



TROJAN SWIMMING CLUB CONSTITUTION

14TH December 2022

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1.0 List of Terms and Abbreviations

AGM	Annual General Meeting
CCO	Club Children's Officer
CNI	Coaching Northern Ireland
DP	Designated Person
EGM	Extraordinary General Meeting
ISC	Irish Sports Council
Leader	This is any person, whether paid or unpaid, who is responsible for those participating in the aquatic disciplines. Leader roles include but are not limited to supervisor, team manager, sports science personnel, chaperone, helpers, committee members, tutors, coaches and teachers
LEN	Ligue Européenne de Natation (LEN), the European
LSP	Local Sports Partnership
Management Committee	This is the body elected by the Members for the management of the business and the affairs of the club
Member	Members of the club comprise: 1. Competitors – members of TSC who participate in competitive events; 2. Non-Competitors including, but not limited to: – members who wish to train but not compete; – coaches; – administrators; – aquatics leaders; – CCO's; – Parents of Competitor and Non-Competitor members
NISC	Northern Ireland sports Council
Officer	Officers of TSC club are the President, the Secretary and the Treasurer
PPE	Personal Protective Equipment
SI	Swim Ireland, the National Governing Body for swimming, water polo, diving and associated aquatic disciplines in Ireland
Swimming	All aspects of swimming
Trojan Masters	Competitive swimmers aged 19 years and over who compete in Masters events
TSC	Trojan Swimming Club

2.0 Name

The name of the club is Trojan Swimming Club.

The headquarters of the club is c/o Newpark School Swimming Pool, Newtownpark Avenue, Blackrock, Co. Dublin, Ireland or such other location as decided by the Management Committee from time to time.

3.0 Objectives

The objectives of the club are:

- 3.1 To foster and develop swimming and its participants.
- 3.2 To support and promote competitive swimming at domestic and, where appropriate, at international galas / swimming events.
- 3.3 To promote the teaching / coaching and practice of swimming in line with current best practice.
- 3.4 To promote the development of physical, moral and social qualities associated with sport within the participants.
- 3.5 To accept and enforce the rules and regulations set down by SI regarding swimming in accordance with the affiliation status afforded to the club.
- 3.6 To provide a positive and safe environment for all its members and staff.
- 3.7 To ensure sport for young people in the club is fun and conducted in an encouraging atmosphere in line with SI guidelines and best practice.
- 3.8 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.
- 3.9 TSC is fully committed to safeguarding the well-being of its members. Every individual in TSC 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 TSC 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 equivalents.
- 3.10 All the income and resources of TSC shall be used for the sole purpose of promoting the objects of TSC as set out in this constitution.

4.0 Affiliation

TSC is an affiliated club of SI and subject to the rules of:

- 4.1 SI
- 4.2 LEN
- 4.3 FINA

5.0 Membership

5.1 All Members are subject to the rules and constitution of TSC and rules and regulations of Swim Leinster, SI, LEN and FINA.

5.2 The Club Management Committee reserves the right to accept or reject applications for membership of the club. If an application is refused, the applicant must be notified by the Management Committee in writing as to the reasons for their refusal.

5.3 Membership Fees/Subscriptions:

5.3.1 Club membership fees shall be agreed each year at the AGM and will be payable either in full, in advance of the commencement of the swimming season, or by way of monthly direct debit payments commencing at the beginning and continuing throughout the swimming season or as otherwise decided by the Management Committee. For continuing members, swim fee deposit payments will be collected during a forthcoming season's registration process.

5.3.2 If a member is deceased, their Legal Personal Representative is not liable for any balance of subscriptions.

5.3.3 A Member may resign by communicating this in writing or verbally to the Club Secretary, and if this person wishes to renew membership at a later date, they must re-apply.

a. Learn to Swim and Trojan Masters:

i. TSC wishes to promote swimming as both a leisure activity and sport. TSC may run Learn to Swim classes. Participants in Learn to Swim classes will not be members of SI, but will be insured as part of the club's activities.

ii. The Trojan Masters shall be affiliated to TSC for the purposes of and strictly in accordance with the rules of SI. Such affiliation shall not entitle any member of the Trojan Masters to vote at any meeting of TSC or be represented on the Management Committee or share in the club's assets in the event of a winding up or dissolution of TSC.

6.0 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.

The Management Committee consists of at least nine members including a Club President, Club Secretary and Club Treasurer, Club Children's Officer, Head Coach and at least four Committee members.

The Club Children's Officer and Head Coach are appointed positions who must also be members of Swim Ireland.

The Management Committee shall also have the power to co-opt members to the Management Committee during their term of office in the event of the death, resignation, incapacity or dismissal of an officer or committee member. The person so co-opted shall hold office until the next AGM.

The failure of a Management Committee member to attend three consecutive meetings of the Management Committee without furnishing the Secretary or president with a reasonable explanation shall be deemed to be a resignation of their membership of the Management Committee.

Role functions are listed below, and responsibilities include, but are not limited to the following;

i) Duties of the President

- Promote the interest of TSC at all times and act as the official spokesperson for TSC.
- Ensure the principles of due process and natural justice are applied in all decisions made by the Management Committee.
- Maintain order and prevent unnecessary disruptions.

ii) Duties of the Vice President

- Deputise for the president as required in their absence
- Carry out duties as requested by the president
- Manage the external and internal communication of the club
- Watch over the committee and assist the club treasurer in ensuring club dues are collected

iii) Duties of the Secretary

- To record the minutes of all Management Committee and club meetings.
- To keep records of membership, complaints and contracts regarding the dealings of the club for a minimum of six years.
- To organise meetings including agenda details, notice period and any other necessary information.
- To deal with all club correspondence.
- To complete the Swim Ireland annual affiliation process for all members and Club
- To ensure all Swim Leinster and Swim Ireland regulations are adhered to (Vetting, Safeguarding, Education Courses etc)
- To assist the club president in all his/her meetings and communications

iv) Duties of the Membership secretary

- To deal with membership queries and communicate them to the committee
- To keep a database of all club members
- To liaise with the coach responsible for organising try outs for the club
- To ensure entry documentation is completed by new members to the club

- To assist with the annual renewal of membership

v) ***Duties of the Gala Secretary***

- Communication with Coach regarding competition entries
- Issue competition information to members in good time
- Check payment of gala entry fees
- Communication of annual competition calendar
- Enter Club members and teams in competitions in good time
- Deal with competition queries

vi) ***Duties of the Club Children's Officer***

- Act in the best interests of young people
- Ensure young people have opportunity to express opinions and views
- Ensure safeguarding policies and procedures are implemented and effective in all areas of the club
- Act as advisor for and report concerns of abuse to the appropriate authorities

vii) ***Duties of the Lead Covid Officer***

- Lead implementation and monitoring of the SI Return to Water Covid-19 protocols across club activities.
- Chair Covid-19 specific meetings with sub-committee and be the main point of contact for all things Covid-19 related, especially acting as the one point of contact with SI.
- Remain up to date with all Covid-19 advice and protocols, and ensuring all members are aware of these protocols.
- Promote good practice to ensure compliance to the SI codes of conduct including additional Covid-19 requirements as relevant.

viii) ***Duties of Club Head of Fundraising***

- Lead the Fundraising sub-committee to achieve financial goals and targets set annually.
- Report to the Treasurer and the Club President regarding fundraising initiatives.
- Organise events throughout the year and form affiliations and relationships with .Corporate sponsors

B. Duties and Responsibilities of all Management Committee Members

The Management Committee members are responsible for the smooth day to day running of the Club. The Management Committee members can agree amongst themselves any additional duties to be carried out by Management Committee Members.

C. Rights and Duties of the Management Committee

- a) The Management Committee may 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 will ensure a Club Rule Book is available to all Members.
- b) The Management Committee may create and make appointments to sub- committees for specific purposes. These sub committees will act on behalf of the Management Committee and follow procedures and relay information as directed by the Management Committee.

A sub-committee called the Trojan Covid-19 Committee will convene and report all Covid-related activities to the committee. All correspondence from this committee to Club Members will come from the club secretary following discussion with the club president and committee members if required. The Terms of Reference for this Committee shall sit on file with the club secretary. The Trojan Covid-19 Committee will remain in place until the executive committee deem that it is no longer required.

A sub-committee called the Trojan Fundraising Committee will also form part of TSC sub-committee structure, with their primary aim consisting of raising additional revenue from Corporate Sponsors and a variety of Fundraising initiatives throughout the year. This Committee shall report on a regular basis to the Management Committee and will work closely alongside the Club President and TSC Coaches.

- c) A **Complaints and Disciplinary Committee** will be assembled when a complaint or disciplinary matter has been received. The CDC will decide on how a complaint or disciplinary matter is dealt with. Where appropriate, the CDC should consider an informal resolution to a complaint, disciplinary report or an appeal to a sanction.
- d) The Management Committee shall be responsible for all club assets.
- e) 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 2018* or most recent edition, and on the direction the TSC takes in the future in all its activities.
- f) 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.
- g) Management 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 Management Committee members at a designated meeting, and they may be required to absent themselves from, discussions and decisions.
- h) The Management Committee will be expected to follow codes of conduct in relation to their obligations to TSC members. These include, but are not limited to, confidentiality, objectivity, loyalty, fairness and a constant awareness of their obligations to TSC and its members. The Management 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 2018*, or the most recent equivalent.
- i) The Management Committee shall determine the arrangements for appointing Team Managers and other officials in relation to galas or training camps whether in Ireland or abroad.
- j) The Management Committee will ensure that the CCO, coaching and teaching staff have the opportunity to report and voice the concerns regarding their designated areas of responsibility within the Club.
- k) The Management Committee will seek the advice of the CCO, coaching and teaching staff on relevant issues.
- l) The Management Committee will invite the CCO to attend not less than four committee meetings each year to report to the committee on child welfare matters.

D. Meetings of the Management Committee

- a) The Management Committee shall meet a minimum of four times per year with a minimum quorum of four members of the committee present.
- b) The President and the Secretary shall have discretion to call further meetings of the Management Committee if they consider it to be in the interests of TSC.
- c) A minimum of seven days' notice will be given to members save for exceptional circumstances. The Management Committee shall decide how notice of meetings is to be given.
- d) The Management Committee should set out its agenda for a meeting no less than two days prior to the meeting though the Management Committee can vote by simple majority at the commencement of a committee meeting to waive this requirement for that particular meeting and agree the agenda for that meeting.
- e) Decisions of the Management Committee shall be by simple majority vote and in the event of a tied vote the President has an additional casting vote.
- f) If the President is unable to attend a Management Committee meeting, the committee may elect one of its number to act in place of the President for the meeting.
- g) The President's decision on a Point of Order is final.
- h) The Secretary, or in her / his absence another member of the Management Committee, shall take minutes.
- i) The Treasurer will report on the financial position of the club at each meeting.
- j) The other Management Committee members will report on the areas of the club for which they have responsibility.
- k) The Management Committee may also decide upon acceptable means of communication used, during periods between meetings, to ensure the day to day running of TSC.

E. Club Children's Officer (CCO)

- a) A CCO must be appointed.
- b) The CCO is a member of the Management Committee.
- c) The primary objective of the CCO is the establishment and maintenance of a child centred ethos within TSC.
- d) The CCO shall be the link between the children and adults in TSC.
- e) The CCO shall take responsibility for monitoring and reporting to the Management Committee on how club policy impacts on young people and Leaders.
- f) The CCO shall hold an up-to-date certificate of Child Protection from ISC / CNI / NISC and be familiar with the Code of Ethics and Child Welfare Guidelines of SI.
- g) A second Club Children's Officer can be appointed, does not sit on the committee- only one of the Club Children's Officers should attend the committee meetings

Designated Person

- a) TSC shall have a Designated Person who shall be the club children officer. Any concerns or disclosures relating to child abuse shall be reported to the Club Children's officer who is responsible for reporting this to the statutory authorities.
- b) The Club Children's Officer shall hold an up-to-date certificate of Child Protection from

ISC / CNI/ NISC and also be familiar with the Code of Ethics and Child Welfare Guidelines of SI.

F. Duties and responsibilities of the coaching and teaching staff

- a) 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.
- b) All Coaching and Swimming Teachers shall have their duties, functions and responsibilities outlined in writing.
- c) All coaching matters are the ultimate responsibility of the Head Coach including:
 - i. Training content
 - ii. Training schedule
 - iii. Team selection (relays)
 - iv. Assigning competitive swimmers into respective groups according to their ability
- d) All teaching staff must be vetted by SI in accordance with *Swim Ireland Safeguarding Children Policies and Procedures 2010* or most recent edition and by An Garda Síochana. If an applicant is from a jurisdiction outside Ireland, enquiries will be made to the relevant overseas statutory body.
- e) Trojan SC coaches and teachers shall not hold a management or elected position on the Management Committee where working as a coach or teacher with Trojan SC for more than three hours a week.
- f) The Head Coach shall be accountable to the Management Committee and may be required to attend any Management Committee meeting and comply with any code of conduct or disciplinary rules stipulated by the Management Committee from time to time.
- g) The Head Coach will attend not less than one Management Committee meeting each term.
- h) All Coaches and Leaders must be affiliated to SI, and must possess the requisite qualifications.
- i) The Head Coach shall not, during his or her tenure as Head Coach to TSC, be entitled to coach or promote the interests of any other club except with the written permission of the Management committee.

G. Squad Representatives

- a) Each squad shall have a Squad Representative to act as the main point of contact for swimmers and parents for that squad. They will act as a liaison between the parent and the coach.
- b) A Squad Representative must be a member of that squad or have a child who is a member of that squad but in the event that no such person is prepared to represent that club then the Management Committee may appoint someone else.
- c) The rep will organise the Parent on the Bank roster for the individual squad.
- d) The rep will become involved in any away trips that the club or squad will attend.

H. Club Captains

A Male and Female club captain will be elected by members of Trojan National Squad at the beginning of each season. This election is organised by the club Secretary.

7.0 **Annual General Meeting (AGM)**

- a) The Annual General Meeting of TSC shall be held within 16 months of the date of the previous AGM providing there shall be an AGM in respect of each year. The Management Committee and other appointed officers shall continue in office from

the date of that AGM until the date of the following AGM. 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 via email on request. Only paid-up members can attend and vote at the AGM.

- b) The Management Committee must decide when the AGM is held each year.
- c) The Management 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:
- i. Chairman's Report
 - ii. Treasurer's Report
 - iii. Head Coaches' Report
 - iv. The CCO's Report.
- e) Any changes or updates to the Club Constitution or Club Rules will be notified to the members and SI within seven days following the AGM.
- f) Any resolution to amend the Club's Constitution which is successful at the General Meeting will come into immediate effect upon conclusion of the General Meeting.
- g) Two club delegates, agreed by the Management Committee, will represent the club at the SI AGM.

8.0 **Extraordinary General Meeting (EGM)**

An Extraordinary General Meeting may be called at any time once a majority of the Management Committee resolves to convene such a meeting. It can also be called upon the Secretary receiving a requisition in writing signed by 30 of the paid-up voting members for an EGM to take place and providing all paid up TSC members are given 14 days prior written notice of the date and place when such EGM is to take place.

9.0 **Procedures and Voting Rights at General Meetings**

- a) Members who are fully paid up and are over 16 years of age at the date of the general meeting are eligible to vote.
- b) Proxy votes presented in writing to the Secretary at the beginning of the meeting will be accepted.
- c) Parents shall hold one vote on behalf of each of their children under sixteen years of age

within the club. Only one parent may exercise these votes and this must be so agreed between the parents who are club members in their own right may vote with this right for themselves and also cast one vote on behalf of each of their children

- d) In the normal course, voting shall be conducted via a show of hands, which will be counted by the Secretary. In the event that more than one person is nominated for any one position, the Management Committee may hold a secret ballot amongst members present. The Management Committee can also determine, in its discretion, that a vote should be held in a secret ballot if a particular vote is deemed to be of a sensitive nature.
- e) No business shall be transacted at a general meeting unless a quorum is present. A quorum of 20 paid up members is required or 25% of the eligible voting members whichever represents the lesser number. If this quorum is not fulfilled the General Meeting can be suspended for exactly one week. At the end of one week the meeting shall be reconvened and if a quorum is still not achieved then the members present shall represent a quorum for business to be transacted.

10.0 Nominations, Notice of Motions and Election of Committee

- a) Nominations will be passed at AGM's by simple resolution of a majority present at the AGM.
- b) The President will have a casting vote if there is an equality of votes.
- c) Motions for a change to the TSC Constitution must be passed by a special resolution of two thirds of persons present at the general meeting entitled to vote.
- d) Notices of Motion and nominations shall be displayed on the Club notice board for not less than seven days prior to the AGM. They will also be available on request from the Secretary. Notices of Motion without due notice will not be discussed.
- e) In the event that no nominations are received by the Secretary, only then may nominations from the floor at the AGM take place.

Election of the Committee

- Election of all positions takes place at the Club AGM.

Regular turnover of Management Committee membership is encouraged while ensuring continuity and experience and where possible terms of office are limited to four consecutive years (as set out by our Governing Body Swim Ireland) Where any member of a Management Committee has served as a Management Committee Officer for four years (whether consecutive or not) he may not serve as a member of the Management Committee until at least two (2) consecutive years have elapsed since he last served.

- 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.
 - A proposer and seconder are required for all Nominations and Notice of Motions.

11.0 Transfers

If a member wishes to leave a club and join another, they must follow the rules set down by SI. All members must have paid any outstanding subscriptions before they will be released by the Club save for exceptional circumstances.

12.0 Finances

The financial affairs of the club shall be the responsibility of the Management Committee in general and, in particular, the Treasurer. Up to date and accurate accounts and financial records will be maintained by the Treasurer, or by another club member agreed by the Management Committee, under the Treasurer's supervision.

- a) Annual Accounts of TSC should be prepared for the Annual General Meeting by TSC Treasurer.
- b) The Management Committee shall be empowered to open Bank Accounts in the name of TSC and all transactions in these accounts shall be authorised by the Management Committee. All cheques, drafts and so forth shall be signed by the Treasurer and either the President or Secretary.
- c) The Management Committee may use internet banking with payments authorised by the Treasurer and either the President or Secretary.
- d) The Treasurer will receive all money paid to the TSC and ensure all such sums are lodged to TSC bank account as soon as possible.
- e) Any assets invested in by the Management Committee will be used for TSC purposes only. The Management Committee will delegate the use of these assets where appropriate to the coaches, teachers, club children's officers and others within the TSC.
- f) The Management Committee will have the power to negotiate sponsorships on TSC's behalf and engage from time to time in fundraising activities. Any financial returns from these activities will be used for TSC development purposes only.

13.0 Complaints and Disciplinary Procedures

The Club hereby adopts *The Swim Ireland Complaints & Disciplinary Rules and Procedures* as amended by SI 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.

14.0 Cessation / Suspension / Expulsion of Membership

The Management Committee can 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 SI and can be also appealed to SI.

15.0 Dissolution

TSC may be dissolved:

- i) By a Resolution passed at a General Meeting owing to the inactivity of its members and carried by two thirds of the members present.
- ii) A Court Order where a dispute exists among the Members.

Notice must be given to members and SI for any Dissolution to come into effect, owing to a Resolution at a General Meeting

All aspects of the Club, having discharged debts and liabilities, shall be distributed to a charity, charities or other non-profit making organisation having an agenda similar to those of TSC or SI.

The Management Committee shall be responsible for the winding up of assets and liabilities of TSC.

16.0 Equality

TSC will adhere to, and abide by SI's Diversity and Inclusion policy, November 2020. No discrimination of any kind against employed and voluntary staff, membership applications, members and individuals of the general public will be tolerated.

17.0 Criminal Allegations

TSC shall treat allegations of criminal activity very seriously. Any allegation of a criminal offence will be reported to SI and the appropriate policing body.

18.0 Data Protection

TSC shall aim to follow the necessary data protection guidelines as updated regularly by SI.

<https://www.swimireland.ie/files/documents/GDPR-Guide.pdf>