLUB (the Club account / accounts).
- b) A financial renewal (bank) account shall be opened and maintained in the name of BATTYEFORD SPORTING CLUB (renewal).
- c) Designated account signatories shall be the Club Chairperson, the Club Secretary and the Treasurer for items from the current account up to a maximum of £3000.00. Amounts above this must receive the written approval of the Chairperson or Trustees or their delegated representative.
- d) No sum shall be drawn from the Clubs current accounts except by cheque signed by two of the three designated signatories.
- e) All monies payable to the Club shall be received by the Treasurer and deposited in the Club accounts.
- f) Changes to the signatories MUST be identified in the Committee minutes and a copy forwarded to the bank immediately so as to update the mandate arrangements.
- g) No other Club member / subscriber or official is empowered to open a financial account of any type bearing Battleyford Sporting Club's name or otherwise containing monies collected from members of or subscribers to Battleyford Sporting Club unless approved by the Committee and confirmed in writing by the Treasurer.

INCOME AND ASSETS

- a) The income and assets of the Club (the Club property) shall be applied only in the furtherance of the objectives of the Club. All surplus income or profits are re-invested in the Club, no surpluses or assets will be distributed to members or third parties.
- b) The Committee shall have the power to authorise the payment of remuneration and expenses to any member of the Club and to any other person or persons for services rendered to the Club.
- c) The Club Treasurer shall prepare an annual Financial Statement in such form as shall be published by the Football Association from time to time.



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INCOME AND ASSETS (cont.)

- d) The Club assets shall be vested in not less than four and no more than six Trustees. The Trustees shall have responsibility for all the Club's assets (property). They should meet with the Executive Officers no less than annually and their decisions imparted to the Committee and entered in the Minute Book. This shall be conclusive evidence of decisions made regarding property.
- e) The Trustees shall be appointed by the Club in a General Meeting and shall hold office for a maximum of five years with a possible renewal for a further two three year terms of office (or resignation) unless removed by a resolution passed at a General Meeting.
- f) On the removal or resignation of a Trustee, they shall execute a Conveyance in such form as is published by The Football Association from time to time, to a newly-elected Trustee or the existing Trustees as directed by the Club Committee. On the death of a Trustee, any Club Property vested in them shall vest automatically in the surviving Trustees. If there are less than two surviving Trustees, a Special General Meeting shall be convened as soon as possible to appoint Trustees.
- g) The Trustees shall be entitled to an indemnity out of the Club Property for all expenses and other liabilities reasonably incurred by them in carrying out their duties.

15 ENVIRONMENTAL COMMITMENT

Battleyford Sporting Club is committed to maintaining and improving the local environment via application of the following policies:

- a) The use, where possible, of renewable energy sources.
- b) The disposal of any waste generated in an environmentally friendly manner.
- c) The conducting of Sporting Activity in a way which does not harm the local environment.
- d) Influencing an eco-friendly approach to both sport and the wider local community whenever and wherever possible.
- e) Eco-friendly development of the Club's facilities, playing areas and surrounds.

16 FINANCIAL CONTROLS RELATED TO GRANTS/AWARDS FOR MAINTENANCE / IMPROVEMENT OF THE ENVIRONMENT

The work of Battleyford Sporting Club shall not be for the benefit of landfill site operators who may contribute to Battleyford Sporting Club and claim credits under the Landfill Tax Credit Scheme nor shall it be for the benefit of contributing third parties as defined under the landfill tax regulations. Battleyford Sporting Club is a 'not for profit' organisation and therefore cannot apply any income other than in the furtherance of the objectives laid out within this Constitution.

17 DISSOLUTION OF THE CLUB

- a) A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be carried by a majority of at least three-quarters of the members present.
- b) The dissolution shall take effect from the date of the resolution and the Trustees in consultation with the Executive Committee shall be responsible for the winding up of the assets and liabilities of the Club.
- c) Any surplus assets remaining after the discharge of the debts and liabilities of the Club shall be transferred to the parent Association who shall determine how the assets shall be utilised for the benefit of the game.