

# — **CONSTITUTION** — **AND RULES**

## **1. TITLE**

- 1.1. The title of the Club shall be the 'Brighton and Hove Scorpions American Football Club'.

## **2. AIMS AND OBJECTIVES**

- 2.1. To promote, supervise, develop and assist the interests of those, across all age groups and genders, who wish to play or participate in the sport of American Football.
- 2.2. To promote and develop the sport of American Football as a recreational activity as well as a competitive one.
- 2.3. To work continually to provide the best available coaching for all Club members across all age groups and genders.
- 2.4. To ensure the financial well-being of the Club through setting Membership Fees and seeking Sponsorship and Grants, in either cash or kind.
- 2.5. To provide competitive American Football for all age groups and genders within recognised structures as deemed appropriate by the Executive Committee of the Club.
- 2.6. To liaise with recognised representative local and national bodies to promote the sport locally, nationally and internationally at the appropriate levels.
- 2.7. To protect the assets of the Club.
- 2.8. To ensure that the assets of the club remain secure for future generations of American Footballers even if the Club ceases to function.

## **3. EXECUTIVE COMMITTEE OF THE CLUB**

- 3.1. The members of the Club at the AGM shall elect the members of the Executive Committee.
- 3.2. The Executive Committee shall comprise of 3, 5 or 7 Officers elected by the membership.
- 3.3. At least three of the people on the committee are unrelated or not cohabiting.
- 3.4. It is anticipated that these Officers will be non-playing members of the club but this is

not mandated

- 3.5. A Chairperson shall be nominated by majority vote by the Executive Committee, from within the Executive Committee, following their election to office.
- 3.6. The Vice Chairperson position shall be nominated by majority vote by the Executive Committee, from within the Executive Committee, following their election to office and following the election of the Chairperson.
- 3.7. The Executive Committee shall not contain senior coaching staff (co-ordinator level or above).

#### **4. VOTING RIGHTS OF THE EXECUTIVE COMMITTEE**

- 4.1. The Chairperson holds a casting vote only.
- 4.2. The other Officers hold one vote each.
- 4.3. If any Officer of the Executive Committee relinquishes his or her position during the year, the Executive Committee shall continue to function with the remaining elected members unless the total number of committee members falls below the minimum of 3 Officers.
- 4.4. Should the Executive Committee contain fewer than the minimum of 3 Officers an EGM shall be called immediately.

#### **5. DUTIES OF THE EXECUTIVE COMMITTEE**

- 5.1. The Officers of the club shall be responsible for:
  - 5.1.1. Appointing a Management Committee to run the Club's operations.
  - 5.1.2. Appointing the head coaches of the respective programmes.
  - 5.1.3. The implementation and upkeep of the Constitution.
  - 5.1.4. The control and effective management of the finances of the Club.
  - 5.1.5. Considering, accepting or rejecting applications for membership of the Club.
- 5.2. Forming a Disciplinary Panel as necessary, to deal with such matters arising from breaches of Club discipline, mismanagement or any other appropriate event or incident. Conflicts of interest are recognised, managed by the chair and recorded.
  - 5.2.1. Appointing and overseeing the role of the Safeguarding and Welfare Officer
- 5.3. The Officers shall ensure that the Management Committee:
  - 5.3.1. Recognise and, if appropriate, ensure that the club joins any officially recognised national or regional body that is responsible for the governing or promoting of the sport within the United Kingdom.
  - 5.3.2. Register all personnel within its membership, including administrators, coaches,

players and any other relevant personnel by the Management Committee.

- 5.3.3. Do not spend club funds on any items not included in the annual budget at the start of the year (unless agreed by the Executive Committee by majority vote)
  - 5.3.4. Collect all annual subscriptions on time
  - 5.3.5. Pays all club bills on time
  - 5.3.6. Ensure all appropriate logistical arrangements are made to fulfil the playing schedule.
  - 5.3.7. Maintains effectively all club equipment and other assets.
  - 5.3.8. Promotes the club through effective and responsible Media and Marketing.
- 5.4. The Officers of the club shall meet quarterly to ensure that club operations are functioning appropriately.

## **6. MEETINGS**

- 6.1. For the purposes of running the Club, Officers and Club Members may request and convene one of the 4 meetings listed below. For each type of Meeting the following rules to establish a quorum shall apply
- 6.2. Annual General Meeting (AGM) – Quorum Rules.
  - 6.2.1. Initially 51% of the current membership, including proxy votes, as confirmed in writing or via email, appointed to any current full member to the maximum of 10% of the current membership.
  - 6.2.2. Proxy votes must be registered with the Chairperson of the Executive Committee prior to the AGM.
  - 6.2.3. Should the requisite quorum be not present at the published start time of the AGM, the Chairman shall declare a recess of 15 minutes to allow latecomers to arrive.
  - 6.2.4. Upon completion of the recess the Chairperson shall reconvene the AGM and may, at his discretion, declare the attending membership a quorum.
- 6.3. Extraordinary General Meeting (EGM) – Quorum Rules.
  - 6.3.1. 51% of the current membership, including proxy votes, as confirmed in writing or via email, appointed to any current full member to the maximum of 5% of the current membership.
  - 6.3.2. Should the Executive Committee request the EGM, then rules 7.2.2 and 7.2.3

shall apply.

6.4. Executive Committee Meeting (ECM) – Quorum Rules.

6.4.1. No quorum rules apply.

6.5. Management Committee Meeting (MCM) – Quorum Rules.

6.5.1. No quorum rules apply

6.6. Annual General Meeting (AGM)

6.6.1. The elected Chairperson shall call an Annual General Meeting (AGM) each year, not later than 31 December each year and in any event within 13 months of the previous AGM

6.6.2. Members will be notified in writing or e-mail or any other agreed method of web-based communication not less than 21 days prior to the date of the AGM.

6.6.3. Each member of the Club shall be entitled to one vote at an AGM, subject to 16.10.

6.6.4. The business to be conducted at the AGM will be:

6.6.4.1. To receive, discuss and agree the annual accounts

6.6.4.2. To receive and discuss the reports of Officers and members.

6.6.4.3. To elect or re-elect Officers to the Executive Committee.

6.6.4.4. To consider any other business or proposed amendments to the Constitution that have been notified in writing to the Chairperson no less than 14 days prior to the AGM

6.7. Extraordinary General Meeting (EGM)

6.7.1. The Executive Committee may call an Extraordinary General Meeting (EGM) at any time subject to members being given notice of at least 14 days of the meeting.

6.7.2. The Chairperson shall, at the request of at least 51 percent of the voting membership, call an EGM for the purpose of considering specific matters. Any alteration to the Constitution can only be made at an EGM specifically called for that purpose or at an AGM subject to the requisite notice being given.

6.7.3. Each member of the Club shall be entitled to one vote at an EGM, subject to 16.10.

6.8. Executive Committee Meeting (ECM)

6.8.1. The Executive Committee shall meet as often as is necessary to consider the ongoing business of the Club. The timing and frequency of these meetings will be determined by the Executive Committee, subject to a minimum of 3 per calendar

year.

6.8.2. Minutes and task lists from these meetings must be entered into Club records as signed and agreed to be a true record of the prior meeting.

#### 6.9. Management Committee Meeting (MCM)

6.9.1. Management Committee may consist of one or more persons.

6.9.2. Management Committee will meet as and when deemed necessary.

6.9.3. Management Committee is responsible for keeping records to be presented to the Executive Officers

6.9.4. Sub-Committees must adhere to this Constitution.

#### 6.10. Protocol for election of officers at the AGM (or EGM)

6.10.1. All constitutional amendments shall be proposed, discussed and voted upon after the election of club officers. The only exception is that of any proposal of a change to the structure of the Executive Committee, which shall be proposed, discussed and voted on prior to the election of officers.

6.10.2. It is recognised that all Officers currently in post will automatically stand for election to the same post at the AGM unless they notify the Chairperson before the AGM. These Officers must be seconded by a member of the club at the AGM.

6.10.3. Any member of the club wishing to stand for a position on the Executive Committee must notify the Chairperson of his/her intention prior to the AGM and have his proposal seconded by a member of the club.

6.10.4. At the time of election, the Chairperson will ask the Vice Chairperson to take temporary chair of the meeting until the Chairperson has been elected by the membership.

6.10.5. All Executive Committee members will resign their posts and the Vice Chairperson who has taken the temporary chair position will oversee the election of the Chairperson. Once this has been completed, the Chairperson will then oversee the election of the other Executive Committee Members.

6.10.6. The tenure for all Executive Committee Members is one year (or until the next Annual General Meeting).

## **7. CHAIRPERSON**

- 7.1. The role of the Chairperson is to oversee and manage the efficient running of the Club.
- 7.2. The Chairperson shall:
  - 7.2.1. Be responsible for the assets of the Club
  - 7.2.2. Ensure that the Officers of the Club carry out their responsibilities.
  - 7.2.3. Ensure the Management committee carry out their responsibilities
  - 7.2.4. Ensure the Head Coach carries out his responsibilities.
  - 7.2.5. Chair all AGMs, EGM's and ECM's.

## **8. VICE CHAIRPERSON**

- 8.1. The Vice Chairperson will also provide support and absentee cover for the Officers

## 9. MANAGEMENT

9.1. Should the following positions be in post, the responsibilities are to include:

### 9.1.1. Head Coach

- 9.1.1.1. Overall responsibility for football at the club, managing the coaching staff, player development and safety.
- 9.1.1.2. Equipment Audits, loans, maintenance and management.
- 9.1.1.3. Reports to General Manager.

### 9.1.2. Team manager

- 9.1.2.1. Registering players, coaches, staff and the maintenance of the roster.
- 9.1.2.2. Working with the Finance Officer to collect Player subscriptions.
- 9.1.2.3. Managing the game day experience.
- 9.1.2.4. All correspondence with external organizations linked to the operations of the club. (medical, BAFA, BAFACA, BAFRA, venue, Transport, opponents)
- 9.1.2.5. Reports to Finance Officer & Chairman

### 9.1.3. Safeguarding and Welfare Officer

- 9.1.3.1. Dealing with all Safeguarding and Welfare issues, DBS management.
- 9.1.3.2. Reports to Chairman

### 9.1.4. Multimedia Manager

- 9.1.4.1. Website maintenance, film, photography, forum, social media.
- 9.1.4.2. Reports to Secretary.

### 9.1.5. Marketing, Sponsorship Co-Ordinator and PR

- 9.1.5.1. Press releases, marketing strategy, outreach, developing links in local communities, charity liaison.
- 9.1.5.2. Reports to Secretary.

### 9.1.6. Sponsorship Co-Ordinator

- 9.1.6.1. Managing appointments, pitching to sponsors, maintaining the sponsorship pack, chasing leads.
- 9.1.6.2. Reports to Secretary.

9.2. Any Officer can co-opt a Club member to assist in any specific task or role.

9.3. The co-opted members shall report directly to a named Club Officer who shall be responsible for the activities of the Co-opted member.

9.4. The Officer remains responsible for the actions of the Management role they are overseeing.

## **10. CONTROL OF ASSETS**

- 10.1. The purchase and ownership of assets remains the responsibility of the Chairperson.
- 10.2. The physical upkeep of assets may be passed onto a nominated person (i.e. an Team Manager or the Head Coach).
- 10.3. The control of Assets is the responsibility of the Chairman and his/her executive committee.

## 11. COACHING

11.1. The Head Coach is responsible for:

- 11.1.1. Ensuring that all coaches (including himself) are registered, insured and hold the appropriate coaching qualifications required to coach by the British American Football Coaches Association (BAFCA)
- 11.1.2. Applying the discipline of sports; teaching good sportsmanship and the value of team play.
- 11.1.3. Encouraging the competitive will to succeed, to enjoy the well-being of good health, physical fitness and the social association with other persons under proper leadership.
- 11.1.4. To teach the fundamentals of the game and its rules to all interested persons.
- 11.1.5. To promote safe play and to actively prevent and discourage both violent play and unsportsmanlike behaviour at all times.
- 11.1.6. To appoint a suitable coaching staff for all levels of football within the Club
- 11.1.7. To take responsibility for Health & Safety at all training sessions and games
- 11.1.8. Reporting to the Management Committee at the MCM's and ensuring compliance with this constitution.

## **12. MEMBERSHIP**

- 12.1. Any person may apply to become a member of the Club. Any such applications shall be subject to the approval of the Officers, who shall only refuse membership on the grounds that the applicant's conduct or views are likely to harm the Club or bring it into disrepute. Any such applicant must accept the Officers ruling as final.
- 12.2. The Officers shall be responsible for determining the subscription levels for coaching, playing and non-playing members no later than one calendar month after the AGM each year.
- 12.3. The Officers may introduce any class of membership as necessary to suit the needs of the Club.
- 12.4. The fee structure, benefits and restrictions must be published for each class of membership.
- 12.5. All non-playing applicants accepted by the Officers shall become full members of the Club on payment of the appropriate annual subscription for non-playing members.
- 12.6. Full members shall be entitled to the following benefits:
  - 12.6.1. The right to one vote at general meetings
  - 12.6.2. The right to request all Officers agenda, papers and minutes
  - 12.6.3. All newsletters and notices of general meetings, games, Club functions, social events and access to forum and relevant social media sites.
- 12.7. In exceptional Circumstances, such as financial hardship, the Finance Director may waive, reduce or stagger the payment of a playing member's subscription at their discretion.
- 12.8. The Finance Director may reduce the subscription proportionately in the case of new members who join during the year or leave part way through the year or take part for a proportion of the year.
- 12.9. Members who do not pay the required annual subscription within a specified timescale may be suspended from certain activities of the Club until the default is rectified. This right of suspension would extend to participation in AGMs and EGMs.

## **13. DISCIPLINE AND CODE OF CONDUCT**

- 13.1. General Rules:
  - 13.1.1. As a condition of membership at any level of the Club, all persons shall agree to be bound by the articles in this constitution.
  - 13.1.2. As a condition of membership at any level of the Club, all persons shall

agree to be bound by Team Rules as dictated by the Head Coach.

- 13.1.3. The Officers will, on request, act as arbitrator and/or appeals body in all disputes between its members, with specific regard to personal conduct and team discipline.
- 13.1.4. Illegal substances, weapons at any age and the use of alcohol by underage members are prohibited at all Club events.

## 13.2. Disciplinary Panel

- 13.2.1. At the request of the Chairperson of the Officers, the Club may form a Disciplinary Panel to take appropriate action against any Club member. If appropriate the Chairperson may take preventative or precautionary action in advance of the Disciplinary Panel. Consultation with, and agreement of, at least two voting members of the Officers must precede this action.
- 13.2.2. The Officers shall be empowered to suspend the membership of any individual whose conduct is considered to be detrimental to the best interests of the Club or its reputation, or who has brought the game into disrepute.
- 13.2.3. In the event of a Disciplinary Panel being deemed necessary, the Chairperson shall convene a panel of no less than three and no more than five Club members, for the purposes of adjudicating on the matter in hand.
- 13.2.4. The Chairperson, upon receipt of a written request for a hearing, shall fix a date for a Disciplinary Hearing within 14 days of the receipt. Written confirmation of the date of the hearing and details of the allegation shall, on the instructions of the Chairperson, be sent Recorded Delivery, by the Secretary, to all persons concerned.
- 13.2.5. Details of any alleged offence must be submitted in writing to the Disciplinary Panel via the Secretary.
- 13.2.6. At the hearing, any allegations against the subject or subjects of the hearing shall be narrated in their presence or in the presence of their representatives. The subject(s) or the representative(s) shall then have the right to reply and may produce witnesses or evidence to substantiate their defence. The Panel shall not unreasonably refuse any request for adjournment of the proceeding to enable preparation of a defensive answer.
- 13.2.7. After hearing the evidence, the Panel shall retire to consider further action and shall vote thereon. Such decision shall be conveyed in writing to the subject(s) of the hearing and those making the allegation.
- 13.2.8. From the date of receipt by, the Chairperson, of the allegation until the date of the hearing no penalty shall be considered to be in force. Any penalties imposed by the Disciplinary Panel will, however, remain in force until all appeals have been heard and finalised.
- 13.2.9. In the event that judgement is made against them the subjects shall be advised of their right of appeal.

### 13.3. Appeal Panel

- 13.3.1. In the case of a person requesting an appeal over a decision of a Disciplinary Panel, the appeal shall be considered, in the form of written evidence only, by the full Officers within 14 days of receipt of written notice of appeal.
- 13.3.2. The decision of the Appeal Panel shall be deemed final unless the Member/s can fulfil 17.4.1. Any Member not recognising the Appeal Panel ruling and not complying with 17.4.1 shall face immediate expulsion from the Club.

### 13.4. Officers Appeal Panel

- 13.4.1. In exceptional circumstances a Member may request a Officers Appeal Panel. This request must be supported in writing by no less than 5 Members.
- 13.4.2. In the case of a person requesting an appeal over a decision of an Appeal Panel, the appeal shall be considered, in the form of written evidence only, by the full Executive Committee within 28 days of receipt of written notice of appeal.
- 13.4.3. The Officers shall deliver their verdict in writing in no more than 21 days from the receipt of the written evidence.
- 13.4.4. The Officers' decision shall be considered final. Any member not recognising its ruling shall face immediate expulsion from the Club.

## 14. SAFEGUARDING AND WELFARE

- 14.1. The Executive Committee shall be responsible for drafting and maintaining a Safeguarding and Welfare Policy for the club. This is to be displayed on the Club's website and given to all club members upon joining.
- 14.2. The Management Committee shall appoint a Safeguarding and Welfare Officers as necessary for the teams and squads involving players under the age of 18.
- 14.3. The Safeguarding and Welfare Officers shall report to the Executive Committee before each Annual General Meeting as required under the Safeguarding and Welfare Policy.

## 15. DISOLUTION

- 15.1. The club shall be considered no longer in operation under the following circumstances:
  - 15.1.1. The club is unable to pay all creditors.
  - 15.1.2. The club is unable to elect a committee of executive officers.
  - 15.1.3. The club has not participated in active competition for more than 24 months.

15.2. In the event of the club becoming no longer operational:

- 15.2.1. All assets will be entrusted to the care of the Executive Officers for a period not exceeding 12 months.
- 15.2.2. The Officers shall seek remuneration from the sale of assets to pay any all creditors. No officer should profit from the sale of assets once the club is dissolve.
- 15.2.3. All club assets will remain in the care of the Officers for a period of no more than 12 Months whereupon they shall be passed to the British American Football Association and shall no longer be considered property of the Brighton and Hove Scorpions American Football club.

## 16. ADOPTION

16.1. The aforementioned Constitution and Rules have been agreed and adopted at the Annual General Meeting of the Membership held at 14 Sandringham Drive, Hove, East Sussex, BN3 6XD on 18<sup>th</sup> August 2018.

Signed: *T. Hemsley*

Signed: *M. Miller*

Position: Chairman

Position: Club Secretary

Dated: 18<sup>th</sup> August 2018

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