

CONSTITUTION
of
STRATHEARN HARRIERS

1. Name

The club will be called *STRATHEARN HARRIERS* and will be affiliated to SCOTTISH ATHLETICS.

2. Club Colours

The Club's colours are royal blue/white halves with the club's name in white letters on the front of the blue, upper half. Vests or long sleeve shirts in club colours will be worn by Members when taking part in any organised race or event.

3. Aims and objectives

The aims and objectives of the club will be to:

1. Encourage and facilitate participation in recreational and competitive running throughout the Strathearn area
2. Develop the running potential of all Members to the highest level possible and help them achieve their personal running objectives
3. Encourage competition and achievement for individual club Members and for the club as a whole
4. Provide related sporting and social benefits to foster team spirit and feeling of inclusion for all Members

In doing so, the club will strive to:

- A. Ensure a duty of care to all Members
- B. Demonstrate fairness, equality and openness in its communication and in its provision of events, services and facilities
- C. Secure the future of the club by attracting new Members to the club and through responsible financial management

4.Membership

Membership of the Club is open to all individuals provided they comply with this constitution and by joining the Club, members will be deemed to accept these regulations and any codes of conduct that the Club has adopted. No person shall be refused membership on the grounds of age, gender, disability, race, ethnic origin, religious belief, sexual orientation or social background.

The Club Committee reserves the right to refuse or withdraw Membership without restriction or need to state reasons. In this situation, the Club will notify the member of its decision.

Members will be enrolled in one of the following categories:

- Full Member (18 years and above) – full voting rights
- Junior Member – no voting rights

5. Membership fees

Membership fees will be set and communicated annually and agreed by the Club Committee. Fees will be paid annually.

6. Office Bearers of the Club

The Office Bearers of the Club are:

- President
- Secretary
- Treasurer

Elections of officers are to take place at the AGM. Previous holders of these Offices will be eligible for re-election. Individuals may hold no more than one Office Bearing role at any given time.

7. Club Committee

The affairs of the Club will be managed by a Club Committee consisting of the three Office Bearers and not fewer than two and not more than five elected Ordinary Members.

Election of the Ordinary Members of the Club Committee are to take place at the AGM. Previous Ordinary Members of the Club Committee will be eligible for re-election.

In normal circumstances, Ordinary Members of the Club Committee will hold specifically designated roles. These roles may be determined by the Club Committee to best meet the needs of the club and will be advertised for election at least 21 days prior to the AGM. For example as of the 2013 AGM, the following roles are open for election as Ordinary Members of the Committee:

- Men's Captain
- Women's Captain
- Social Secretary
- Media and Communications Secretary

A total of four office bearers and ordinary Members shall form a quorum for Committee meetings. A minimum of four Committee meetings will be held each year and minutes of these meetings will be recorded and available for Members to review upon request to the Club Secretary.

In addition to these open and electable positions, up to a maximum of four specialist roles may be co-opted onto the Committee if agreed by the Club Committee. For example as of the 2013 AGM, the following roles are co-opted onto the Committee:

- Crieff 10k Organiser
- SWCHR Representative
- Welfare Officer (as required by child protection rules of Scottish Athletics)
- Junior Section Representative

The Club Committee has the right to call Extraordinary General Meetings (EGMs) outside the AGM. Procedures for EGMs will be the same as for the AGM.

8. Finance

All Club monies will be banked in an account held in the name of the club. Any cheques drawn against club funds should hold the signatures of the Treasurer plus up to two other officers or designated signatory. Designated signatories other than the Office Bearers must be approved by the Club Committee and duly minuted.

The Club Treasurer will be responsible for the finances of the club and will provide a detailed statement of accounts to the AGM for the previous financial year. The treasurer will provide a financial update at each Club Committee meeting.

The financial year of the club will end on 31 December.

To ensure continuity in the club's activities in the event of a large variation of income, the policy of the club will be to hold reserves at year-end equivalent to at least two months of annual operating expenditure.

9. Annual general meetings

Notice of the Annual General Meeting (AGM) will be given, in writing, by the Club Secretary. Not less than 21 clear days' notice to be given to all Members. The quorum for AGMs will be 20% of the Full Membership (ie excluding Juniors).

The AGM will receive a report of the preceding year from the Office Bearers.

All Office Bearers and ordinary Committee Members will retire each year but will be eligible for re-appointment. Nominations for officers will be sent to the Secretary prior to the AGM. Nominations must be proposed and seconded by two other fully paid-up senior Members of the club. If there is more than one person that stands for a position there will be a secret ballot during the AGM with the elected person being decided by a simple majority vote. In the case where a person is unopposed for a position they will be required to gain at least 5 votes in favour from among the Full Members attending the AGM (or 25%, whichever is fewer). This shall also be decided by a secret ballot.

10. Discipline and appeals

All complaints regarding the behaviour of Members must be submitted in writing to the Secretary.

The Club 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.

Outcomes of disciplinary hearings must be notified in writing to the person who lodged the complaint and the Member against whom the complaint was made within 14 days of the hearing.

There will be the right of appeal to the Club Committee following disciplinary action being announced. The Committee should consider the appeal within 14 days of the Secretary receiving the appeal.

11. Dissolution

A resolution to dissolve the Club can only be passed at an AGM or EGM through a majority vote of the Membership.

In the event of dissolution, any assets of the Club that remain will be donated to SCOTTISH ATHLETICS or another charity as determined during the AGM or EGM at which the resolution to dissolve the Club is passed.

12. Amendments to the Constitution

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

13. Declaration

STRATHEARN HARRIERS hereby adopts and accepts this Constitution as a current operating guide regulating the actions of Members.

SIGNED:

DATE:

NAME:

POSITION: Club President

SIGNED:

DATE:

NAME:

POSITION: Club Secretary

Disciplinary Procedure

Club Name: - STRATHEARN HARRIERS

Review Date: - JANUARY 2013

General

Disciplinary matters, applying to all matters of **Strathearn Harriers** (further referred to as the Club), will be dealt with by the Elected Officers of the Club. All members of the Club agree to fully comply with this code of conduct and specific codes of conduct for their role and be bound by its terms as under noted.

Disciplinary action against Club members, including expulsion without notice, may be taken for offences of misconduct or breach of club's rules. However it is recognised and accepted that every member:

- Has the right to expect fair and consistent treatment
- Has the right to adequate notice from the Club
- Has the right to appeal against the Club Secretary's judgement or the Committee's decision in all disciplinary matters.
- Has the right to representation
- No member will be expelled for the first breach of Club's rules except in cases of "gross misconduct". However all disciplinary actions taken by the Club will be duly recorded and placed on file for reference at a future date.

1. Offences Leading to Disciplinary Action

The under-noted actions by members may be interpreted by the Committee to fall within this Code. However the lists are not to be considered as fully inclusive or covering all possible offences.

"Misconduct" is the carrying out of an offence considered to be of a minor nature (unless frequently repeated) and will normally incur a written warning from the Elected Officers together with a demand for full and appropriate corrective action. Examples of offences that may be considered misconduct include: -

- Discourteous, crude or offensive behaviour at games, training session or organised Club event.
- Conduct of an unsafe nature
- Offensive disregard for equipment or property
- Refusal to carry out reasonable instructions issued by event officials or organisers
- Failure to comply with or adhere to the relevant code of conduct for their position within the club
- Any other actions of similar gravity to the above, at the discretion of the Elected Officers.

Repetition of the above offences or failure to comply with any demands made in writing by the Elected Officers may result in further action by the Elected Officers involving a disciplinary hearing.

"Serious Misconduct" is the carrying out of an offence of such gravity that in the opinion of the Elected Officers it warrants a Club disciplinary hearing. Examples of offences, which may be considered as serious misconduct include: -

- Misconduct offences above if specially grave or repeated

- Deliberate or consistent breaches of club rules
- Any attempt to achieve gains or advantage over others by unfair or unscrupulous means
- Theft or misappropriation
- Use of threatening or abusive behaviour
- Participating in the sport whilst under the influence of drugs or alcohol
- Malicious interference with equipment or property
- Disregard for one's own or other people's safety
- Any other action, which in the opinion of the Club Officers may bring the sport or the Club into disrepute, or which left unpunished, may result in the detriment of the Club or its members.

“Gross Misconduct” is action of such seriousness that the Elected Officers will require the immediate expulsion of the offender from the association. The Elected Officers may by means of an executive decision summarily expel such an offender without invoking a disciplinary hearing. The expelled member will have the right to a disciplinary hearing as soon as this can be arranged but will remain expelled until and unless such a hearing overturns the executive decision. Examples of gross misconduct are:-

- Physical violence of assault towards other persons at a Club event or related activity, including serious threatening, intimidating or forceful behaviour
- Reckless disregard of safety and basic safety rules
- Being convicted of criminal offences involving physical violence or abuse
- Other acts that are considered to be of an extremely serious nature perpetrated against the Club, its members or any other party.

Child Protection – if the matter relates to a child protection issue, the child protection procedures for dealing with a complaint will be followed. The disciplinary procedure will then be followed after an outcome has been reached.

2. Disciplinary Procedure

On receipt of a written complaint from a member, another Club within the sport, the governing body, the league/match organisers or any other party the Elected Officers, with advice from a Legal Advisor should they so wish, will decide whether the complaint falls within the scope of this disciplinary code. If in their opinion it does, then the Elected Officers will decide as to the type of offence as per (section 1) above.

When a complaint has been made against a club member, at the discretion of three members of the Executive Committee that club member will be suspended from attending all club events pending full investigation of the complaint.

If the offence is considered to be one of simple misconduct, the Club Secretary will write to the offender with a formal written warning including the demand for an apology or other corrective action the Elected Officers may deem appropriate. The Elected Officers will also attempt to obtain approval for their action from the complainant.

A disciplinary file will be opened by the Elected Officers in which will be placed copies and records of the original complaint, together with the written warning and any other correspondence.

The action outlined above will normally finalise the process unless any of the parties involved object strongly to the Elected Officers decision in which case they may appeal directly to the Executive Committee for a final decision.

Should the complaint be considered by the Elected Officers as one of serious misconduct, then the following procedure will be implemented: -

- The Elected Officers will appoint an Investigating Officer who will research evidence presented and, if possible, will obtain further written evidence, witness statements, etc.
- If necessary the Investigating Officer will consult all relevant witnesses for supportive evidence
- Advise complainant that if a disciplinary hearing is called, then the complainant and all relevant witnesses will be obliged to attend and give evidence. (Non attendance at a hearing will only be allowed in extenuating circumstances, i.e. Ill-health, threat of violence or intimidation etc). In such circumstances/instances a sworn declaration must be submitted to the Executive Committee
- Contact the member subject of the complaint to advise of the official complaint and request the member to submit a written statement of events
- In cases of disputes of a personal nature, the Elected Officers will attempt to resolve the situation amicably and to the mutual satisfaction of the parties concerned
- If settlement cannot be agreed between the parties, or if the offence merits it, then a disciplinary hearing will be arranged as soon as possible
- Contact the Club's Legal Advisor if required and supply copies of all evidence
- Notify all parties as to the hearing date and ensure the parties have all relevant copies of paperwork in good time prior to the hearing, copies to be sent by 1st class recorded delivery

3. Disciplinary Hearing

- The Club Secretary shall take charge of the hearing and all questions will be addressed through the Secretary
- A disciplinary committee will be appointed which will consist of: -
 1. the club chair person
 2. two members of the Executive Committee
- The club will appoint a case presenter, who will normally be the Investigating Officer
- All witnesses to be interviewed and all written evidence to be reviewed at the hearing.
- No witnesses or statements can be introduced at the hearing without prior notice and copies of all written evidence produced for consideration prior to the hearing, to be available in advance to the parties
- The Disciplinary Committee may adjourn the hearing to allow further evidence to be referred to if the disciplinary committee considers it fair to do so.
- After the Disciplinary Committee has reached a decision, the subject of the complaint to be notified in writing of such decision and informed of any penalties within 7 days of the decision being reached, penalties will be effective from the date of the decision.

4. Penalties

Following the hearing, the Disciplinary Committee will apply such penalties as the Disciplinary Committee consider appropriate, including temporary or permanent expulsion of the offender from the club, such penalties will have immediate effect, notwithstanding the possibility of an appeal in accordance with (Section 5) under noted. Offences of cheating or being under the influence of alcohol or drugs during a club training sessions or match or those involving threats of physical violence, will carry automatic expulsion from the club and will preclude the offender from taking part in any Club organised activity in an official capacity. The club will in all cases comply with the requirements of the Governing body and club child protection policies including immediate notification of the police where required.

5. Appeals

If an appeal of the decision or penalty is to be made then written notice of appeal by way of 1st class recorded delivery to the Club Secretary must be given by the offender, within 28 days of being notified of the decision. No appeal will be valid or considered after that period has elapsed. It will not be sufficient to state "I wish to appeal", the offender must give full written grounds for the appeal, stating exactly what is being appealed against and the reasons for this. An appeal together with full and recorded argument may be considered relative to: -

- the decision
- the penalty
- other

An appeal hearing will be convened as soon as practicable and will consist of an Appeal Committee of 3 members of the Committee who did not take part in the first hearing and who will elect their own Chairperson (who will have the casting vote).

New evidence cannot be presented at the appeal hearing. The Appeal Committee shall have power to amend or revoke any decision made at the previous disciplinary hearing.

The decision of the Appeal Committee is final and binding on the parties and not subject to further appeal.

6. Junior Section

If a member under 18 is subject to a disciplinary procedure then a parent or other preferred adult will be invited to attend any meeting to support the young person and to ensure they are given a fair hearing