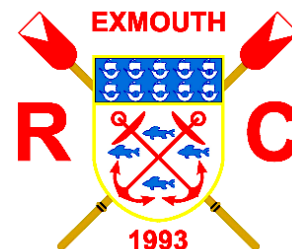


EXMOUTH ROWING CLUB RULES AND CONSTITUTION



1. NAME and COLOURS

- a. The Club shall be known as Exmouth Rowing Club, hereinafter known as “the Club”.
- b. The Club colours shall be red and white.

2. OBJECTIVES

The objectives of the Club are to promote community participation in healthy recreation by the provision of facilities for rowing on an amateur basis.

3. MEMBERSHIP

- a. The Club’s membership application process is open to the whole community.
- b. **Membership Categories**
The Management Committee shall determine the membership categories and the rules applicable to each category which shall be listed on the club membership form.
- c. **Election of Membership**
 - c.1. Membership of the Club shall be open to anyone interested in the sport of rowing on application in accordance with the Equal Opportunities Policy set out below. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.
 - c.2. The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
 - c.3. Applicants for membership and members renewing their membership must abide by the rules and regulations of the Club.
 - c.4. If it is considered by the Management Committee that the granting or renewal of membership would be detrimental to the aims and objectives of the Club, by virtue of conduct or character likely to bring the Club or the sport of rowing into disrepute or for some other similar reasonable cause, the Management Committee shall be entitled to refuse or withdraw such membership. In doing so the Management Committee shall provide full reasons for their decision and grant a right of Appeal to the member concerned.
 - c.5. The Club reserves the right to restrict membership to juniors (under 18 years of age) based on a risk assessment of their physical robustness, their parental or other supervision circumstances and Club safeguarding provision available at the time.
- d. **Restriction**
A person who has been expelled from, or refused membership of, British Rowing shall not be eligible for membership.

e. **Declaration**

- e.1. Each member upon joining shall complete and submit the membership form confirming that they have read and understood the current conditions of membership. These include declarations of swimming competence and medical fitness.
- e.2. For junior members their parent or guardian must countersign the membership form confirming the above.

f. **Membership Subscription**

- f.1. The subscription year shall be 1st April until 31st March the following year.
- f.2. The rates of subscription shall be determined by the Management Committee and shall be due on joining and thereafter by 1st April each year.
- f.3. Fees for new members shall be calculated pro rata based on the number of months remaining in the current subscription year.
- f.4. The method of payment of the annual membership subscription shall be a single payment upon joining (on or before 1st April each year if renewing membership), unless agreed otherwise by both the Membership Secretary and the Treasurer.

g. **Cessation of Membership**

- g.1. Any member may resign giving one month's notice in writing to the Membership Secretary.
- g.2. Any member violating any of the rules or regulations of the Club or being adjudged guilty of unsatisfactory conduct may, by resolution of the Management Committee, be suspended or expelled. Any member so suspended or expelled may appeal to an independent Hearings Panel if such an appeal is approved by a majority of the senior officers of the Club. The panel may be drawn from the membership of the Club or from other clubs in the region. The panel will hear and receive evidence, reach a conclusion, affirm or reject the sanctions imposed as appropriate.
- g.3. Any Hearings Panel must give a fair and independent hearing to the appellant within an appropriate timescale. Hearings must not contravene the Human Rights Act 1998 or any other policies of the Club and British Rowing
- g.4. An existing member shall be deemed to have resigned from the Club if they have not paid their annual subscription by 1st April. In a case where an alternative payment method has been approved (see 3.f.4), the deadline is the first working day after the due date of an instalment. They may re-join at any time during that year by payment of the appropriate subscription, subject to the provision of 3.c and d.

4. **BRITISH ROWING**

The club adopts as part of this Constitution, the policies of its governing body, British Rowing, and where practicable, will comply with its guidelines.

5. **EQUAL OPPORTUNITIES**

The Club is fully committed to the principles of the [British Rowing Equity, Diversity and Inclusion Policy](#). The club is responsible for ensuring that no member receives less favourable treatment on the grounds of any protected characteristic encompassing age, disability, gender, gender reassignment, marital or civil partnership status, sexual orientation pregnancy, race, religion or political belief, nationality, parental status economic or social

status.

6. SAFEGUARDING PROCEDURES

The Club has adapted to suit its situation, the policies and procedures relating to Safeguarding and the Protection of Vulnerable Adults as set out by British Rowing, and requires all members to accept the [Club Policy](#) as a condition of membership.

7. GRIEVANCE AND DISCIPLINARY PROCEDURES

An individual or member with a complaint about treatment by the Club should set out their grievance, in the first instance to a club officer who must communicate it to the Chairman or President, at the earliest opportunity. The Club will seek to deal with complaints in a fair and timely manner, with reference to British Rowing Guidelines on Grievance and Disciplinary Procedures in Rowing.

8. ELIGIBILITY FOR APPOINTMENTS

- a. Only adult members entitled to vote are eligible for election to the Management Committee.
- b. Only members 16 years of age or more are eligible for election to the Support Committee.

9. MANAGEMENT COMMITTEE

- a. The Management Committee ("MC") is responsible for:
 - monitoring the activities of the club to ensure that they comply with its objectives;
 - ensuring safe practice during club activities and for ensuring compliance with British Rowing's water safety guidance including their key Row Safe document;
 - setting the strategy of the club; and
 - ensuring the effective management of the club.
- b. The MC shall consist of a Chairman, Vice Chairman, Captain, Secretary & Treasurer.
- c. Nominations for positions on the MC shall be put forward in the form of a motion under the terms of Rule 12d.
- d. The term of office shall be for one year and members shall be eligible for re-election
- e. The MC shall meet at regular intervals during the year and shall invite all or specific members of the Support Committee to report on matters relating to their specific role, as required by the business to be transacted.
- f. Meetings of the MC may be called by the Chairman, or not less than two MC members.
- g. A quorum shall consist of not less than four members.
- h. In the case of casual vacancy amongst the MC, the MC shall be entitled to appoint another eligible person to act until the next AGM
- i. The MC should act according to high ethical standards and ensure that conflicts of interest are properly dealt with.
- j. In order to facilitate the general running of the club, a quorum of at least four MC members is empowered to create, delete, or amend club byelaws. Such adjustments will take immediate effect. The byelaws including any such alterations will be openly displayed and available to all members. Any such action shall be raised at the following annual general meeting for ratification by the membership. Additionally, such changes are open to challenge by the membership at any time through the proceedings of an extraordinary general meeting (See clause 12b)
- k. In the event of a tied vote the Chairman shall have the casting vote

Roles and responsibilities of the Management Committee

Chairman

- Lead the Committee and direction of the club.
- Act as the public face and spokesperson for the club.
- Promote, monitor and evaluate club development.

Vice Chairman

- Deputise for the Chairman in all areas

- **Captain**

- Responsible for all rowing and training activity within the club.
- Recruitment, new rowers, inductions and training programmes.
- Racing crew selections.
- Rowing technique and development for club members.
- Club regatta planning.

- **Treasurer**

- Maintain financial records and accounts
- Manage club bank accounts
- Arrange insurances and creditor payments
- Supervise membership subscriptions
- Arrange annual audit.

- **Secretary**

- Act as the default point of contact for incoming general enquiries.
- Co-ordinate and disseminate correspondence to members.
- Organise the General and Committee meetings.
- Record and distribute meeting minutes.

10. SUPPORT COMMITTEE

- a. The Management Committee is responsible for appointing and maintaining a Support Committee to provide it with suitable administrative and advisory support.
- b. The Support Committee shall include a Safety Advisor and a Welfare Officer to ensure compliance with British Rowing safety and welfare requirements.
- c. All appointments to the Support Committee shall be communicated to members
- d. The roles and responsibilities of all Support Committee members shall be displayed on the club notice board.

Specific roles and responsibilities

Safety Advisor

- Advise the club on relevant safety matters including how to comply with British Rowing health and safety guidance.
- Link with British Rowing and report incidents.
- Coordinate club safety training.
- Complete the annual British Rowing Safety Audit and ensure compliance.

Welfare Officer

- Provide information and advice on, ensure pursuance of, and promote awareness of the British Rowing's safeguarding policies for children and vulnerable adults.
- Keep necessary records of DBS checks.
- Receive information from those with a concern and refer it to the relevant bodies in line with British Rowing guidance, keeping all parties informed as necessary

11. HOLDING TRUSTEES

- a. The legal ownership or possession of all property to which the Club is or may become entitled to or shall from time to time have charge of ("the Club property") shall be vested in not less than two nor more than four trustees ("the Trustees").
- b. The Management Committee shall appoint the Holding Trustees to hold office until death or resignation unless removed from office by a resolution of the Club duly passed at a General Meeting.
- c. The Chairman from time to time is nominated as the person to appoint new Holding Trustees within the meaning of the Trustee Act 2000.
- d. The Club property shall on the execution of any Lease or Transfer be vested in the Holding Trustees upon trust for the members for the time being of the Club with power to sell, sublease, charge, mortgage or otherwise deal with the Club property as the committee shall from time to time direct, subject to the terms of the Lease.
- e. The Holding Trustees shall be effectually indemnified by the Management Committee out of the assets of the Club from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties in relation to any property of the Club vested in them, or in relation to any legal proceedings, or which otherwise relate directly or indirectly to the performance of their functions as Holding Trustees of the Club unless caused by their own fraud wilful default or wilful neglect. In particular, a Holding Trustee may benefit from Trustee indemnity insurance cover purchased at the Club's expense.

12. GENERAL MEETINGS

- a. An Annual General Meeting shall be held each year where possible before the 1st of April start of the membership year. There shall be laid before the meeting a statement of accounts made up to the 31st of December preceding.
- b. An Extraordinary General Meeting shall be called on the instructions of a simple majority of the Management Committee, or on a requisition signed by not less than eight of the members of the Club entitled to vote.
- c. Not less than 21 days notice shall be given, specifying to all members the time and business of the General Meeting.
- d. Motions for discussion at Annual General Meetings not of origin from within the Management Committee, shall be lodged with the Secretary as soon as possible after the 21 days' notice, and be signed by two members entitled to vote.
- e. At any General Meeting, a resolution put to the vote of the Meeting shall be decided by a show of hands of those entitled to vote, except when more than one nomination has been received for a position on the Management or Support Committee, in which case voting will be by secret

ballot.

- f. At all General Meetings the Chairman will preside or, in his/her absence the Vice Chairman. In the event of non-attendance by both, a chairman for the meeting will be elected by the voting members present.
- g. At all General Meetings not less than seven members of the Club entitled to vote shall constitute a quorum.
- h. Members over the age of 16 years are entitled to vote at all meetings, but only adult members may vote on issues relating to legal, contractual, or financial matters of the club.
- i. **Absences of Quorum:** If after half an hour from the time appointed for the meeting, a quorum is not present, the Meeting, if called at the request of the members, shall be dissolved. In any other case, the Meeting shall be adjourned until a time and place to be fixed by the Management Committee. If a quorum is not present within half an hour from the time appointed for an Adjourned Meeting, the members present shall be a quorum.
- j. **Accidental Omission:** Accidental Omission to give notice of a meeting to, or the non-receipt of notice of, a meeting by any member shall not invalidate the proceedings of a meeting.

13. COMMUNICATIONS

- a. All club communications to external bodies are to be passed through the committee first, and ultimately be communicated by the Chairman, Captain or Secretary as agreed by the Management Committee.
- b. Any matters relating to health and safety are to be communicated by the Safety Advisor (with the knowledge of the Management Committee).

14. LIABILITY

- a. The Management Committee shall manage the affairs of the Club. Financial or legal liability incurred in the rightful exercise of their office shall not, however, be the personal liability of the Management Committee, but shall be the responsibility of the Club as a whole.
- B The Management Committee should ensure that adequate and appropriate public or preferably civil liability insurance is in place to cover all the activities of the Club and members.

15. ALTERATION OF CONSTITUTION

- a. The Club may amend any provision of this Constitution provided that:
 - 1. No amendment may be made that would have the effect of making the Club cease to be a charity at law.
 - 2. No amendment may be made to alter the objectives if the change would undermine or work against the previous objectives of the Club.
 - 3. No amendment may be made to the HOLDING TRUSTEES or DISSOLUTION clauses of this Constitution without the prior written consent of the Charity Commission for England and Wales ("the Commissioners").
 - 4. The proposed changes to the Constitution are distributed to members and Trustees for consideration at least 7 days prior to the General Meeting.

5. Any resolution to amend this Constitution is passed by not less than 75% of the members present and voting at a General Meeting.
- b. A copy of any resolution amending this Constitution shall be lodged with the Charity Commissioners within twenty-one days of it being passed.

16. ACCOUNTS

The annual accounts of the club shall be:

- a. Prepared by the Treasurer (or person acting in that role) and presented at the Annual General Meeting; and
- b. Independently examined by a suitably qualified person approved by the Management Committee and Trustees.
- c. Submitted to the Charity Commission as and when required.

17. DISTRIBUTION OF PROFITS

In no circumstances can any profit be distributed to members, but any profits earned shall be used in furthering the Objectives of the Club.

18. DISSOLUTION

- a. If the members resolve to dissolve the Club as provided for in this Constitution, then the Management Committee will remain in office as charity trustees and be responsible for winding up the affairs of the Club in accordance with this clause.
- b. The Management Committee must collect all the assets of the Club out of which the Committee must pay or make provision for all liabilities of the Club.
- c. The Management Committee must apply any remaining property or money:
 1. *directly for the Objectives (defined in clause 2 of this Constitution).*
 2. *by transfer to anybody or bodies or charity or charities for purposes identical or similar to those of the Club.*
 3. *in such other manner as the Commissioners may approve in writing in advance.*
- d. In no circumstances should the net assets of the Club be paid to or distributed among the members of the Club.
- e. The Management Committee must notify the Commissioners promptly that the Club has been dissolved and, if required, send to the Commissioners final accounts.

19. POWER OF DECISION

Any matter not provided for in this constitution, or any question over the interpretation of it shall be dealt with by the Management Committee whose decision shall be final. After service of appropriate notice an Annual General Meeting was held on **25th February 2024** and this Constitution was adopted by the membership on a favourable vote of at least 75% of eligible voters at that meeting, and in accordance with the Constitution applicable at the time and agreed by the Management Committee as follows:

Richard Robinson
Chairman

Kate Hurley
Secretary

Jon Houghton
Captain

Suzanne Isaacs
Vice Chairman

James Isaacs
Treasurer