

Portslade Hedgehoppers Constitution (Updated 2022)

1 Name of Club

The club is called "Portslade Hedgehoppers" (hereinafter to be referred to as the **Club**) and may also be known as Hedgehoppers.

2 Aims and Objectives

The aims and objectives of the Club are (without limitation):

- the promotion of running and walking, as a not-for-profit organisation run by its members for its members;
- affiliation to the county and national bodies for athletics; and
- the minimisation of impacts of the Club in accordance with a Sustainability Policy or Code of Practice approved by the committee.

3 Membership

- (a) Membership of the Club is open to anyone aged 18 or over interested in participating in running and/or walking and may only be refused where admission to membership would be contrary to the best interests of sport or the good conduct and interests of the Club. A person may appeal against any denial of membership in accordance with rule 9 below.
- (b) Any changes to membership fees are to be determined at an Annual General Meeting (**AGM**) or Extraordinary General Meeting (**EGM**).
- (c) Membership is afforded to all who complete the relevant Membership Form and pay the applicable membership fee, and/or membership has been agreed by the Club committee. By joining the Club members will be deemed to accept the regulations within this Constitution and any codes of practice that the Club has adopted.
- (d) Only members may take part in the business of the Club or vote at general meetings.
- (e) All members may compete for the Club. Other individuals may compete for the Club with the approval of the Club committee.
- (f) Membership shall expire on 31st March each year. Existing members may renew their membership between 1st January and 31st March.
- (g) The Club shall have a duty of care to its members, and each member shall have a duty of care to other members.
- (h) The Club will handle members' personal data according to an approved Privacy Policy.
- (i) Membership of the Club shall terminate if:
 - (a) the member dies;
 - (b) the member, being an individual, is convicted of a criminal offence which involves dishonesty or any other offence, relating to safeguarding, drugs and any crime involving violence (including any convictions relating to children) at the committee's discretion;
 - (c) the member resigns by notice in writing to the Club by giving at least seven days' notice in writing to the Club provided that upon such resignation the number of members is not less than one;

- (d) the member is in arrears to the Club and his or her subscriptions or any other payments are at least three months overdue; or
 - (e) the member is removed from membership by a resolution of the committee as a result of application of the Club's (or England Athletics') disciplinary policy.
- (j) A person may appeal against a decision to remove him or her from membership in accordance with rule 9 below.
- (k) Any person ceasing to be a member forfeits all rights in relation to and claims upon the Club, its property and its funds and has no right to the return of any part of his subscription fee. Without prejudice to the foregoing, the committee may refund an appropriate part of a resigning member's subscription fee if it considers it appropriate in all the circumstances.
- (l) In the event of a member's resignation or expulsion, his or her name shall be removed from the Club's register of members.

4 Sports Equity

- (a) The 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 is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment and abuse.
- (c) All Club members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.
- (d) The Club will deal with any incidence of discriminatory behaviour seriously, according to Club disciplinary procedures.
- (e) The Club will not unfairly discriminate on the grounds of any protected characteristic, including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

5 Committee

- (a) The affairs of the Club shall be conducted by a committee comprising:
- a. a Chair,
 - b. a Secretary;
 - c. a Treasurer; and
 - d. any number of other members.

The Chair may, as they wish, adopt any similar title, e.g. "Chairman" or "Chairwoman", with the approval of the committee.

- (b) The Chair shall preside at all meetings of the Club and the committee, and shall ensure their proper and impartial conduct. He/she shall have a casting vote at committee meetings.

- (c) The Secretary shall be responsible for seeing that the Club is run according to its constitution and other regulations; for general correspondence; for arranging meetings; and for taking minutes.
- (d) The Treasurer shall be responsible for the finances of the Club.
- (e) The Chair cannot hold the post of Treasurer and the Treasurer should not be related to or co-habiting with either the Chair or the Secretary.
- (f) All committee members must be members of the Club and elected by members at an AGM or EGM. All must retire at the following AGM but shall be eligible for re-election.
- (g) The committee may fill any vacancy from within until the next AGM.
- (h) The committee shall delegate administrative functions among its members as required.
- (i) The committee is responsible for adopting new policies, codes of practice and rules that affect the organisation of the Club in accordance with this Constitution.
- (j) The committee has powers to appoint any advisers to the committee as necessary to fulfil its business.
- (k) Committee meetings shall be convened by the Secretary of the Club and be held at least 3 times per year.
- (l) All members of the committee shall have the right to vote at committee meetings, either in person or by nominated proxy. Nominations for proxy voting must be forwarded to the Secretary in advance of the meeting by the absentee only, and a list of such nominations must be made available. All matters are to be decided by the vote of a simple majority.
- (m) The quorum required to be in attendance for business to be agreed at committee meetings, in person or proxy, is 40% of the total number of committee members.
- (n) All members have the right to attend and speak (but not vote) at a committee meeting and to inspect minutes of committee meetings.

6 Finances

- (a) The financial year of the Club starts on 1st October and ends on 30th September.
- (b) A bank account shall be opened and maintained in the name of the Club (**Club Account**). Designated account signatories shall be the Chair, the Secretary and the Treasurer. No sum shall be expended from the Club Account except by cheque signed by two of the designated signatories or by electronic transfer approved by at least one of the designated signatories subject to a maximum amount fixed by the committee. All monies payable to the Club shall be received by the Treasurer and deposited in the Club Account as soon as is reasonably practicable. The Club Account shall be managed in accordance with any finance policy drawn up by the committee and/or in accordance with the reasonable instructions of the committee (acting collectively) from time to time.

- (c) A statement of annual accounts that have been independently verified shall be presented by the Treasurer at the Annual General Meeting.
- (d) All members of the Club shall be jointly and severally responsible for the financial liabilities of the Club.
- (e) The Club shall also, in connection with the purposes of the Club, indemnify the committee and its members acting properly while running the Club against any liability incurred in the proper running of the Club (but only to the extent of the Club's assets).

7 Annual General Meetings and Extraordinary General Meetings

- (a) General meetings are the means whereby the members of the Club exercise their democratic rights in conducting the Club's affairs.
- (b) The committee shall call an AGM each year and no more than fifteen months shall pass between one AGM and the next. The business of an AGM shall be to:
 - approve the minutes of the previous year's AGM;
 - receive a report from the Chair and other committee members as required;
 - receive a report from the Treasurer and approve the Annual Accounts;
 - elect a Chair, Treasurer, Secretary and other members of the committee;
 - agree the membership fees for the following year;
 - consider any proposed changes to the constitution; and
 - deal with other relevant business.The AGM shall take place at Portslade Sports Centre or such other suitable venue nominated by the committee.
- (c) Notice of the AGM shall be given to all members by the Secretary with at least 21 days' notice.
- (d) Nominations for Chair, Treasurer and Secretary shall be sent to the Secretary prior to the AGM.
- (e) Proposed changes to the constitution shall be sent to the Secretary prior to the AGM, who shall circulate them at least 14 days before an AGM.
- (f) All members of the Club have the right to vote at the AGM, either in person or by nominated proxy. Nominations for proxy voting must be forwarded to the Secretary in advance of the meeting by the absentee only, and a list of such nominations must be made available. All matters are to be decided by the vote of a simple majority.
- (g) No business shall be transacted at any AGM or EGM unless a quorum is present. The quorum for an AGM or EGM shall be 10% of the total number of members.
- (h) The Chair of the Club shall hold a casting vote at all general meetings.
- (i) An EGM shall be called by an application in writing to the Secretary supported by at least 10% of the members of the Club. The committee shall also have the power to call an EGM by decision of a simple majority of the committee members.

- (j) All procedures for EGMs shall follow those outlined above for AGMs (as applicable).
Decisions may only be made on the stated business.

8 Amendments to the constitution

The constitution will only be changed by a vote of two thirds of the membership present or voting by nominated proxy at an AGM or EGM.

9 Discipline and appeals

All complaints regarding any misconduct of members of the Club shall be dealt with in accordance with the attached England Athletics Club Discipline and Appeals Process (as may be amended from time to time) PROVIDED THAT any complaints regarding any misconduct of the Secretary made pursuant to "Step 1" of that process shall be submitted to any other member of the committee (in the absence of a "Welfare Officer").

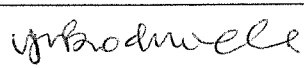
10 Dissolution


- (a) A resolution to dissolve the Club can only be passed at an AGM or EGM through a vote of two thirds of the membership present or voting by nominated proxy at the meeting.

- (b) In the event of dissolution, all debts of the Club shall be cleared from any Club funds. Any assets of the Club that remain following this will be donated to a local charity agreed by the committee.

11 Declaration

Portslade Hedgehoppers hereby adopts and accepts this constitution as a current operating guide regulating the actions of members.

Name	VAL BROCKWELL	Position	Chair
Sign		Date	29. 11. 22

Name	ZOE CHERRYMAN	Position	Secretary
Sign		Date	29. 11. 22

Club Discipline and Appeals Process

This document has been produced to assist Clubs to implement a clear process to follow whilst dealing with misconduct complaints within the Club environment.

Step 1:

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 your 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.

Step 2:

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.

Step 3:

On completion of step 2, 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 evidence and 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.

Step 4:

The Club Disciplinary Panel/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.

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.

Step 5 – 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 regards 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 (Step 5.1.), if there are insufficient grounds, the appeal will be dismissed.

Step 5.1.

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 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.

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
- 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.

Records of Hearings and Appeals

The decisions of Disciplinary Panel's/Hearings, including Appeal Panel's/Hearings, 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.

Notification to UK Athletics and England Athletics

Where appropriate the Panel Chair, once the Appeal notice has expired, will inform EA and/or UKA;

- Disciplinary Hearing - details of a decision, including sanctions imposed, will be communicated to England Athletics 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 England Athletics 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.

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.

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 practitioner whom the Club Secretary reasonably believes is competent to provide such advice and/or EA's legal representative service for affiliated members (contact EA Membership Services for further details).