

Southend Walking Football Club

effective from 6th October 2016

Section 1: Club Constitution and Procedures

The codes of practice, regulations and procedures of Southend Walking Football Club, its obligations to its members, Essex County Football Association, the Football Association and any other interested parties.

The 'Club Constitution and Procedures' of Southend Walking Football Club is binding and cannot be changed or altered, without the change first being proposed by the Club Committee and secondly being approved by a voting majority at an Annual General Meeting or Extraordinary General Meeting of the Club.

The 'Club Constitution and Procedures' forms part of the Rules (known in their entirety as the “**Club Rules**”) which consists of the following three (3) sections:

- a) **Section 1: Club Constitution and Procedures**
- b) **Section 2: Rules for Club Members**
- c) **Section 3: Rules of the Game**

Collectively they form a binding agreement between each member of the Club. Every Club member, officer, official and any other interested party shall be entitled to a copy of these Rules.

1. Name

1.1 The **Club** shall be called **Southend Walking Football Club** (or abbreviated to “SWFC”)

2. Objectives

2.1 The objectives of the Club shall be to provide facilities, promote the game of Walking Football, to arrange matches and social activities for its members, and community participation in the same.

3. Rules and Regulations

3.1 The members of the Club shall so exercise their rights, powers and duties and shall, where appropriate, use their best endeavours to ensure that others conduct themselves so that the business and affairs of the Club are carried out in accordance with the Rules and Regulation of The Football Association Limited (the “FA”), County Football Association to which the Club is affiliated (“Essex County FA”) and Competitions in which the Club participates, for the time being in force.

3.2 The Club will also abide by the FA’s Procedures, Codes of Conduct and the Equal Opportunities and Anti-Discrimination Policy as shall be in place.

4. Club Membership

4.1 The members of the Club shall be those persons listed in the register of members (the “Membership Register”) which shall be maintained by the Club Secretary.

4.2 Any person who wishes to be a member must apply on the Membership Registration Form and deliver it to the Club. Election to membership shall be at the discretion of the Club Committee and granted in accordance with the anti-discrimination and equality policies which are in place. An appeal against refusal may be made to the Club Committee in accordance with the Complaints Procedure in place (see Paragraph 13). Membership shall become effective upon an applicant’s name being entered in the Membership Register.

4.3 The FA and Essex County FA shall be given access to the Membership Register on request.

5. Membership Fees

5.1 An annual fee payable by each member will be determined by the Club Committee and set at a level that will not pose a significant obstacle to community participation. Any such fee (if payable) shall be due on a successful application for membership and annually by each member. Fees shall not be repayable.

5.2 The Club Committee shall have the authority to levy further subscriptions from the members as are reasonably necessary to fulfil the objectives of the Club.

6. Resignation and Expulsion

6.1 A member shall cease to be a member of the Club if, and from the date on which, he/she gives notice to the Club Committee of his/her resignation.

6.2 A member whose annual membership fee (if payable) or further subscription (if payable) is more than two (2) months in arrears or has not attended any club activities for more than eleven (11) months shall be deemed to have resigned.

6.3 The Club Committee shall have the power to expel a member when, in its opinion, it would not be in the interests of the club for them to remain a member. An appeal against such a decision may be made to the Club Committee in accordance with the Complaints Procedure in force (see Paragraph 13).

6.4 A member who resigns or is expelled shall not be entitled to claim any share of the income and assets of the Club (the “Club Property”).

6.5 The members personal details shall be removed from the Club register if the member resigns or is expelled.

7. Club Committee

7.1 Composition and Appointments

7.1.1 The Club Committee shall consist of the following Club Officers: Chairperson, Treasurer, Secretary, Social Secretary and up to five (5) other members, all elected at an Annual General Meeting (“AGM”).

7.1.2 Each Club Officer and Club Committee Member shall hold office from the date of appointment until the next AGM unless otherwise resolved at an Extraordinary General Meeting (“EGM”).

7.1.3 No one person may hold more than two (2) positions of Club Officer at any time.

7.1.4 Any vacancy on the Club Committee which arises between AGMs shall be filled by a member proposed by one (1) Committee member and approved by a majority of the remaining Club Committee members.

7.1.5 A Club member can apply for a senior role within the Club Committee that is held by someone else. An application must be endorsed by at least 2 other Club members then lodged with the Club Secretary at least 14 days before an AGM. Choice of candidate for the role will be decided by a private ballot at the AGM.

7.1.6 An outgoing member of the Club Committee may be re-elected. Unless there is a challenge, existing Senior Officers will be automatically reinstated at the AGM.

7.1.7 The position of a Club Officer shall be vacated if such a person is subject to a decision of The FA that such person be suspended from holding office or from taking part in any football activity relating to the administration or management of a football club.

7.2 **Responsibilities**

7.2.1 Save as provided for in the Rules and Regulations of The FA, the Essex FA and any applicable Competition, the Club Committee shall have the power to decide all questions and disputes arising in respect of any issue concerning the Club Rules.

7.2.2 The Club Committee shall be responsible for the management of all the affairs of the Club. Decisions of the Club Committee shall be made by a majority of those attending the Club Committee meeting. The Chairperson of the Club Committee meeting shall have a casting vote in the event of a tie. Meetings of the Club Committee shall be chaired by the Chairperson, or in their absence the Club Secretary.

7.2.3 The quorum for the transaction of the business of the Club Committee shall be three (3). Decisions of the Club Committee shall be entered into the Minute Book of the Club to be maintained by the Club Secretary.

7.2.4 Any member of the Club Committee may call a meeting of the Club Committee by giving not less than seven days' notice to all members of the Club Committee.

7.2.5 The Club Committee shall hold not less than four (4) meetings per year.

8. **Annual and Extraordinary General Meetings**

8.1 An AGM shall be held in April of each year to:

- Receive a report of the activities of the Club over the previous year.
- Receive a report of the Club's finances over the previous year.
- Elect members of the Club Committee.
- Consider any other business.

8.2 Nominations for election of members as Club Officers or as members of the Club Committee

shall be made in writing by the proposer and seconder, both of whom must be existing members of the Club, to the Club Secretary not less than 21 days before the AGM. Notice of any resolution to be proposed at the AGM shall be given in writing to the Club Secretary not less than 21 days before the Meeting.

8.3 An EGM may be called at any time by the Club Committee or be called within 21 days of the receipt by the Club Secretary of a requisition in writing, signed by not less than five members, stating the purposes for which the Meeting is required and the resolutions proposed. Business at an EGM may be any business that may be transacted at an AGM.

8.4 The Club Secretary shall send to each member notice of the date of a General Meeting (whether an AGM or an EGM) together with the resolutions to be proposed at least 14 days before the meeting.

8.5 The quorum for a General Meeting shall be nine (9).

8.6 The Chairperson, or in their absence a member of the Club Committee, shall take the chair. Each member present shall have one vote and resolutions shall be passed by a simple majority. In the event of an equality of votes, the Chairperson of the Meeting shall have a casting vote.

8.7 The Club Secretary, or in their absence a member of the Club Committee, shall enter the Minutes of General Meetings into the Minute Book of the Club.

9. Management of Club Teams

9.1 At its first meeting following each AGM, the Club Committee shall appoint a Club member to be responsible for each of the Club's football teams. The appointed member (or "**Team Manager**") shall be responsible for managing the affairs of the team. The appointed member shall present to the Club Committee at its last meeting prior to an AGM a written report of the activities of the team.

9.2 In the event that a Team Manager leaves the club during the season, other Club members will be invited to fill the vacant role and an appointment will be made by the Club Committee at an Extraordinary General Meeting (EGM).

10. Club Finances

10.1 A bank account shall be opened and maintained in the name of the Club (the “**Club Account**”). Designated account signatories shall be the Club Chairperson, the Club Secretary and the Club Treasurer. No sum shall be drawn from the Club Account except by:

- cheque signed by any one of the three designated signatories;
- electronic payment made by any one of the three designated signatories;
- debit card held by the Club Treasurer.

10.2 The Treasurer may hold monies in Petty Cash up to the value of £100.

10.3 All monies payable to the Club shall be received by the Treasurer and deposited in the Club Account except where necessary to maintain a balance in the Petty Cash holding.

10.4 The Club Committee shall have the power to authorise the payment of remuneration and expenses to any member of the Club (although a Club shall not remunerate a member for playing) and to any other person or persons for services rendered to the Club.

10.5 The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away match expenses, post-match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.

10.6 The Club may also in connection with the sports purposes of the Club:

- Sell and supply food, drink and related sports clothing and equipment.
- Employ members (although not for playing) and remunerate them for providing goods and services, on fair terms set by the Club Committee without the person concerned being present.
- Pay for reasonable hospitality for visiting teams and guests.
- Indemnify the Club Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).

10.7 The Club shall keep accounting records for recording the fact and nature of all payments and receipts so as to disclose, with reasonable accuracy, at any time, the financial position, including the assets and liabilities of the Club. The Club must retain its accounting records for a minimum of six (6) years.

10.8 The Club will prepare an annual “**Financial Statement**” which shall be verified by the Club Committee and approved by members at the Annual General Meeting. A copy of any Financial Statement shall, on request, be made available to The FA, Essex County FA or any other interested party.

11. Club Property

11.1 The responsibility for Club Property, other than the Club Account, shall be vested in not less than two (2) and not more than four (4) custodians, one of whom shall be the Treasurer. The “**Custodians**” shall deal with the Club Property as directed by decisions of the Club Committee, and entry in the Minute Book shall be conclusive evidence of such a decision.

11.2 The Custodians shall be appointed by the Club in a General Meeting and shall hold office until death or resignation unless removed by a resolution passed at a General Meeting.

11.3 On their removal or resignation, a Custodian shall execute a Conveyance in such form as is published by The FA from time to time to a newly elected Custodian or the existing Custodians as directed by the Club Committee. The Club shall, on request, make a copy of any Conveyance available to The FA. On the death of a Custodian, any Club Property vested in them shall vest automatically in the surviving Custodians. If there is only one surviving Custodian, an EGM shall be convened as soon as possible to appoint another Custodian.

11.4 The Custodians shall be entitled to an indemnity out of the Club Property for all expenses and other liabilities reasonably incurred by them in carrying out their duties.

11.5 The Club Property shall be applied only in furtherance of the objectives of the Club. The distribution of profits or proceeds arising from the sale of Club Property to members is prohibited.

12. Dissolution of the Club

12.1 A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be carried by the majority of at least three-quarters of the members present.

12.2 The dissolution shall take effect from the date of the resolution and the members of the Club Committee shall be responsible for the winding up of the assets and liabilities of the Club.

12.3 Any surplus assets remaining after the discharge of the debts and liabilities of the Club shall be transferred and proportionally shared between remaining club members, where one share is transferred for each complete year of membership.

13. Complaints and Internal Disciplinary Procedure

13.1 In the event of a complaint against the Club, Club Committee or a Committee Member the complainant should address the complaint in writing to the Chairperson along with any supporting evidence and information.

13.2 The Chairperson shall consider whether the complaint has the necessary information to proceed and contact the complainant if further information is required.

13.3 If appropriate the Chairperson may first seek to resolve the complaint through mediation. If either party refuses mediation or the process fails to resolve the complaint, the Committee shall review the complaint.

13.4 On receipt of the complaint, the Committee shall appoint an Investigating Officer, who will gather evidence and present a report, along with any recommendations to the Committee.

13.5 The Club Committee shall review the Investigating Officers report and recommendations and take appropriate action from a majority decision.

13.6 If the complaint is about a Committee member, that member will be excluded from all stages of the complaint handling process. If the complaint is about the Chairperson, another Committee member will act in their place.

13.7 The result of an appeal decision is final and binding.

13.8 If the complainant is not satisfied with the decision, within 14 days of the decision the complainant may appeal, in writing, to Essex County FA at the following address:

Essex County Football Association
County Office
Springfield Lyons Approach
Chelmsford
CM2 5LB

It should be noted that Essex County FA's appeal process is limited to ensuring that the Club has followed correctly its process for handling complaints, as documented above, and it will not be responsible for reviewing the decision made by the Club's Committee.