



HIGHLAND SWIM TEAM CONSTITUTION

Revised April 2017

The Highland Swim Team (HST) is a pathway for promising swimmers, who meet specific criteria to fulfil their fullest potential in this sport. Swimmers come from the Amateur Swimming Clubs within the Scottish Highlands and these Clubs support HST in the common goal of assisting our swimmers meet, achieve and exceed their own goals and objectives within swimming on the pathway to becoming an elite performer.

C1.0 NAME

The team shall be called the Highland Swim Team, hereafter referred to as HST.

C2.0 OBJECTIVES

The objectives of HST shall be to:

- C2.1** Develop swimmers from participating clubs, through joint attendance at training, assessments and selected competitions.
- C2.2** All constituent clubs shall commit to the HST objectives.

C3.0 MEMBERSHIP

- C3.1** HST consists of 5 constituent clubs, namely, Lochaber, Grantown, Inverness, Nairn, Tain, and Wick. Individual membership of one of the constituent clubs automatically ensures membership of HST. Scottish Swimming must agree which clubs are in composite. A constituent club wishing to resign from HST shall give the Secretary six months notice in writing.
- C3.2** The committee shall agree the proposed affiliation fees (annual club affiliation) each year in preparation for the AGM. Club affiliation fees shall be payable within one month of the AGM date. Any club that fails to pay within this time limit shall be prevented from taking part in any HST competitions, etc until payment has been made. Should any club not pay the required amount within three months, the Management Committee shall call an EGM to discuss further action.
- C3.3** All team members must be registered with Scottish Swimming through their constituent club and adult members will be as defined by Scottish Swimming.
- C3.4** All members joining a constituent club shall be deemed to accept the terms of this Constitution.
- C3.5** Any change to the constituent clubs must be made at an AGM or EGM and the Constitution amended and approved.

C4.0 GOVERNANCE

- C4.1** HST shall be subject to and bound by the Constitution and Scottish Swimming Governance documents.
- C4.2** HST shall comply with the Scottish Swimming Code of Conduct, Code of Ethics and Child Protection Guidelines.
- C4.3** HST will be governed by the Codes of British Swimming and FINA.
- C4.4** In the event that there shall be any conflict between any rule of HST and any of the governing bodies rules, then the relevant governing body rule shall prevail.
- C4.5** Amendments to the Constitution shall only be made at a General Meeting, provided at least a two thirds majority of those present and eligible to vote, vote in favour of the amendment. There should be representatives of at least 4 constituent clubs present.
- C4.7** The committee shall have the power as necessary to govern the activities of HST.
- C4.8** All constituent club swimmers who meet the specified criteria for training and competing at this level will be considered and assessed by the HST coach, after consultation with the constituent club's head coach.

C5.0 MANAGEMENT

- C5.1** The affairs of HST shall be conducted by a committee which will consist of a preferred minimum of two nominated delegates from each constituent club. All committee members and officers will be members of Scottish Swimming. It is the responsibility of the club delegates to consult and inform their respective club committees.
- C5.2** The officers of HST, who shall be honorary, shall consist of an independent Chairperson, Vice-Chairperson, Treasurer and Secretary who shall be elected an Annual General Meeting, as shall the said club delegates.
- C5.3** If the post of any officer or club delegate committee member should fall vacant after such an election, the committee and respective constituent club shall have the power to fill the vacancy. It is a principle of the committee that constituent clubs share equally in the administration of HST.

- C5.4** With the exception of the independent Chairperson, all committee members shall be members of one of the participating clubs.
- C5.5** A management committee consisting of an officer of HST, a representative of Scottish Swimming and SportsScotland shall be responsible for:
- a. The strategic direction of HST.
 - b. The financial management of HST.
 - c. The appointment and support of the performance coach contract.
- C5.6** Each constituent club shall ensure that they comply with the Scottish Swimming guidelines with regard to the appointment of a child protection officer.

C6.0

MEETINGS

C6.1 COMMITTEE MEETINGS

- C6.1.1** At least fourteen days notice of any general meeting and the agenda shall be given to constituent club representatives. Agenda items should be received no later than seven days before the meeting.
- C6.1.2** With the exception of changes to the Constitution, decision put to a vote shall be resolved by a show of hands unless otherwise decided by a majority of those present. In the event of equality of votes in any resolution before the meeting which requires a choice to be made for the continued good governance of HST, the Chair of the meeting shall have a second and casting vote.
- C6.1.3** The quorum shall be two officers plus five members eligible to vote to include at least one delegate present from three constituent clubs. The Chair at all meetings of HST shall be the Chairperson. In the absence of the Chairperson, the Vice Chairperson shall substitute. In the absence of both the Chairperson and Vice Chairperson, those in attendance shall appoint a substitute.

C6.1.4 A proposal to change the Constitution must be submitted in writing to the secretary and signed by two members.

C6.1.5 The minutes of all meetings shall be copied to the constituent clubs via their delegates.

C6.2 ANNUAL GENERAL MEETINGS (AGM)

C6.2.1 HST shall hold an Annual General Meeting during the last two months of the year with not less than fourteen days notice to:

- Approve the minutes of the previous year's AGM
- Agenda items no later than seven days prior to AGM
- Receive reports from the Chairperson and Coach
- Receive a report from the Treasurer and approve the annual accounts
- Receive a report from the independent examiner(s) of the annual accounts
- Elect officers and constituent club delegates
- Appoint independent examiner(s)
- Consider changes to Constitution

Appended to the AGM notice shall be the agenda, previous minutes, nominations and any proposed changes to Constitution.

Voting rights will be restricted to those having comparable voting rights at their constituent club AGM.

Nominations for officers, club delegates, proposed Constitution alterations shall be with the Secretary no less than five days before the AGM. This information will be issued at the AGM.

The term of office for Chairperson, Vice Chairperson, Secretary and Treasurer shall be a maximum of three years, one retiring annually in rotation.

C6.3 EXTRAORDINARY GENERAL MEETING

C6.3.1 An Extraordinary General Meeting shall be called by an application in writing supported by delegates from at least three constituent clubs. The request must outline the reason and business for the EGM. The committee shall also have the power to call an EGM by decision of a simple majority of its members.

The business of the EGM shall be restricted to that for which the meeting has been called.

C7.0 DISSOLUTION

In the event of the dissolution of HST, the decision on the distribution of any funds, property and other assets shall comply with rules of Scottish Swimming. If the management committee determines it is necessary or appropriate to dissolve HST, it shall convene a meeting of the constituent clubs, giving not less than twenty one days notice.

So long as four member clubs agree to support HST, it cannot be dissolved. A resolution to dissolve will require a two thirds majority of its members.

C8.0 FINANCE

C8.1 The financial year shall run from 1st September to 31st August each year.

C8.2 The Treasurer shall submit a budget to the first meeting of the management committee following the AGM for the current financial year.

C8.3 All outgoing payments should be authorised by the Treasurer and one of other authorised signatories on HST's bank accounts.

C8.4 The Treasurer shall be responsible for the preparation of Annual Accounts and shall arrange for independent examination and certification of the accounts before presentation of a certified summary to the AGM.

C8.5 The Treasurer shall submit a financial statement to the committee at every committee meeting.

C8.6 HST will be financed by affiliated club fees and individual swimmers fees. The fees will be reviewed on an as needs basis and revised by the committee as appropriate.

C9.0

DISCIPLINE

C9.1 Any club swimmer found guilty of infringing HST regulations or acting in such a manner as to bring disrepute to HST will be suspended from HST activities. The constituent club of whom the swimmer is a member will be notified of the suspension and will be expected to deal with the issues. The swimmer will remain suspended until the management committee is satisfied that the issue has been dealt with appropriately. The committee may take action against any constituent club where a club swimmer has been found guilty of infringing HST regulations or acting in such a manner as to bring disrepute to HST.

C9.2 A complaint, which is a formal expression of dissatisfaction or an allegation of unfair practice in connection with the management of HST can be made by any member of HST or a parent/guardian on behalf of a member under the age of sixteen years. All complaints, except for doping, child protection or alleged criminal offences and appeals shall be dealt in accordance with HST procedures. A complaint must be made in writing the Secretary no later than fourteen days after the incident.

C9.3 Complaints involving doping, child protection or alleged criminal offences shall be referred to the Scottish Swimming Chief Executive as quickly as possible, ie, within forty eight hours.