

OXFORDSHIRE & NORTH BUCKINGHAMSHIRE COUNTIES AMATEUR SWIMMING ASSOCIATION



Revised May 2024
Adopted 4 June 2024



Definitions

In these rules:

Region shall mean Swim England Southeast Region.

Words of the plural number shall include the singular and words of the singular number shall include the plural.

The term swimmer shall include artistic swimmer, diver, and water polo player unless the context indicates to the contrary.

1. Title

- 1.1 The Association shall be called Oxfordshire & North Buckinghamshire Counties Amateur Swimming Association.

2. Composition

- 2.1 The County Association shall consist of the clubs, associations and bodies affiliated to the Region and allocated to the County Association by the Region pursuant to the powers granted to it under the constitution of the Region and members thereof.

3. Objects

The objects of the County Association shall be to: -

- 3.1 Promote the development of swimming and swimming related activities and in particular to promote County swimming, diving, artistic swimming and water polo, championships and competitions.
- 3.2 Carry out the aims and objects of the Region and in particular to undertake the specific responsibilities set out below.
- 3.3 Conducts the business and affairs of the Association at all times in accordance with Articles, Regulations, and Technical Rules of Swim England and in particular:
- 3.3.1 the Association and its members shall comply with the Swim England Policies, Processes and Procedures as defined in the Swim England Handbook
- 3.3.2 the Association shall in accordance with Swim England Regulations adopt the current Swim England's Child Safeguarding policy and procedures ("Wavepower"); and shall recognise that the welfare of children is everyone's responsibility and that all children and young people have the right to have fun, be safe and be protected from harm.
- 3.3.3 members of the Association shall in accordance with Swim England Regulations comply with Wavepower.

- 3.4 Select and govern teams and individuals representing the County Association.

4. Responsibilities of the County Association

The County Association shall: -

- 4.1 Be responsible for managing within its boundaries subject to the strategic direction of the Region.
- 4.2 Observe the laws, judicial and technical rules of Swim England and ensure they are observed within its jurisdiction.
- 4.3 Follow the resolutions and rulings of the Swim England Board of Management and / or the Swim England Council and / or the Regional Management Board and / or the Regional Council and ensure they are followed within its jurisdiction.
- 4.4 Be accountable to the Region for the proper discharge of its functions.

In relation to its Administration and Finances the County Association shall: -

- 4.5 Determine the uses to which its funds are allocated within strategic criteria set by Region.
- 4.6 Set up and implement a Business Plan including a budget indicating the source of the required funding and how it will be spent, based on the strategic criteria set by the Region.
- 4.7 Set up and implement a Development Plan based upon strategic criteria set by the Region.
- 4.8 Have the authority to set a County element of the affiliation and membership fee due from each of the clubs affiliated to the County Association. It may, however, charge this direct to its clubs where applicable.

In relation to its accountability the County Association shall: -

- 4.9 From time to time submit its Business and Development Plans to the Regional Management Board or its nominated agent for information.
- 4.10 Keep accounts showing its income and expenditure against the budget set in its Business Plan and a Balance Sheet.
- 4.11 Report annually to the Regional Management Board in such form as it may from time to time require on its:
 - a) activities and any issues arising there from
 - b) expenditure of Swim England or Regional funding if applicable
 - c) performance against Development Plan.

5. Affiliations

- 5.1 The County Association shall be affiliated to the Swim England South East Region and each individual Club shall be similarly affiliated.

6. Finance, Property Accounting & Dissolution

- 6.1 Any decision to borrow money, the limits on such borrowing, and those entitled to borrow money on behalf of the County Association shall be decided by the Annual

General Meeting, or Special general Meeting, following a recommendation from the Executive Committee.

- 6.2 Any changes to banking arrangements shall be decided by the Executive Committee.
- 6.3 The County Associations financial year shall end on the 31st March to which date all reports and accounts shall be completed.
- 6.4 Every member of the Executive Committee, employee, servant or agent shall be indemnified by the County Association, and it shall be the duty of the County Association to pay all costs, losses and expenses which any person shall incur or for which they may become liable by reason of any contract entered into or act or done thing by them in good faith in the discharge of their duties.
- 6.5 Any member of any duly appointed or elected Executive Committee or Panel or employee, servant or agent of the County Association or any person duly appointed by the County Association to act with its authority shall be paid their expenses necessarily incurred through that membership or appointment by the County Association at the prevailing Swim England rates where such exist.
- 6.6 The County Association may purchase or by other means acquire and take options over any property whatever, and any rights and privileges of any kind or in respect of any property and if it does so: -
 - a) any property of the County Association, other than cash at bank shall be vested in two custodians. They shall deal with the property as directed by resolution of the County Association Executive Committee and entry into the minutes shall be conclusive evidence of such a resolution.
 - b) the Custodians shall be elected at the Annual General Meeting of the County Association and shall hold office until resignation unless removed by a resolution passed at the Annual General Meeting of the County Association.
 - c) the Custodians shall be entitled to an indemnity out of the property of the County Association for all expenses and other liabilities properly incurred by them in the discharge of their duties.
- 6.7 The County Association may be wound up or dissolved upon a resolution of four fifths of the delegates at a duly called General Meeting of the Association. If upon the winding up or dissolution there remains after the satisfaction of all its debts and liabilities any property whatsoever and:
 - a) the County Association has benefited from mutual trading, the same shall be distributed among the affiliated clubs in such proportions as the clubs may mutually agree.
 - b) the County Association has not benefited from mutual trading the same shall be transferred to any successor body, organisation, or association or in default of such a body to the Amateur Swimming Association.

7. Membership

- 7.1 A Club wishing to apply to the Region for allocation to the County Association shall submit copy of its rules to the Region with an application form and affiliation fee as set by the Region. Upon affiliation the Region shall provide to the County Association details of the club's membership and details of the club Secretary as the contact point for the club.

- 7.2 Any Club suspended by the Swim England or Region for non-payment of subscriptions, fines or other liabilities by the due date will be automatically suspended by the County Association and from all its Championships and Competitions.
- 7.3 All Member Club's will abide by the codes of conduct, policies and procedures of the County Association where they do not conflict with Swim England Policy.
- 7.4 All Member Clubs will support the County Association in meeting its Objects and endeavour to provide resources to enable them when requested by the Executive Committee.
- 7.5 Any insurance arranged by the Swim England or the Region will not provide cover for any person, club, association, body or organisation relative to any incident occurring during that period of suspension.

8. Resignation

- 8.1 Any club wishing to resign from the Region shall give notice in writing to that effect before 1st January to the Regional Chairman or it shall be liable for its Regional affiliation fee for the subsequent year. Resignation from the Region shall automatically terminate affiliation to the County Association.

9. Governance of the Association

There will be three levels of governance: -

- 9.1 General Meeting (The Council), Annual or Special (as required)
- 9.2 Executive Committee
- 9.3 Standing and other Committees

10. Principal Officers

The Principal Officers of the County Association will be

- 10.1 The Chair and Vice Chair
- 10.2 The Secretary
- 10.3 The Treasurer

11. The Annual General Meeting (Council)

The following persons should be invited to the Annual General Meeting (Council)

The Principal Officers of the Association

The President and President-Elect

The Past Presidents of the Association who may not vote in that capacity.

The Honorary Life Members of the Association

Duly appointed Officers of the Executive Committee

Two delegates from each affiliated club

All present must be members of Swim England.

- 11.1 The Annual General Meeting of the County Association shall be held in July of each year.

- 11.2 Fourteen days' notice of the meeting shall be given (where possible) and the Notice should be accompanied by an agenda and a copy of the minutes from the previous year's Annual General Meeting.
- 11.3 A duly certified set of accounts consisting of an Income and Expenditure Account for the year ended 31st March and a Balance Sheet as at 31st March should be presented to the Meeting.
- 11.4 Certification of the accounts should be by a suitably qualified person who is not an officer of the Executive Committee.
- 11.5 A Quorum shall be determined when one fifth of clubs entitled to send delegates are in attendance.
- 11.6 The Principal Officers, excepting the Chair, shall be elected annually at the Annual General Meeting, after nomination and secondment and if necessary, vote.
 - 11.6.1 The Chair shall be elected tri-annually. In the event that there is no Chair standing the post of Chair will be rotated through the Chairs of the Member Clubs, holding the post of Vice Chair for 6 months then moving to Chair for a further 6 months. The first Chair on the Rotation will hold the post Chair for 6 months. Any criteria for the eligible clubs for selection shall be agreed by a General Meeting otherwise all Member Clubs will be eligible.
 - 11.6.2 The Secretary, Treasurer and Vice Chair shall be elected annually.
 - 11.6.3 The President Elect shall be proposed for election as President at the Annual General Meeting held at the end of the term of office in that former capacity.
- 11.7 Special rules shall apply to the office of President Elect. Nominations should be received from Affiliated Clubs, by the date indicated on the nomination form distributed by the County Secretary at least 14 days prior to the AGM. Voting by Member Clubs for the office of President Elect may take place prior to the AGM with the result being ratified at the Meeting.
- 11.8 The Secretary or the Treasurer shall be entitled to vote at any Meeting of the Association or the Executive Committee, but they may not attend meetings in a dual capacity and vote as representatives of any Affiliated Club.
- 11.9 The Principal Officers of the Association shall be ex-officio members of all subcommittees established by the Annual General Meeting or by the Executive Committee.
- 11.10 The Chair shall take the Chair at any meeting of the Association. They may be invited to take the Chair at any duly constituted subcommittee. In the absence of the Chair, the meeting shall be Chaired either by one of the Principal Officers in attendance or elect a Chairperson for the meeting.
- 11.11 Changes to this Constitution can only be made at the Annual General Meeting or a Special General Meeting specially convened for that purpose.

12. Special General Meetings

- 12.1 A Special General Meeting of the Association may be called at the direction of The Executive Committee by a resolution passed at a meeting of which notice was given in accordance with these rules or at the discretion of the Secretary.
- 12.2 Fourteen days' notice of each meeting shall be given (where possible) and notice

should be accompanied by an agenda for the meeting. Only items on the agenda shall be discussed.

- 12.3 The list of attendees is as for the Annual General Meeting (Council).

13. The Executive Committee

- 13.1 The Management of the Association shall be carried out by an Executive Committee consisting of the Principal Officers of the Association (as defined in Rule 10 above), the President and President-Elect, the Past Presidents of the Association, the Officers of the Executive Committee and two representatives from each affiliated club. All persons are entitled to vote, and the Chairman shall have the casting vote. A Quorum of the Executive Committee shall consist of one fifth of affiliated clubs being represented at the meeting.
- 13.2 At the first Executive Committee meeting after the Annual General Meeting, the members of Executive Committee shall be elected, after nomination and secondment and if necessary, vote. Other than the Principle Officers it is possible for a person to hold two or more posts.
- 13.3 A person entitled to attend Meetings of the Executive Committee in a capacity other than as a Club representative shall not attend as a Club representative unless he has been formally appointed in that capacity by their club.
- 13.4 A Selection Committee shall be appointed by the Executive Committee. The four clubs finishing in the first four positions in the County Age Group Competitions will be included on the Committee unless they are already represented by an Officer of ONB appointed by the Executive Committee. In that event then the next clubs in the Competitions shall be represented. Decisions of the Selection Committee do not require the endorsement of the Executive Committee.
- 13.5 Such other subcommittees as may be considered as necessary by the County Association may be formed with their recommendations reported to the Executive Committee for approval.
- 13.6 An Emergency Committee consisting of the Principal Officers of the Association and other relevant Officers as appropriate to the issues involved, shall convene to deal with any matter requiring an immediate decision. A Quorum shall consist of three persons. All decisions taken shall be reported to the next Executive Committee meeting for ratification.

14. Meetings of the Executive Committee

- 14.1 Notice of Meetings of the Executive Committee shall be given 14 days in advance (wherever possible). The Minutes from the previous Meeting shall be circulated together with an Agenda.
- 14.2 The Minutes of the previous Meeting shall be approved and any matters arising discussed.
- 14.3 Reports from the various Executive Committees shall be presented and any matters discussed with decisions where required given.
- 14.4 Items not included in the agenda may be introduced and discussed and if the Chair so decides a vote taken. It may well be that the matter be left on the table for decision at the next Executive Committee Meeting.

15. Welfare

- 15.1 The County will have a Welfare Panel comprising 4 welfare officers from the Member Clubs. This Panel will be responsible for advising the Principal Officers and Executive Committee. The Panel will also provide advice and support to Member Clubs.
- 15.3 Members of the Welfare Panel will hold their post for a year, one member being rotated each quarter. A Member Club's welfare Officer may volunteer for the Panel. Where there is no volunteer for the next rotation a Member Club will be selected to provide a Welfare Officer. Any criteria for the eligible clubs for selection shall be agreed by a General Meeting otherwise all Member Clubs will be eligible.
- 15.2 Member Clubs will be responsible for providing the Welfare Officers for County activities in which any of their members take part.

16. Judicial Proceedings

- 16.1 The County Association will comply with the Swim England Judicial process with respect to Complaints, Disputes and Disciplinary matters.
- 16.2 The Chair may delegate the management of the Judicial process to another member of the Executive Committee.
- 16.3 Any requirement for a Judicial Panel will be constituted from the Executive Committee and the Chairs of the Member Clubs. The Panel will be independent and neutral with respect to the parties and the matter.
- 16.4 Any disciplinary action in relation to any of its allocated clubs and members with respect to a breach of its policies, rules or codes of conduct will be ratified by the Executive Committee or Judicial Subcommittee.
- 16.5 Any Club or individual presenting to a Judicial Panel shall have the right to be accompanied by an advisor.
- 16.6 Members of the Executive Committee whose Club or members of whose Club is / are the subject of Judicial process may attend Meetings of the Judicial Panel considering the matter. They shall not be permitted to take part in discussions or vote on the matter. Similarly, when a Club makes a protest against another Club the representatives of the protesting Club shall not be permitted to take part in the discussions or vote on the matter.

17. County Badges and Awards

- 17.1 Swimmers and representatives of any disciplines representing the County Association at an Inter-County event shall receive an award on the first occasion of doing so and upon the third occasion they shall receive their County Badge.

18. General Interpretation

- 18.1 In the event of anything occurring which is not provided for in these Rules the Executive Committee shall deal with the matter at its discretion and report the circumstances and its decision to the next General Meeting of the Association.