

HELBY RUNNING CLUB CONSTITUTION

1) Name of Club

- a) The Club shall be known as Helsby Running Club ("the Club").

2) Purpose and Use of this Constitution

- a) This Constitution is to set out the agreed rules between the members of the Club to allow the fair, efficient and effective running of the Club.
- b) All members are encouraged to familiarise themselves with its content, and also the associated codes of conduct, policies and other documents.
- c) The Club encourages all those who refer to this constitution to do so with an open and positive approach.

3) Objectives

- a) The objectives of the Club shall be:
 - i) To encourage the practice, promotion, development and participation of amateur athletics and healthy recreation in Helsby, Cheshire and the wider community.
 - ii) To provide training and coaching for members.
 - iii) To organise open, club, and club handicap running races.
 - iv) To organise teams to represent the Club in championships and leagues and in such other competitions as the Committee shall decide.
 - v) The Club shall cater for the following athletics disciplines:
 - (a) Road Running
 - (b) Cross-Country Running
 - (c) Fell Running, and
 - (d) Trail Running.
 - vi) To support Helsby Community Sports Club (HCSC)'s management of their facilities in Helsby for the benefit of this Club, other sporting sections of HCSC and the wider community
 - vii) To ensure a duty of care to all members of the club.
 - viii) To provide all its services in a way that is fair to everyone.
- b) The Club shall seek to be affiliated to England Athletics, and other national or regional amateur athletic bodies as the Committee consider appropriate in order to carry out the objectives of the Club.

4) Club Colours

- a) The Club colours shall be green with white piping (as registered with England Athletics)
- b) The Management Committee will be responsible for the design of club kit
- c) First claim members are required to wear these colours when competing for the Club, unless the rules of competition provide exemption.
- d) Second claim members running in an open race, are required to run in the colours of their first claim club if the first claim club is registered in the discipline of that race (e.g., track & field, cross-country, road running, fell running, trail running, race walking).
- e) The definition of first and second claim are those used by England Athletics.

HELSBY RUNNING CLUB CONSTITUTION

5) Club Equity Statement

- a) This Club is committed to ensuring that equity is incorporated across all aspects of its development. In doing so it acknowledges and adopts the following Sport England definition of sports equity:
Sports equity is about fairness in sport, equality of access, recognising inequalities and taking steps to address them. It is about changing the culture and structure of sport to ensure it becomes equally accessible to everyone in society.
- b) The Club respects the rights, dignity and worth of every person and will treat everyone equally within the context of their sport, regardless of age, ability, gender, race, ethnicity, religious belief, sexuality or social/economic status.
- c) The Club is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment and abuse.
- d) All Club members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.
- e) The Club will deal with any incidence of discriminatory behaviour seriously, according to disciplinary procedures described in clause 14 of this constitution.

6) Membership

- a) Membership of the Club shall be open to persons aged 16 years old and over who are amateurs as defined by England Athletics at that time, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.
- b) Children under the age of 16 attending training, races or any club activity must be accompanied by their parent or guardian who shall be entirely responsible for them.
- c) For young people aged 16 or 17, a parent or guardian is to be entirely responsible for their attendance at all club activities.
- d) Each membership application must be made on the appropriate form. The appropriate subscription must accompany the application for membership.
- e) Honorary life membership of the Club may be conferred upon any member by a majority vote of those present at an Annual General Meeting (AGM) in recognition of someone who has performed an outstanding service, or who has made an outstanding contribution to the Club.
- f) Any member wishing to resign from the Club must do so in writing or by email to the Secretary.
- g) Resignation shall be considered by the Committee within one calendar month of receipt and will be held as effective from the date of tendering. Resignations will not be accepted if the member either owes money to the Club or holds Club property; in these cases, the resignation will not be accepted until the money has been paid or the property returned.
- h) All members will be subject to this constitution and by joining the Club will be deemed to accept this constitution and associated policy and codes of practice that the Club has adopted.

7) Subscriptions

- a) Annual subscriptions shall become due for payment on 1st April each year, with the amounts being determined by the Management Committee.
- b) The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- c) Any member failing to make payment by 30th June shall cease to be entitled to the rights and privileges of membership on that date and may be expelled provided that notice has been sent at least twice to the member's last known email address informing him/her of the proposed action.

HELSBY RUNNING CLUB CONSTITUTION

8) Management

- a) The club will be managed through the Management Committee consisting of the Chairman, Treasurer, Secretary, Ladies' Captain and Men's Captain who shall be Officers of the Club together with a maximum of seven other members. All shall be elected at the AGM and remain in office until the conclusion of the AGM of the following year.
- b) The Management Committee may as appropriate nominate the other committee members to undertake other roles such as Race Organisers, Vice-Captains, Welfare Officer, etc during their year of office. These roles are not specified to allow the Club and the Management Committee flexibility.
- c) Five elected Management Committee members are required for a quorum for a Management Committee meeting to take place providing the Chairman or Secretary is also present.
- d) The Management Committee meetings will be convened by the Secretary and held no less than four times per year.
- e) The Management Committee shall have the power to fill vacancies if they arise and to co-opt members, but co-opted members shall not have a Committee vote.
- f) Any elected member of the Management Committee who is absent from three successive meetings, illness exempted, may at the discretion of the Management Committee, be replaced for the remaining elected term of the Management Committee.
- g) The Management Committee may appoint individuals to perform specific duties on behalf of the Management Committee, and to delegate to those individuals such duties as they consider appropriate.
- h) The Management Committee will be responsible for adopting new policy, codes of practice and rules that affect the organisation of the Club.
- i) The Management Committee will have powers to appoint subcommittees as necessary and appoint advisers to the Management Committee as necessary to fulfil its business
- j) The Management Committee will be responsible for disciplinary hearings of members who infringe the club rules/regulations/constitution. The Management Committee will be responsible for taking any action of suspension or discipline following such hearings.

9) Annual General Meeting

- a) The AGM shall be held in the month of May (or June) as dictated by the practical circumstances applicable at that time.
- b) At the AGM the meeting will:
 - i) Approve the minutes of the previous year's AGM.
 - ii) Receive reports from the Chairman, Secretary and other Management Committee members.
 - iii) Receive a report from the Treasurer and approve the Annual Accounts.
 - iv) Receive a report from those responsible for certifying the Club's accounts.
 - v) Elect the Management Committee.
 - vi) Consider any proposed changes to the Constitution.
 - vii) Deal with other relevant business.
- c) At least 21 days' notice shall be given to members of the date, venue and agenda items for the AGM by email or in writing.
- d) All members of the Club at the meeting who are aged 18 years or more shall have one vote. In the case of an equality of votes the Chairman will have a second, casting, vote. Voting shall be by a show of hands except where the Chairman decides voting shall be by ballot.
- e) The quorum will be the lower number of i) a quarter of the voting members or ii) 25 voting members.

HELBY RUNNING CLUB CONSTITUTION

10) Extra-Ordinary General Meeting

- a) An EGM may be called by the Management Committee to discuss changes to the Constitution or any other Club business too urgent to wait for the AGM.
- b) An EGM must be called if a tenth of voting members so petition the Secretary in writing.
- c) 21 days' notice of an EGM must be given to all members by email or in writing together with the motion/s to be discussed. No other business shall be conducted.
- d) Procedures for voting shall be as used for the AGM.

11) Finance

- a) The club treasurer will be responsible for the finances of the club.
- b) The financial year of the club will run from 1st April and end on 31st March.
- c) All club monies will be banked in accounts held in the name of the club.
- d) An audited statement of annual accounts will be presented by the treasurer at the Annual General Meeting.
- e) Any cheques drawn against club funds should be signed by two of the following: the Secretary, Treasurer and Chair, or any other specifically nominated person.
- f) All members of the Club shall be jointly and severally responsible for the financial liabilities of the Club.
- g) Expenditure above agreed budget levels may only be authorised at a Management Committee meeting.

12) Property and Funds

- a) The property and funds of the Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the rules and all surplus income or profits are reinvested in the Club.
- b) The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, travel expenses and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.
- c) The Club may also in connection with the sports purposes of the Club:
 - i) Sell and supply food, drink and related sports clothing and equipment.
 - ii) Employ members and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present.
 - iii) Pay for reasonable hospitality for visiting guests;
- d) The Club may make donations to charities, CASCs or other not for profit organisations working for community benefit.
- e) Indemnify the Management Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).
- f) The Committee will have due regard to the law on disability discrimination and child protection.

13) Personal Data

- a) The Club will only ask for and hold sufficient information to administer the Club and communicate with its members. This may include medical information for emergency purposes.
- b) This data will only be used for the bona-fide club purposes, and only shared with other members of the club who need the information to carry out their agreed duties. It may also be shared with organisations to which the Club is affiliated to (such as England Athletics and Helsby Community Sports Club).
- c) Individual members are responsible for informing the Club of any change of personal details such as address, telephone number, e-mail address and medical conditions.

HELSBY RUNNING CLUB CONSTITUTION

14) Complaints and Disputes

- a) All concerns, allegations or reports of malpractice or abuse relating to the welfare of children or vulnerable adults will be recorded and responded to swiftly and appropriately in accordance with the Club's and UKA's/EA's safeguarding policy and procedures. The Welfare Officer shall be the lead Officer for all Members in the event of any safeguarding concerns.
- b) All complaints regarding the misconduct of club members should be submitted in writing to the Club Secretary. Where the matter relates to the Club Secretary, submit the complaint to the Club Welfare Officer. The content of a complaint will include specific details and evidence in relation to the infringement of Club Rules or any other offence or misconduct carried out during or in association with athletics activities which might reasonably be considered as bringing or having the potential to bring the Club into disrepute.
- c) Upon receipt of a formal complaint, the Club Secretary shall, having taken, and subject to, such advice as he or she considers it prudent to take in the circumstances, write to the Member or Members concerned to inform them of the complaint and to invite them to comment in writing within fourteen days upon the relevant allegations.
- d) On completion of 14 (c), the Club Secretary will determine if the complaint has sufficient grounds and is capable of being pursued based on the evidence/statements provided and will dismiss any frivolous complaints at this stage. If the matter is sufficiently evidenced a process will be pursued. The Club Secretary will appoint 3 club members to sit on the Disciplinary Panel, none of whom have had any direct interest or involvement in the matter.
- e) The Club Disciplinary Panel or Hearing will consider the matter on receipt of the initial complaint and formal responses from the member(s) involved. The Club Disciplinary Panel will have the power to suspend temporarily from membership any Member accused of an offence or misconduct, pending further investigations or enquiries. This suspension shall be to facilitate the investigation and be without prejudice to the outcome of the investigation.
- f) The Disciplinary Panel/Hearing will make such further enquiries as it thinks fit and will offer a reasonable opportunity to any Member concerned, who may be accompanied by a supporter, if so desired, to meet with it and answer the allegations and the Disciplinary Panel/Hearing will hear such witnesses as are reasonably produced. The Disciplinary Panel/ Hearing will make such procedural provisions as necessary for the just and efficient disposal of the case.

If the Disciplinary Panel/Hearing is satisfied that an offence of misconduct has been committed by a Member, then it may impose one or more of the following actions:

- i. note the offence or misconduct but take no further action;
- ii. formally warn the Member concerned as to future conduct;
- iii. suspend or disqualify the Member from club athletic competition, club coaching and/or administration and/or use of the Club's premises for some definite or indefinite period;
- iv. recommend to the relevant governing body that the Member be disqualified from any involvement in athletics for some definite or indefinite period and/or;
- v. terminate the membership or such other penalty as the Disciplinary Panel considers appropriate.

All parties concerned will be provided with the Disciplinary Panel's/Hearing formal written outcome notification by hand or by recorded delivery within seven days of the decision.

- g) **Appeal Process:** The letter notifying the decision of the Disciplinary Panel shall also set out the right to Appeal. The accused and/or the Complainant, may appeal against the decision of the Disciplinary Panel/Hearing, by serving a Notice of Appeal on the Club Secretary within seven calendar days of receiving the written decision. The Notice of Appeal must state the grounds on which the verdict of the Disciplinary Panel is challenged.

The Club Secretary shall acknowledge a Notice of Appeal within seven calendar days of its receipt and will cast a decision in regard to 'the grounds on which the verdict is challenged', if there are sufficient grounds/evidence provided to support the challenge, the Appeal Panel process will commence (14(h)), if there are insufficient grounds, the appeal will be dismissed.

- h) The Club Secretary shall appoint an Appeal Panel of three members who have not been involved directly, either in the events giving rise to the Hearing, or in the initial Disciplinary Hearing itself.

The Club Secretary shall inform all parties concerned of the composition of the Appeal Panel. Either party may object to the composition of the Appeal Panel by notifying the Club Secretary of the Objection and

HELSBY RUNNING CLUB CONSTITUTION

setting out the reasons for such an Objection no later than seven calendar days from the date of being informed of the composition of the Panel.

The Club Secretary, within fourteen calendar days from the date of receipt of an Objection, will notify in writing the parties that either:

- the composition of the Panel has changed, in which case the Club Secretary shall provide details of the new Appeal Panel; or
- the composition of the Panel has not changed, in which case the Club Secretary shall give reasons why it has not accepted the Objection.

Within fourteen calendar days from the date the Club Secretary responds to the Objection above (as appropriate), the Club Secretary shall give such directions to all parties that include;

- the date and place at which the Appeal Panel will meet to determine the Appeal.
- whether the appeal will proceed by way of written submissions or an oral hearing; and
- whether the parties should be required to submit statements of their evidence and/ or written submissions prior to the hearing and, if so, a timetable for doing so and the procedure for exchanging such statements and written submissions.

- i) **Powers of the Appeal Panel:** The Appeal Panel shall meet on the date fixed by the Club Secretary. The Appeal Panel may at its sole discretion disregard any failure by a party to adhere to this appeal procedure and may give such further directions as may be appropriate.

Any such hearings shall be in private unless all parties agree otherwise, or unless the Appeal Panel directs. The Appeal Panel shall have power to make a decision on the facts as it thinks fit and may:

- Quash the original decision;
- Confirm the original findings
- Request that the case be reheard (re-trial)
- Increase the original sanction;
- Abate the original sanction;

The Appeal Panel shall inform all parties of its decision within fourteen calendar days together with written reasons for its decision. The decision of the Appeal Panel shall be final. The Appeal Panel shall decide on any issue by majority.

A supporter can be a legal representative, who must be named, and may accompany the Complainant/Accused throughout the appeal process.

- j) **Records of Hearings and Appeals:** The decision of a Disciplinary Panel/Hearing, including Appeal Panel/Hearing, shall be recorded and retained in confidential records for a period of six years by the Club. Supporting documentation shall also be retained in the same fashion.
- k) **Notification to UK Athletics (UKA) and England Athletics (EA):** Where appropriate the Panel Chair, once the Appeal notice has expired, will inform EA/ UKA;
- Disciplinary Hearing – details of a decision, including sanctions imposed, will be communicated to EA and/or UKA if it is considered necessary to ensure compliance with a sanction, or for the safety and well-being of those engaged in athletics activity. EA/ UKA may determine to publish details on their websites.
 - Appeal Panel – details of a decision, including sanctions imposed, will be communicated to EA and/or UKA if it is considered necessary to ensure compliance with a sanction, or for the safety and well-being of those engaged in athletics activity. EA/UKA may determine to publish details on their websites.
- l) **Co-operation of All Parties**
The procedures described in these Discipline Procedures assume that all parties will co-operate in the interest of resolving the issue in question. In the absence of such co-operation, or if it is withdrawn at any stage, the Club reserves the right to proceed with a Hearing or an Appeal based on such evidence and information as it is able to obtain.
- m) When dealing with a complaint, the Club Secretary or nominated Club representative shall be entitled to take, or omit to take, such action as is recommended pursuant to legal advice received from a legal

HELSEBY RUNNING CLUB CONSTITUTION

practitioner whom the Club Secretary reasonably believes is competent to provide such advice and/or EA's legal representative service for affiliated members

- n) If a dispute arises between any Members or Officers of the Club about the validity or propriety of anything done by any Member or Officer under these Rules and the dispute cannot be resolved by agreement, the parties to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.

15) Dissolution or Merger

- a) A resolution to dissolve or merge the Club can only be passed by two-thirds of those present and voting at an AGM or EGM. Notice of such a resolution must have been given in the notification of the AGM or EGM. The Management Committee will then be responsible for the orderly winding up of the Club's affairs.
- b) After settling all liabilities of the Club, the Management Committee shall dispose of the net assets remaining to one or more of the following:
 - i) To another Club with similar sports purposes which is a registered charity and/or
 - ii) To another Club with similar sports purposes which is a registered CASC and/or
 - iii) To England Athletics for use by them for related community sports.

16) Alterations to the Constitution

- a) The Constitution may be altered but only by a resolution passed by two-thirds of those present and voting at an AGM or an EGM called for that purpose.

17) Priority

- a) Interpretation of all the above rules must be consistent with the statutory requirements for CASCs (which means Community Amateur Sports Clubs as first provided for by the Finance Act 2002).
- b) This constitution and rules remain subordinate to England Athletics' Rules of Competition.

18) Revision History

- a) This Constitution was formerly adopted at the EGM held on 20 July 2016 and replaces the club's previous constitutions (last updated in 1999) used since its formation in 1982. It was revised at the AGMs held on 15 September 2021 and 14 June 2023.