

ESB SWIMMING CLUB  
CONSTITUTION



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## List of Terms and Abbreviations

|              |  |
|--------------|--|
| (Club)       | The name of your club  |
| (Discipline) | The aquatic discipline(s) in which the members participate       |
| SI           | Sport Ireland – previously Irish Sports Council (ISC)            |
| AGM          | Annual General Meeting   |
| EGM          | Extraordinary General Meeting                                    |
| CCO          | Club Children's Officer  |
| Officer      | Officers of a club are the Chairperson, Secretary and Treasurer. |

Management Committee – This is the body elected by the Members for the management of the business and affairs of the club.

Leader – this is any person, whether paid or unpaid, who is responsible for those participating in the aquatic disciplines; roles include but not limited to supervisor, team manager, sports science personnel, chaperone, helpers, committee members, tutors, coaches and teachers.

Swim Ireland – is the National Governing Body for the Aquatic Disciplines in Ireland, recognised as such by the Irish Government, the Irish Sports Council, Sport Northern Ireland, the Olympic Council of Ireland and FINA and LEN, the World and European Aquatic Governing Bodies. #

National Governing Body (NGB) - The role of a NGB is to organise and administer the sport; train and deploy coaches; organise representative level sport; and provide sporting opportunities and pathways leading from grass root sport to national and international competition.

Swim Ireland website – [www.swimireland.ie](http://www.swimireland.ie)

Club website – [www.esbswimmingclub.com](http://www.esbswimmingclub.com)

Club contact details:

Secretary – [secretary@esbswimmingclub.com](mailto:secretary@esbswimmingclub.com)

Treasurer – [treasurer@esbswimmingclub.com](mailto:treasurer@esbswimmingclub.com)

Club Children's officer – [cco@esbswimmingclub.com](mailto:cco@esbswimmingclub.com)

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

- 1.1 The name of the Club shall be ESB Swimming Club, hereafter referred to as the "Club"
- 1.2 The colours of the Club shall be blue and yellow
- 1.3 The headquarters of the Club shall be SPORTSCO, South Lotts Road, Ringsend, Dublin 4

## **2. Objectives**

- 2.1 The objectives of the Club are:
  - To provide, foster and develop competitive swimming and other water related activities.
  - To promote the teaching/coaching and practice of competitive swimming in line with current best practice.
  - To promote the development of physical, moral and social qualities associated with sport, within the participants.
  - To accept and enforce the rules and regulations set down by Swim Ireland regarding competitive swimming in accordance with the affiliation status afforded to the club.
  - To provide a positive and safe environment for all its members and staff
  - To ensure sport for young people in the club is fun, and conducted in an encouraging atmosphere in line with Swim Ireland guidelines and best practice.
  - 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.
  - To introduce young swimmers to competitive swimming, initially through "Learn to Swim" classes and then, at the appropriate graded level, to ensure they progress in line with current best practice and club policies.
- 2.2 The Club is fully committed to safeguarding the wellbeing of its members. Every individual in the Club 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 the Club 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 equivalent. If

## **3. Affiliation**

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

## **4. Membership**

- 4.1 All members are subject to the rules and constitution of the Club and rules and regulations of Swim Ireland, LEN and FINA

### **4.2 Membership Categories**

The following constitute as members of the club:

- 4.2.1 Competitor: members of the Club who decide to engage in competitive events.
- 4.2.2 Non-Competitor: This category includes but is not limited to: participants who wish to train but not compete; coaches; administrators; leaders; and CCO's.

### **4.3 Membership Caveats**

- 4.3.1 The Management Committee reserves the right to accept or reject applications for membership of the Club. If applicants are refused, they must be notified by the Management Committee in writing as to the reasons for their refusal.
- 4.3.2 The Club will have rules and criteria covering requirements, trials and waiting lists for admission in place.

- 4.3.3 The Management Committee may only suspend or expel from membership in accordance with the Swim Ireland Complaints and Disciplinary Rules and Procedures.
- 4.3.4 Lapsed members may not participate in any activities of the club until all subscriptions have been paid and all liabilities to the club cleared.

4.4 The Club will publish all relevant club and Swim Ireland rules and regulations on the club's website or provide a link to Swim Ireland's website for a complete listing of abiding policies. Such documents will include but not be limited to; Swim Ireland Code of Ethics and Good Practice for Children's Sport, Swim Ireland Guidelines for Safeguarding Children, Swim Ireland Complaints and Disciplinary Rules and Procedures and the Club constitution.

#### **4.5 Duration of Membership and Annual Subscriptions**

- 4.5.1 Membership fees shall be due at a date determined annually by the Committee and should be paid within one calendar month of the fixed date. Any variation from this must be agreed by the Management Committee.
- 4.5.2 The membership year shall run from the 1st of September to the 31st of August each year
- 4.5.3 Club fees will be determined by the Management Committee.
- 4.5.4 If a member is deceased, their legal personal representative is not liable for any balance of subscriptions.

#### **4.6 Application Procedures for Club Members**

- 4.6.1 All members must complete the required application forms and attach the requisite fees as set down by Swim Ireland and the Club.
- 4.6.2 All members must also be familiar with and comply with the Swim Ireland and Club rules and read and sign the relevant codes of conduct annually.
- 4.6.3 The forms must then be forwarded to the Management Committee for approval. Parents must sign the application form where the applying member is under 18.
- 4.6.4 On acceptance the member will be deemed provided with a copy of the Constitution and rules of the Club, same being publicly available on the Club website.
- 4.6.5 A member who wishes to resign as a member of the Club must inform the Secretary in writing. No refund of subscription monies will be paid upon resignation from the Club and if this person wishes to renew membership at a later date they must re-apply.
- 4.6.6 Full membership status is only valid where a subscription has been paid in full or in a manner agreed by the club Management Committee.
- 4.6.7 Members are required to renew their membership annually with the Club and Swim Ireland.
- 4.6.8 The Club may accept membership applications from overseas members provided that: (i) the applicant is in good standing with their relevant swim governing body (ii) the applicant agrees to pay such fees (whether for coaching, administration or otherwise) as set by the Management Committee and (iii) the Applicant agrees to be bound by all relevant Club and Swim Ireland rules, codes of conduct and policies.
- 4.6.9 Honorary Life Membership may be awarded to recognise distinguished service to the Club and conferred on those members who, in the opinion of the Management Committee, merit such an award.

#### **4.7 Learn to Swim**

- 4.7.1 The Club wishes to run learn to swim classes.
- 4.7.2 Details of the participants must be recorded, but they are not required to be members of the club or Swim Ireland during their first year. Details must be forwarded to Swim Ireland to be insured under Club activities.
- 4.7.3 Any one taking part for longer than one year are required to become Club and Swim Ireland members to be insured under Club activities.

### **5. Club Management**

- 5.1 The Management Committee is the body elected by the members for the management of the Clubs and Community affairs of the club. It consists of not less than 5 and not more than 11 who must

be members of Swim Ireland in their own right. The Club Children's Officer and Head Coach are appointed positions who must also be members of Swim Ireland and sit on the committee in addition to those elected.

## **5.2 Membership of the Management Committee**

- 5.2.1 Membership of the Management Committee shall consist of the following: Chairperson, Secretary, Treasurer, Club Children's Officer, Head Coach and four other adult members.
- 5.2.3 The Management Committee will appoint a Complaints and Disciplinary Committee (CDC) in accordance with the SI Complaints and Disciplinary Rules and Procedures

## **5.3 Roles and Responsibilities of Management Committee Members**

### **5.3.1 Duties of the Chairperson**

- Comply with Swim Ireland rules and regulations
- Support the efficient running of the club
- Chair regular committee and annual general meetings
- Help others understand their roles and responsibilities
- Communicate with various members within the club
- Be actively involved in developing an action plan for the club
- Represent the club at local and regional events
- Assist the club to fulfil its responsibilities to safeguard young people at club level
- Ensure an understanding of the legal responsibilities of the club to which the Club complies

### **5.3.2 Duties of Club Secretary**

- Comply with Swim Ireland rules and regulations
- Be the first point of contact for club enquiries
- Organise and attend key meetings (including Annual General Meetings)
- Take and distribute minutes
- Delegate tasks to club members
- Deal with all correspondence
- Attend to club affiliations
- Ensure insurance is up to date and relevant
- Maintain up to date records and reference files
- Arrange handover or succession planning for the position

### **5.3.3 Duties of the Treasurer**

- Comply with Swim Ireland rules and regulations
- Co-ordinate the clubs financial planning
- Manage the club's income and expenditure in accordance with club rules
- Produce an end of year financial report
- Regularly report back to the club committee on all financial matters
- Efficient payment of invoices and bills
- Propose amendments to annual and monthly subscriptions as appropriate
- Deposit cash and cheques that the club receives
- Keep up to date financial records
- Arrange handover or succession planning for the position

### **5.3.4 Duties of the Club Children's Officer**

- Comply with Swim Ireland rules and regulations

- Ensure completion of required training and awareness of the role within the club
- Act in the best interest 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  
(Further details are contained in the latest Swim Ireland Safeguarding Policy document)

#### 5.3.5 Duties of the Head Coach

- Comply with Swim Ireland rules and regulations
- Development of an annual training and competition programme based around the principles of long term athlete development (LTAD).
- Support the preparation of training session plans for all squads and allocate water time to the squads accordingly.
- Devise and implement suitable squad criteria  
Ensuring that the appropriate level of coaching is available for all training sessions including land training.
- Providing a swimmer/parent education programme focussing on a variety of swimming related topics and lifestyles issues
- Provide suitable and relevant feedback on progress to both parents and athletes as required
- Such other duties as may be assigned from time to time by the Committee

#### 5.3.6 Education officer

- Comply with Swim Ireland recruitment policy
- Manage a training database for all coaches, committee members and volunteers in the club
- Understand safeguarding, training and licensing requirements
  - Ensure safeguarding, training and licensing requirements are met and maintained by all club members holding a role in the club (3-4-year plan)
  - Work with head coach and club development officer to ensure a training development plan is in place
  - Liaise with club treasurer and committee to ensure a training budget is in place on an annual basis
  - Liaise with regional support officer as needed
- Plan and organise in-house courses as required, with 60 days' notice given to Swim Ireland to facilitate appointment of tutors
- Seek out relevant courses/ workshops for the club
- Promote courses and recruit participants from within the club
- Provide support to coaches/ teachers to access CPD's and annual license

## 5.4 Roles and responsibilities of the coaching and teaching staff

Clubs and  
Community

Coaching/teaching staff  
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- Comply with Swim Ireland rules and regulations
- Operate within qualified level specifications
- Ensure all coaches/teachers hold an up to date Swim Ireland licence
- Plan and deliver coaching sessions appropriate to the ability of the athletes
- Work with the club's coaching and teaching team to deliver the coaching programme as agreed by the Head Coach/Teacher
- Make athletes aware of their progress.
- A clear understanding of any special needs of the athletes involved i.e. fitness levels, medical conditions, physical impairments or disabilities.
- Be aware and understand the facility Emergency Action Plan and Normal Operating Procedures (EAP & NOP)
- Attend all appropriate competitions and gala's in accordance with agreed yearly coaching plan
- Ensure appropriate cover for sessions if unable to attend, meeting the requirements for the club, i.e. licensed member of Swim Ireland
- Assist athletes to achieve their full potential

## **5.5 Rights and Duties of the Management Committee**

- 5.5.1 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 the Swim Ireland rulebook or this constitution. The Management Committee must ensure the club's rule book is in place, which is made available to all members
- 5.5.2 The committee has the power to appoint such sub committees as they may consider necessary. These sub committees will act on behalf of the Management Committee and follow procedures and relay information as directed by the Management Committee. All sub-committees must be ratified annually at the club AGM.
- 5.5.3 The Management Committee shall be responsible for all assets of the club.
- 5.5.4 The Management Committee, in conjunction relevant parties; i.e head coach and coaching staff, will be responsible for formulating club policy in accordance with the 'Swim Ireland Safeguarding Children Policies and Procedures 2010', or most recent edition, and on the direction the club takes in the future in all its activities.
- 5.5.5 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.
- 5.5.6 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, and they may be required to absent themselves from content, discussions and decisions.
- 5.5.7 The Management Committee will be expected to sign and follow codes of conduct in relation to their obligations to (club) members. These include, but are not limited to, confidentiality, objectivity, loyalty, fairness and a constant awareness of their obligations to (club) and its members. The 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 of the 'Swim Ireland Safeguarding Children Policies and Procedures 2010', or the most recent equivalent. The committee will also adhere to any updated versions of these policy documents which are issued in the future

## **5.6 Meetings of the Management Committee**

- 5.6.1 The Management Committee shall meet at least 6 times per year with a minimum quorum of 50% plus 1 of the members of the committee present.
- 5.6.2 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 club.
- 5.6.3 A minimum of 7 days notice will be given to Management Committee members save with exceptional circumstances. The Management Committee shall agree how notice shall be provided.



- 5.6.4 To the best of its ability the Management Committee should set out its agenda for a meeting no less than 4 days prior to the meetings.
- 5.6.5 The Chairperson has the casting vote on any motion arising during the meetings.
- 5.6.6 The Chairperson's decision on a Point of Order is final.
- 5.6.7 The Chairperson shall preside at all meetings; however in the Chairperson's absence a member of the Management Committee may be nominated.
- 5.6.8 The Secretary, or in her/his absence a member of the committee, shall take minutes.
- 5.6.9 The Treasurer shall relay the financial position of the club at each meeting.
- 5.6.10 The CCO, Head Coach and other committee members must also relay details on the areas of the club they are designated to.
- 5.6.11 The Club Secretary shall circulate points of note from the meetings of the Management Committee within 7 days to the Management committee members. Club members shall on request be furnished with a copy of said points of note.
- 5.6.12 The Management Committee may also decide upon acceptable means of communication used, during periods between meetings, to ensure the day to day running of club.

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

- 6.1 The AGM will be held annually in October.
- 6.2 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 emailed to club members as well as posted on the club notice board and website.
- 6.3 The committee shall distribute to members its annual report and other relevant documents not less than 14 days prior to the AGM.
- 6.4 At the AGM, the annual report shall be presented, which shall consist of a: Chairperson's report; Secretary's report; Treasurer's report; head coach's report and the CCO report.
- 6.5 Any changes or updates to the club constitution or club rules will be notified to the members and Swim Ireland within 30 days following the AGM.
- 6.6 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.
- 6.7 Two delegates for the club will be elected to represent the club at the Swim Ireland AGM.

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

- 7.1 An Extraordinary General Meeting may be called at any time in the following circumstances:
  - 7.1.1 If a resolution to convene a club EGM is passed at the preceding club AGM
  - 7.1.2 If 20% of club members serve on the club Secretary a written notice duly signed seeking the holding of such a club EGM
  - 7.1.3 Where two-thirds of the club Management Committee resolve to convene a club EGM
- 7.2 A club EGM must be held within 14 days of receiving such a request and must allow for 7 days' notice to all club members.
- 7.3 The EGM shall be run in accordance with Swim Ireland standing orders, as amended from time to time.
- 7.4 The total number of eligible voting club members will be made available by the Management Committee to club members.
- 7.5 Only the specific matter outlined in the submitted EGM notice may be dealt with at the EGM.

## **8. Procedures at General Meetings (AGM & EGM)**

- 8.1 No business shall be transacted at a general meeting unless a quorum is present. A quorum of 15 of the eligible voting members is the number required, and virtual verified presence by way of zoom or otherwise shall be deemed attendance.
- 8.2 If such a quorum is not present within half an hour from the time appointed for the meeting, or if during a meeting such a quorum ceases to be present, the meeting shall stand adjourned to the same day in the next week at the same time and place or to such time and place as the club committee may determine and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members present shall be a quorum.
- 8.3 Members who are fully paid up and over 18 years of age are eligible to vote.
- 8.4 No voting by proxy is allowed.
- 8.5 Parents 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 (i.e. that is one vote only and not one vote per child). 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
- 8.6 Voting shall be conducted via a show of hands, which will be counted by the Secretary. The Management Committee may, however, recommend that a vote should be held in a secret ballot format owing to the context of the vote.
- 8.7 Nominations will be passed at AGM's by simple resolution of (50%) plus one.
- 8.8 Motions for a change to the Club constitution must be passed by a special resolution of 75% of persons entitled to vote being present at the meeting.
- 8.8 The Chairperson will have a casting vote if there is an equality of votes

## **9. Nominations, Notice of Motions and Election of the Management Committee**

- 9.1 Election of the Management Committee members takes place at the club AGM each year. At this time the executive officers of the club shall be elected - Chairperson, Treasurer and Secretary, along with four other members of the Management Committee.
- 9.2 If an executive officer of the club must step down during their term the Management Committee may appoint an existing committee member to fill this vacancy to hold office from the date of such appointment until the expiry of the term of office that would have been served by that executive officer where he or she had completed a full term. The committee may co-opt a member of the club to fill any committee vacancy that may arise when filling an executive vacancy.
- 9.3 A committee member may stand for re-election for six consecutive years. After this time period is up, they will be ineligible for election for a period of two years.
- 9.4 Nominations for office and notice of motions must be received in writing by the club Secretary no less than 14 days prior to the general meeting.
- 9.5 A proposer and seconder are required for all nominations and notice of motions.

- 9.6 Notices of motions 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 club Secretary. Motions and nominations without due notice will not be discussed.
- 9.7 In the event that no nominations are received by the Secretary by 14 days prior to the general meeting, only then may a nomination from the floor at the AGM can take place.
- 9.8 A Club Children's Officer must be appointed by the Management Committee and fulfil the criteria laid down by the most recent 'Swim Ireland Safeguarding Children Policies and Procedures'.
- 9.9 A Club Head Coach must be appointed by the Management Committee and fulfil the criteria laid down by Swim Ireland Rules and Regulations.

## **10. Transfers**

- 10.1 If a member wishes to leave the Club and join another they must follow the Swim Ireland transfer rule (5.5 – Swim Ireland Rule Book).

## **11. Finance**

- 11.1 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 the Treasurer or under his/her supervision.
- 11.2 Annual accounts of the Club should be prepared for the Annual General Meeting by the Treasurer.
- 11.3 The Management Committee shall be empowered to open bank accounts in the name of (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.
- 11.4 The Treasurer will receive all money paid to the Club and ensure all such sums are lodged to the Club bank account as soon as possible.
- 11.5 Any assets invested in by the Management Committee will be used for ESB Swimming 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 Club.
- 11.6 The committee will have the power to negotiate sponsorships on the Club behalf and engage from time to time fundraising activities. Any financial returns from these activities will be used for ESB Swimming Club development purposes only.

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

- 12.1 The club hereby adopts The Swim Ireland Complaints & Disciplinary Rules and Procedures as amended by Swim Ireland from time to time.
- 12.2 All members of the Club must abide by the Swim Ireland complaints and disciplinary procedures
- 12.3 All complaints will be dealt with in accordance with the relevant complaints and disciplinary procedures

- 12.4 The Management Committee will appoint a complaints and disciplinary committee (CDC) in accordance with the Swim Ireland Complaints and Disciplinary Rules and Procedures
- 12.5 Any matter involving members under 18 must also be brought to the attention of the CCO

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

- 13.1 The Club have the power to 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 in line with Swim Ireland complaints and disciplinary policies
- 13.2 All club terminations and suspensions will be reported to Swim Ireland.
- 13.3 All club terminations and suspensions can be appealed in line with the Swim Ireland complaints and disciplinary policy.
- 13.4 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**

- 14.1 ESB Swimming Club may be dissolved:
- 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.
  - A Court Order where a dispute exists within its membership
- 14.2 Notice must be given to members and Swim Ireland for any Dissolution to come into effect, owing to a resolution at a general meeting.
- 14.3 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 the Club or Swim Ireland.
- 14.4 The Management Committee shall be responsible for the winding up of assets and liabilities of the Club.

### **15. Equality**

- 15.1 In accordance with the Equal Status Act 2000 – 2004 and the Equality Act 1996 in Northern Ireland, the Club will not discriminate against any persons or visitors within the 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**

- 16.1 The 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. General Data Protection Regulations (GDPR)**

- 17.1 The club hereby adopts The Swim Ireland General Data Protection Policy as amended by Swim Ireland from time to time.

