



## **BERKSHIRE ORIENTEERS – CONSTITUTION**

### **1 Name of Club**

The club is called '*BERKSHIRE ORIENTEERS*' (hereinafter 'the Club') abbreviated to 'BKO'.

### **2 Aims and Objectives**

- (a) The Club exists to promote the sport of orienteering within the local community. This will include (but is not limited to):
  - the organisation of orienteering events and activities
  - the provision of coaching and competitive opportunities.
- (b) It aims to achieve this in a manner which is equitable and in accordance with a duty of care to members.
- (c) The Club is affiliated to "British Orienteering" and is a member of the South Central Orienteering Association (SCOA).

### **3 Membership**

- (a) Membership of the club is open to anyone interested in the aims and objectives of the club without discrimination
- (b) The categories of membership and their membership fees shall be agreed at the Annual General Meetings.
- (c) All members will be subject to the regulations of the Constitution and by joining the Club will be deemed to accept those regulations and codes of practice that the Club has adopted and the policies and rules of British Orienteering.
- (d) The Club Committee may refuse membership, or remove it, only for good cause such conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made to the Secretary and will be dealt with as a 'complaint' under the procedures in Section 11.
- (e) Individuals shall not be eligible to take part in the business of the Club, vote at general meetings or be eligible for selection to any Club team unless the applicable membership subscription has been paid by the due date and/or membership has been agreed by the Committee.

### **4 Sports Equity**

- (a) This Club is committed to ensuring that equity is incorporated across all aspects of its development. In doing so it acknowledges and adopts the following Sport England definition of sports equity:

***“Sports equity is about fairness in sport, equality of access, recognising inequalities and taking steps to address them. It is about changing the culture and structure of sport to ensure it becomes equally accessible to everyone in society.”***

- (b) The Club respects the rights, dignity and worth of every person and will treat everyone equally, within the context of orienteering, regardless of age, ability, gender, race, ethnicity, religious belief, sexuality or social/economic status.
- (c) The Club is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment and abuse.
- (d) All members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.
- (e) The Club will deal with any incidence of discriminatory behaviour seriously, according to club disciplinary procedures.

## **5 Safeguarding Children & At-risk Adults**

- (a) In order to safeguard children and at-risk adults, Berkshire Orienteers and its members will apply the British Orienteering Safeguarding Policy & Procedures.
- (b) All individuals involved in orienteering through Berkshire Orienteers at every level, including participants, Officials, Instructors/Coaches, Administrators, Club Officials or spectators (where it is feasible to manage) agree to abide by the British Orienteering Code of Ethics and Conduct ("Code") and all such individuals participating or being involved in orienteering through Berkshire Orienteers in one of the aforementioned roles or in a role which comes within the intended ambit of this paragraph and the British Orienteering Safeguarding Policy & Procedures generally are deemed to have assented to and as such recognise and adhere to the principles and responsibilities embodied in the Code.
- (c) Each and every constituent member of Berkshire Orienteers shall be responsible for the implementation of the British Orienteering Safeguarding Policy and Procedures.

## **6 Committee**

- (a) The affairs of the Club shall be conducted by an Executive Committee (the 'Committee') which shall consist of:
  - six Officers: Chair, Treasurer, Secretary, Fixtures Secretary, Development Officer and Membership Secretary;
  - four further Committee Members;
  - up to two other club members co-opted by the Officers onto the Committee for a term of office.
  - With regard to the Chair, Treasurer & Secretary they shall all be over 18, members of British Orienteering, no more than two of these three officers are related and no more than two of these three are cohabitating.

Note that a Club Welfare Officer is also required but does not need to be part of the Executive Committee.

- (b) All those on the Committee shall be members of the Club and shall be elected at the Annual General Meeting.
- (c) If required, the Committee shall elect a Vice Chair from among its members.
- (d) The term of office shall be for one year, and members shall be eligible for re-election.
- (e) If the post of any Officer or Committee Member should be or fall vacant after such an election, the Committee shall have the power to fill the vacancy until the succeeding Annual General Meeting.
- (f) The Committee will be responsible for adopting new policy, codes of practice and rules that affect the organisation of the Club.
- (g) The Committee will have powers to appoint any advisers to the Committee as necessary to fulfil its business.
- (h) The Committee will be responsible for disciplinary hearings of members who infringe the Club rules, regulations or constitution. The Committee will be responsible for taking any action of suspension or discipline following such hearings.
- (i) The Committee meetings will be convened by the Secretary of the Club and be held no less than four times per year.
- (j) Only those elected to the Committee (or voted in to fill vacancies) will have the right to vote at Committee meetings.
- (k) The quorum required for business to be agreed at Committee meetings will be five Committee members of whom at least two shall be Officers.

## **7 Finances**

- (a) The Club Treasurer will be responsible for the finances of the Club.
- (b) The financial year of the Club will run from 1<sup>st</sup> January to the 31<sup>st</sup> December each year.
- (c) All Club monies will be banked in an account held in the name of the Club.
- (d) An audited statement of annual accounts will be presented by the Treasurer at the Annual General Meeting.
- (e) Any cheques drawn against Club funds should hold the signatures of the Treasurer plus one other signatory. Payments made by online banking must be authorised online by a second signatory. All Signatories must be members of the Committee.

## **8 Annual General Meetings and Extraordinary General Meetings**

- (a) General Meetings are the means whereby the members of the Club exercise their democratic rights in conducting the Club's affairs.

- (b) The Club shall hold the Annual General Meeting (AGM) within two months of the end of the financial year to:
- Approve the minutes of the previous year's AGM.
  - Receive report from the Chairman
  - Receive a report from the Treasurer and approve the audited Annual Accounts.
  - Elect the officers on the committee.
  - Agree the membership categories and fees for the following full year.
  - Consider any proposed changes to the Constitution.
  - Deal with other relevant business.
- (c) Notice of the AGM will be given by the Club Secretary with at least 30 days' notice to be given to all members. The agenda shall be sent to all members of the Club at least 14 days before such a meeting
- (d) Proposed changes to the constitution shall be sent to the Secretary at least 30 days prior to the AGM, who shall circulate them at least 14 days before an AGM.
- (e) All members have the right to vote at the AGM.
- (f) The quorum for AGMs will be 15 members.
- (g) The Chairman of the Club shall hold a deliberative as well as a casting vote at general and committee meetings.
- (h) An Extraordinary General Meeting (EGM) shall be called by an application in writing to the Secretary supported by at least 15 members of the Club. The Committee shall also have the power to call an EGM by decision of a simple majority of its members.
- (i) All EGM procedures shall follow those outlined above for AGMs.

## **9 Amendments to the constitution**

The constitution will only be changed through agreement by majority vote at an AGM or EGM.

## **10 Property and Funds**

- (a) The property and funds of the Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and all surplus income or profits are reinvested in the Club.
- (b) The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, travel expenses and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.
- (c) In connection with the sports purposes of the Club may also:
- Sell and supply food, drink and related sports clothing and equipment.
  - Reimburse members for reasonable and authorised expenses

- Remunerate members for goods and services only if they are registered self-employed and the expense is approved by the Committee
- Pay for reasonable hospitality, where approved by the Committee, for those supporting the work of the Club.

(d) The Club will indemnify the Committee and members acting properly in the course of the running of the Club against any liability incurred (but only to the extent of its assets).

## **11 Discipline and appeals**

(a) The Club shall appoint a Club Welfare Officer who will be the lead contact in the event of any child protection concerns. If the post falls vacant, the Chair will act in this role until a replacement is appointed.

(b) All concerns, allegations or reports of poor practice/abuse relating to the welfare of children and young people will be recorded and responded to swiftly and appropriately in accordance with the Club's child protection policy and procedures.

(c) All complaints regarding the behaviour of members or a refusal or removal from membership should be presented and submitted in writing to the Secretary.

(d) The Committee will meet to hear complaints within 14 days of a complaint being lodged. The Committee has the power to take appropriate disciplinary action including the termination of membership.

(e) The outcome of the hearing should be notified in writing to the person who lodged the complaint and the member against whom the complaint was made within 7 days of the hearing.

(f) There will be the right of appeal to the Committee. Any appeal should be submitted within one month of the notification of any action and the Committee should consider the appeal within 14 days of the Secretary receiving the appeal.

## **12 Dissolution**

(a) If the Committee resolves that the Club is no longer a viable proposition they shall call an EGM of the members to consider dissolution. All members shall be notified of the meeting and the reasons why the Committee consider the Club is not viable. This notice shall be issued at least 14 days prior to the meeting.

(b) The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened EGM or AGM.

(c) The Committee will then be responsible for the orderly winding up of the Club's affairs. Assets will not to be distributed to the members but will be used to further the original aims of the Club. The way in which this is to be done is to be decided at the aforesaid meeting.

(d) After settling all liabilities of the Club, the Committee shall dispose of the assets remaining to one or more of the following:

- British Orienteering - the governing body.
- Another Club with similar sports purposes which is a registered charity.
- Another Club with similar sports purposes which is a registered CASC.

### 13 Declaration

Berkshire Orienteers hereby adopts and accepts this constitution as a current operating guide regulating the actions of members.

<b>Name</b>	<b>Stefan Stasiuk</b>	<b>Position</b>	Chair
<b>Sign</b>	<i>Signed on Master</i>	<b>Date</b>	26 <sup>th</sup> May 2022

<b>Name</b>	<b>Derick Mercer</b>	<b>Position</b>	Secretary
<b>Sign</b>	<i>Signed on Master</i>	<b>Date</b>	26 <sup>th</sup> May 2022