

## CONSTITUTION

### **1. Name(s) and Colour(s)**

- a) The name of the club shall be Shamrock Diving Club
- b) The colours of the club will be Blue, Green and White
- c) The Headquarters shall be at the National Aquatic Centre, Dublin.

### **2. Objectives**

- a) The objectives of the club are:
  - i) To foster and develop diving and its participants
  - ii) To promote the teaching/coaching and practice of Diving in line with current best practice.
  - iii) To use Diving to promote the physical and moral qualities within the individual.
  - iv) To accept and enforce the rules and regulations set down by Swim Ireland regarding Diving in accordance with the affiliation status afforded to the club.
  - v) To provide a positive and safe environment for all its members and staff.
  - vi) To ensure sport for young people in the club is fun, and conducted in a safe, challenging and encouraging atmosphere. Adults should ensure a child-centred ethos that recognises that standards of behaviour are as important as standards of performance.
  - vii) 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.
- b) Shamrock Diving Club is fully committed to safeguarding the well being of its members. Every individual in Shamrock Diving Club should, at all times, show respect and understanding for their rights, safety and welfare, and conduct themselves in a way that reflects the principles of Shamrock Diving Club and the guidelines contained in the *Code of Ethics and Good Practice for Children's Sport* and the 'Swim Ireland Guidelines for Safeguarding Children 2010' or most up to date equivalent.

### **3. Affiliation**

- a) By virtue of the affiliation of Shamrock Diving Club to Swim Ireland, its members acknowledge that they are subject to the laws, rules and constitutions of:
  - i) Swim Ireland, the governing body for the whole of the island of Ireland.
  - ii) Ligue Européenne de Natation (LEN), the European governing body for the aquatics.
  - iii) Fédération Internationale de Natation (FINA), the world governing body for the aquatics.

#### **4. Membership**

- a) All members are subject to the rules and constitution of Shamrock Diving Club and rules and regulations of Swim Ireland, LEN and FINA.

b) Membership Categories

The following constitute as Members of the club:

- i) Competitor – Members of Shamrock Diving Club who decide to engage in competitive events.
  - ii) Non-Competitor – This category includes but is not limited to: participants who wish to train but not compete; coaches; administrators; aquatics leaders; and CCO's.
  - iii) Learn to Dive members will also be members of the Club although no Swim Ireland fees will be levied on them due to the nature of the sport for the first twelve months or until such time as they wish to compete in competition where membership of Swim Ireland is required.
- c) The Club Management Committee reserves the right to accept or reject applications for membership of the club. If they are refused, the applicant will be notified by the Management Committee in writing as to the reasons for their refusal.
- d) Unless otherwise provided for, membership of the club shall be annual membership and shall run for the duration of the calendar year.
- e) Application Procedures for Club Members
- i) All members and officials must complete the necessary application forms and attach the necessary fees as set down by Swim Ireland and Shamrock Diving Club
  - ii) They must also be familiar with and comply with the Swim Ireland and Shamrock Diving Club rules and read and sign the Swim Ireland and Shamrock Diving Club Codes of Conduct.
  - iii) These forms must then be forwarded to the Management Committee for approval. Those under 18 must have a parent/guardian sign the necessary application forms on their behalf.
  - iv) In the application for membership of the club a person shall be advised of the existence of the Constitution and its applicability to their prospective membership of the club. Upon acceptance to membership, a member shall be granted access to the club website members' page where a copy of the Constitution and Rules of Shamrock Diving Club shall be published. It shall be for all members to familiarise themselves with the provisions of the club's constitution and rules.
  - v) A member who wishes to resign as a member of the club may only do so in writing to the Secretary. No refund of subscription monies will be paid upon resignation from the Club.
  - vi) Full membership status is only valid where a subscription has been paid in full or in a manner agreed by the Club Management Committee.

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- vii) Members will be required to renew their membership with Shamrock Diving Club and Swim Ireland on an annual basis.

### e) Annual Subscriptions

- i) Club fees will be determined by the Management Committee.
- ii) If a member is deceased, their Legal Personal Representative is not liable for any balance of subscriptions.
- iii) 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.

## 5. 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. It must consist of a minimum of six members of Shamrock Diving Club and a maximum of eight members. All members of the management committee must be a member of Swim Ireland.

### b) Membership of the Management Committee

Membership of the Management Committee shall consist of the following: - A Chairperson, a Secretary, a Treasurer, and three/five other adult members. Also, Shamrock Diving Club shall have a Designated Person whose duty is to report any allegations of child abuse to the statutory body. The Designated person may be any member of the Management Committee although it is recommended that he/she is an officer of the club. Two Club Children's Officers must also be nominated who will have access to the Management Committee but not be a member of it.

Shamrock Diving Club is a child focused club. Members who are over eighteen (Masters) are encouraged to participate in the management of the club. A minimum of one and a maximum of two masters shall be elected to the management committee

### Management Committee Officers of Shamrock Diving Club

#### c) Duties of the Chairperson

- i) To promote the interest of Shamrock Diving Club at all times and act as the official spokesperson for the club.
- ii) To ensure the principles of due process and natural justice are applied in all decisions made by the committee.
- iii) To maintain order and prevent unnecessary disruptions.

#### d) Duties of the Treasurer

- i) To keep a record of all financial transactions concerning Shamrock Diving Club

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- ii) To keep appropriate books of record on Shamrock Diving Club business.
- iii) To identify all income received and all expenditures.
- iv) To act as co-signature on cheques along with the Chairperson/Secretary.

### e) Duties of the Secretary

- v) To record the minutes of all committee and club meetings.
- vi) To keep records of membership, complaints and contracts regarding the dealings of the club. Records shall be kept for a minimum of 6 years.
- vii) To set out meetings including agenda details, notice period and any other necessary information.
- viii) To deal with all club correspondence.

### f) Other Committee Member

- i) Duties and Responsibilities of all Committee Members - Committee members will be delegated with administrative powers to ensure the day to day running of the Club.

### g) Duties and Responsibilities of the Club Children's Officer (CCO)

- i) The Club Children's Officer shall be child centred in focus and have as the primary aim, the establishment of a child centred ethos within Shamrock Diving Club
- ii) The CCO shall be the link between the children and adults in Shamrock Diving Club
- iii) The CCO shall take responsibility for monitoring and reporting to Shamrock Diving Club Management Committee on how club policy impacts on young people and their Sports Leaders.
- iv) The CCO is not a member of the Committee but acts in an advisory capacity towards it, and must attend a minimum of 4 committee meetings a year to report and update the Committee regarding Child Welfare matters. They can attend all meetings if they so wish however.

### h) Duties and Responsibilities of the Designated Person

- i) Any concerns or disclosures relating to child abuse shall be reported to the Designated Person (DP) who is responsible for reporting this to the statutory authorities.
  - ii) The Designated Person 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 Swim Ireland.
  - iii) The Designated Person shall be a member of the Committee, with this individual acting in a dual role capacity, performing both their existing role in conjunction with that of Designated Person.
- i) Duties and responsibilities of the coaching and teaching staff

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- i) Those included, but not limited to Coaches, Teachers and Leaders, will comply with the guidelines set out in 'Swim Ireland Guidelines for Safeguarding Children 2010' or most recent edition.
  - ii) The position of Head Coach, coaches and diving teachers shall be duly advertised in accordance with proper legislative procedures and the appointment made following the relevant interviewing process.
  - iii) The recruitment procedures of any employed individual by Shamrock Diving Club shall be in accordance with 'Swim Ireland Guidelines for Safeguarding Children 2010', the Employment Rights (Northern Ireland) Order 1996, the Terms of Employment Act 1994 (ROI) and all other related recruitment legislation. Information relating to the responsibilities of the roles, duties and the level of experience/qualifications shall be indicated in the recruitment process.
  - iv) All Coaching and Diving Teachers shall have written contracts which outline their duties, functions and responsibilities.
  - v) All coaching details are the ultimate responsibility of the Head Coach. These duties are as follows
    - a. Training content
    - b. Training schedule
    - c. Team selection
    - d. Appropriating competitive divers into respective groups according to their ability
    - e. To report to and act as liaison to Swim Ireland HQ.
  - vi) All teaching staff will undergo a police vetting (Garda Siochana, PSNI, and Swim Ireland) in accordance with 'Swim Ireland Guidelines for Safeguarding Children 2010' or most recent edition. If the applicant is from a jurisdiction outside Ireland, enquiries will be made to the relevant statutory bodies.
  - vii) Coaches and teachers should have no management or elected position on the Club Committee where working as a coach or teacher for more than three hours a week.
  - viii) The Head Coach shall be accountable to the Committee and shall be entitled to attend any Committee meeting. A minimum attendance is also required of 4 meetings per year, effectively one per quarter, of the coach at Committee meetings.
  - ix) All Coaches and Leaders must be affiliated to Swim Ireland.
  - x) On away trips coaches should report to the Team Manager.
- j) Rights and Duties of the Management Committee
- i) The Management Committee shall be empowered to introduce rules, as the need arises, for the general regulation of the club. No rule shall be inconsistent with anything contained in this constitution.
  - ii) The Committee have the power to appoint such sub committees as they may consider necessary. These sub committees will act on behalf of the

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Management Committee and follow procedures and relay information as directed by the Management Committee.

- iii) The Management Committee shall be responsible for all assets of the club.
- iv) The Management Committee, in conjunction with the CCO, will be responsible for formulating Club policy in accordance with the 'Swim Ireland Guidelines for Safeguarding Children 2010', or most recent edition, and on the direction the Club takes in the future in all its activities. It is recommended that in accordance with Swim Ireland all Management Committee members complete the Swim Ireland Child Protection in Sport Awareness Workshop.
- v) 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.
- vi) 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 Committee members at a designated meeting.
- vii) The Management Committee will be expected to follow codes of conduct in relation to their obligations to Shamrock Diving Club members. These include, but are not limited to, confidentiality, objectivity, loyalty, fairness and a constant awareness of their obligations to Shamrock Diving Club and its members.

### k) Meetings of the Management Committee

- i) The Committee shall meet a minimum of six times per year with a minimum quorum of 50% of the members of the committee present.
- ii) The Chairperson and the Secretary shall have discretion to call further meetings of the Committee if they consider it to be in the interests of the Shamrock Diving Club.
- iii) A minimum of seven days notice will be given to committee members save with exceptional circumstances. The Management Committee shall agree how notice shall be provided whether this is phone, email and so forth.
- iv) The Committee should set out its agenda for a meeting no less than two days prior to the meetings.
- v) The Chairperson has the casting vote on any motion arising during the meetings.
- vi) The Chairperson's decision on a Point of Order is final
- vii) The Chairperson shall preside at all meetings.
- viii) The Secretary, or in her/his absence a member of the Committee, shall take minutes.
- ix) The Treasurer shall relay the financial position of the club at each meeting.

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- x) The other Committee members must also relay details on the areas of the club they are designated too.
- xi) The CCO, Coaching and Teaching staff and Team Managers must also be given the opportunity to report and voice the concerns of their designated areas within the Club, as well as to advise the Management Committee on relevant issues.
- xii) Members can acquire the minutes of the meeting in a summary format by providing the Secretary with a self addressed envelope.
- xiii) The Management Committee may also decide upon acceptable means of communication used, during periods between meetings, to ensure the day to day running of Shamrock Diving Club.

### **6. Voting Rights at General Meetings**

- a) Members who are fully paid up and over 16 years of age at the time of the meeting are eligible to vote.
- b) No voting by proxy is allowed.
- c) Parents of children under 18 years of age at the time of the meeting shall hold one vote on behalf of their child/children within the club. Only one parent may exercise this vote and this must be so agreed between the parents. Parents who are club members in their own right may vote with this right for themselves and also cast one vote on behalf of their child/children –
- d) Voting shall be conducted via a show of hands, which will be counted by the Secretary. The Committee may, however, recommend at the start of a General Meeting that a vote should be held in a secret ballot format owing to the content nature of the vote.
- e) No business shall be transacted at a general meeting unless a quorum is present. A quorum of 30% of the eligible voting members is the number required. If this quorum is not fulfilled the General Meeting can be suspended for exactly one week.
- f) Nominations will be passed at AGM's by simple resolution of 50% plus one.
- g) Motions for a change to the Shamrock Diving Club Constitution must be passed by a special resolution of 75% of person's present at the meeting are entitled to vote. The Committee can call for other motions to be passed by 75%.
- h) The Chairperson will have a casting vote if there is an equality of votes

### **7. Election of the Committee Members**

- a) Election of the Management Committee members takes place at the Club AGM each year.

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- b) A Committee member may stand for re-election for four consecutive years. After this time period is up, eligibility for re-election is revoked for a period of two years.
- c) The positions of the officers will be voted upon by simple majority. The positions of other (five) members of the committee will be elected in this manner unless the secretary receives a request at least 14 days prior to the meeting, signed by at least 20% of those eligible to vote, for a “one person one vote” system to be used.
- d) 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.
- e) A proposer and seconder are required for all Nominations and Notice of Motions.
- f) Notices of Motion and nominations for the Management Committee shall be displayed on the Club notice board for not less than 7 days prior to the AGM. They will also be available on request from the Secretary. Notices and Motions without due notice will not be discussed.
- g) In the event that no nominations are received by the Secretary by 14 days prior to the meeting, only then may a nomination from the floor at the AGM take place.
- h) A Club Children’s Officer must be appointed by the Management Committee and fulfil the criteria laid down by the ‘Swim Ireland Guidelines for Safeguarding Children’, or most recent equivalent.

### **8. Annual General Meeting (AGM)**

- a) 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 requested in writing by a member on providing a stamped addressed envelope.
- b) The Management Committee must decide when the AGM is held each year.
- c) The 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: Chairman’s Report; Secretary’s Report; Treasurer’s Report; Coaches’ Report and the CCO(s) report.
- e) Any changes or updates to the Club Constitution or Club Rules will be notified to the members and Swim Ireland within 21 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 delegates for the club will be elected to represent the club at the Swim Ireland AGM.

### **9. Extraordinary General Meeting (EGM)**

An Extraordinary General Meeting may be called at any time once 75% of the Committee resolve to convene such a meeting. 50% of voting members are also required to attend. Members with a requisition signed by 25% of the voting members



must give 28 days notice to the secretary, so the committee have time to deal with the issue adequately.

### **10. Transfers**

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

### **11. Finance**

- a) The financial affairs of the club shall be the responsibility of the Management Committee in general and in particular, the Treasurer. Correct accounts and book keeping shall be done by Treasurer or under his/her supervision.
- b) Annual Accounts Shamrock Diving Club should be prepared for the Annual General Meeting by Shamrock Diving Club Treasurer.
- c) The Management Committee shall be empowered to open Bank Accounts in the name of Shamrock Diving Club and all transactions in these accounts shall be authorized by the Management Committee. All cheques, drafts and so forth shall be signed by the Treasurer and either the Chairperson or Secretary.
- d) The Treasurer will receive all money paid to the Shamrock Diving Club and ensure all such sums are lodged to Shamrock Diving Club bank account as soon as possible.
- e) The Officers (Chairperson, Treasurer, and Secretary) are responsible for the financial negotiation of fees for Coaches, overheads and pool hire.
- f) Any assets invested in by the Management Committee will be used for Shamrock Diving Club purposes only. The Management Committee will delegate the use of these assets under advisement from coaches, teachers, club children's officers and others within the Shamrock Diving Club
- g) The Committee will have the power to negotiate sponsorships on Shamrock Diving Club's behalf and engage from time to time in fundraising activities. Any financial returns from these activities will be used for Shamrock Diving Club purposes only.

### **12. Complaints and Disciplinary Procedures**

Shamrock Diving Club will deal with complaints as laid out in Swim Ireland's 'Complaints and Disciplinary Procedures', and shall adopt SI procedures with this regard. Any issue involving members under 18 must also be brought to the attention of the CLO.

### **13. Cessation/Suspension/Expulsion of Membership**

- a) Shamrock Diving Club Committee has the power to terminate and suspend membership owing, but not limited to, violation of the constitution and/or rules,

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criminal behaviour or any activity deemed unseemly by the Management Committee. All club terminations and suspensions will be reported to Swim Ireland, and can be also appealed to SI.

- b) Suspension or termination of an individual's membership to Swim Ireland can only be done by Swim Ireland's board. These procedures are laid out in the 'Articles of Association of Swim Ireland'.

### **14. Dissolution**

- a) Shamrock Diving Club may be dissolved:
  - a. By a Resolution passed owing to the inactivity of its members. This Resolution would be passed at an EGM, specifically called for that purpose and carried by three quarters of the members present.
  - b. A Court Order where a dispute exists within its membership.
- b) Notice must be given to members and Swim Ireland for any Dissolution to come into affect, owing to a Resolution at a General Meeting
- c) All aspects of the Club, having discharged debts and liabilities, shall be distributed to a charity, charities or other non-profit making organization having an agenda similar to those of Shamrock Diving Club or SI.
- d) The Management Committee shall be responsible for the winding up of assets and liabilities of Shamrock Diving Club.

### **15. Equality**

In accordance with the Equal Status Act 2000 – 2004 and the Equality Act 1996 in Northern Ireland, Shamrock Diving Club will not discriminate against any persons or visitors within Shamrock Diving Club. No discrimination of any kind against employed and voluntary staff, membership applications, members and individuals within the general public, will be tolerated.

### **16. Criminal Allegations**

Shamrock Diving Club shall treat allegations of criminal activity very seriously. Any allegation of a criminal offence will be reported to Swim Ireland and the appropriate policing body.

### **17. Data Protection**

Shamrock Diving Club shall aim to follow the necessary data protection guidelines set down by the relevant bodies.