



## **LONDON OTTERS ROWING CLUB (the “Club”) CLUB CONSTITUTION (the “Rules”)**

### **1.NAME**

The Club shall be known as “London Otters Rowing Club” or “LORC” hereinafter known as “the Club”.

### **2.OBJECTIVES**

The objectives of the Club are to provide facilities for and promote, support and encourage the sport and recreation of amateur rowing, more particularly in and around London, and community participation in the same, promoting LGBTQI+ (*Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and all other spectrums of sexuality and gender*) friendly rowing.

### **3.MEMBERSHIP**

#### **a. Classes of Membership**

- i. The Club may have different classes of membership and subscription (“Subscription”) on a non-discriminatory and fair basis. New members can choose which class of membership to take, provided they meet any relevant requirements, including complying with these Rules and any club policies set out in Appendix 1 and available on the Club website (the “Policies”) or as issued by the Club’s Committee from time to time (the “Committee”) pursuant to these Rules.
- ii. Except where otherwise expressly provided, all Rules and Policies shall be equally binding on all classes of Members. Every member shall, upon signature of the relevant form applying for membership (the “Application”) and upon payment of their Subscription (if any), become entitled to the benefits and privileges of the Club, save as hereinafter provided. Signature of the Application and any such payments (if any) shall be a declaration of acceptance of and submission to the Rules, Policies and Code of Conduct of the club.

#### **b. Election of Membership**

i. Membership of the Club shall be open without discrimination to anyone interested in the sport of rowing on application in accordance with the Equal Opportunities Policy (Section 4). However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.

ii. The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.

iii. Applicants for membership will abide by the Rules, Policies and requirements of the Club and the sport of rowing.

iv. If it is considered by the Club committee that the granting of membership would be detrimental to the aims and objectives of the Club, by virtue of conduct or character likely to bring the Club or the sport of rowing into disrepute or for some other similar good cause, the Club committee shall be entitled to refuse such membership. In doing so the committee shall provide full reasons for their decision and grant a right of appeal to the members.

### **c. Restriction**

A person who has been expelled from, or refused membership of British Rowing shall not be eligible for membership.

## **4. EQUAL OPPORTUNITIES POLICY; DIVERSITY, EQUITY & INCLUSION**

The Club is fully committed to the principles of equality of opportunity and is responsible for ensuring that no member, volunteer, employee or job applicant receives less favourable treatment on the grounds of age, gender, disability, race, ethnic origin, nationality, colour, parental or marital status, pregnancy, religious belief, social status, sexual orientation or political belief.

The Club will maintain a Diversity Plan to guide its diversity, equity and inclusion objectives.

## **5. CHILD PROTECTION PROCEDURES**

In addition to its Welfare & Safeguarding Policy, the Club also accepts the policy and procedures relating to Child Protection and the Protection of Adults at Risk as set out by British Rowing, and requires all members to accept them as a condition of membership.

## **6. SUBSCRIPTION**

The rates and types of subscription shall be determined by the Committee. Reasonable adjustments to the rates of subscription may be made by the Committee capped by the Consumer Price Index of that year. Larger adjustments shall require a vote by Club members at a General Meeting. Subscriptions shall be payable monthly in accordance with the schedule published by the Committee.

## **7. CESSATION OF MEMBERSHIP**

a. Any member may resign with effect from the end of the month in which they give notice of their intention to do so, provided that at least ten working days clear notice is given in writing to the Treasurer.

b.

i. Any member violating these Rules or any Policies of the Club or being adjudged guilty of unsatisfactory conduct may be suspended or expelled in accordance with Disciplinary & Grievance policy, which will involve a hearing panel. Any member so suspended or expelled may appeal, with such appeal also to be in accordance with such policy.

ii. Any hearing panel must give a fair and independent hearing to the appellant within an appropriate timescale. Hearings must not contravene the Human Rights Act 1998 or any other policies of the Club and British Rowing.

c. A member shall be deemed to have resigned from the Club if they fail to pay their subscription on time and, after notice of such failure and without agreement on payment being reached, any such sums due to the Club have not been paid within 60 days of such notice being given.

## **8. GRIEVANCE AND DISCIPLINARY PROCEDURES**

An individual or member with a complaint about treatment by or within the Club should set out their grievance following the process outlined in the Club's Disciplinary & Grievance policy. The Club will seek to deal with complaints in a fair and timely manner, with reference to the Club's Disciplinary & Grievance policy.

## **9. DISQUALIFICATION FROM HOLDING OFFICE**

a. Only members entitled to vote are eligible to hold office.

b. Any member who is under the age of 18 years, shall not be eligible for election to the Committee of the Club.

## **10. COMMITTEE**

a. The Committee shall conduct the affairs of the club as a whole and shall consist of a chair, captain, secretary, treasurer, safety officer and other officers as deemed necessary. The Committee shall have the power to co-opt further members (deputies) to help with these roles but such deputies shall have no rights to vote at committee meetings

- b. Nominations for the position of chair, captain, secretary, treasurer, safety officer and other officers shall be opened at least 30 calendar days before each Annual General Meeting (“AGM”), and shall be supported by two members entitled to vote.
- c. Each Committee shall nominate suitable candidates for a vice-chair from amongst its number to be ultimately voted upon by that Committee.
- d. The term of office shall be for one year, and members shall be eligible for re-election.

## 11. CLUB CO-FOUNDERS

- a. Warwick Lobban and Grant Ralph are the co-founders of the Club (“Co-founders”)
- b. Subject to being fully paid up members, Co-founders are always welcome to attend Committee meetings, but have no voting rights unless they have been elected to the Committee.
- c. Subject to being fully paid up members, Co-founders are always invited to attend formal meetings with British Rowing.
- d. Co-founders are mentioned explicitly on the Club website

## 12. DUTIES OF COMMITTEE OFFICERS

- a. **Chair:** The Chair will preside at all General Meetings of the Club and at all meetings of the Committee, and shall be responsible for guiding the activities of the club in accordance with its general policy as expressed by the majority of its members. The Chair shall represent or arrange for the representation of the Club at British Rowing regional level and at meetings of other organisations. The Chair shall ex-officio be a member of any other committee of the Club.
- b. **Vice-Chair:** The Vice-Chair will assist the Chair with their duties and preside over any General Meetings of the Club where the Chair is absent.
- c. **Captain:** The Club Captain will be responsible for training, coaching and representation of the Club in competitions.
- d. **Secretary:** The Secretary will be responsible for the organisation of meetings of the Committee and of the Club, and the recording of minutes relating to such meetings and all correspondence relating to the general business of the Club.
- e. **Treasurer:** The Treasurer will be responsible for the collection and disbursement of all monies belonging to the Club and will keep proper accounting records of all such transactions. They will present to the members at the AGM a balance sheet and income and expenditure account showing the Club’s financial position and the results of its transactions for the year. The transactions of the Club will be conducted through a bank account registered in the Club’s name and any transactions over £1,000 will require the authorisation of any two (2) members of the Committee who have been designated for the purpose.

f. **Safety Officer:** The Safety Officer will be responsible for ensuring a positive safety culture and safe practice within the Club, providing advice to the Committee and Club leadership on all matters relating to safety as appropriate. The Safety Officer will complete the annual safety audit and risk assessment covering all activities of the Club, undertake inspections and audits of the Club's equipment and facilities. They will also promote and monitor incident reporting within the Club and the reporting of all relevant incidents to British Rowing.

### 13. CLUB COMMITTEE

- a. The Committee is responsible for the general conduct of the Club's business and activities.
- b. The Committee shall meet at regular intervals during the year, as required by the business to be transacted.
- c. Special meetings of the Committee shall be called by the Secretary on instructions from the Chair, or no fewer than three Committee members.
- d. A quorum shall consist of not less than 50% of the total number of Committee members.
- e. In the case of casual vacancy among the Committee, the said Committee shall be entitled to appoint another eligible person to act until the next AGM.
- f. The Committee and individual Committee members should act according to high ethical standards, uphold the Club's Rules and Policies and ensure that conflicts of interest are properly dealt with.

### 14. GENERAL MEETINGS

- a. An AGM shall be held in the month of August or September of each calendar year. There shall be laid before the meeting a statement of accounts made up to the last day of the financial year immediately preceding the AGM.
- b. An Extraordinary General Meeting ("EGM") shall be called on the instructions of a simple majority of the Committee, or on a requisition signed by not less than 25% of the members of the Club entitled to vote.
- c. Not less than 21 days clear notice shall be given of any General Meeting (being an AGM or EGM, as appropriate), specifying to all members the time and business of the General Meeting.
- d. Submission of motions for discussion at the AGM not of the origin from within the committee shall be opened at least 30 days preceding the AGM, and signed by two members entitled to vote.

- e. At any General Meeting, a resolution put to the vote of the Meeting shall be decided by a show of hands, of those entitled to vote, except when more than one nomination has been received for a position on the Committee, in which case voting will be by secret ballot.
- f. At all General Meetings the Chair or Vice Chair will preside or, in their absence, a chair for the meeting will be elected by the voting members present.
- g. At all General Meetings no less than 25% of Club members entitled to vote or no fewer than three Club members entitled to vote shall constitute a quorum, whichever is higher.
- h. **Absences of Quorum:** If after half an hour from the time appointed for the General Meeting, a quorum is not present, the General Meeting, if called at the request of the members, shall be dissolved. In any other case, the General Meeting shall be adjourned until a time and place to be fixed by the Committee. If a quorum is not present within half an hour from the time appointed for an adjourned meeting, the members present shall be a quorum.
- i. **Accidental Omission:** Accidental omission to give notice of a meeting to, or the non-receipt of notice of, a meeting by any member shall not invalidate the proceedings of a meeting.
- j. All members standing for a club position, and all resolutions will be communicated to the club at least 7 days before the AGM.
- k. Voting members will automatically be invited to General Meetings. Non-voting individuals may attend but at the discretion of the Committee.

## 15. LIABILITY

The Committee shall manage the affairs of the Club. Financial or legal liability incurred in the rightful exercise of their office shall not, however, be the personal liability of the Committee or any constituent member, but shall be the responsibility of the Club as a whole. The Committee should ensure that adequate and appropriate insurances are in place to cover all the activities of the Club, its Committee and members.

## 16. VOTING

Only full paid up members, over the age of 18 years, are entitled to vote at General Meetings. Those members with 'frozen membership' will be able to attend but not to vote.

## 17. ALTERATION OF CONSTITUTION

- a. This constitution shall not be altered, amended or rescinded except by a General Meeting of the Club.
- b. A resolution to give effect to a change must be passed by at least 75% of the members voting at the General Meeting.

## **18. AUDITOR**

Every AGM shall appoint a person independent of Club financial management who shall, at the conclusion of the next financial year examine the accounting records of the Club, and verify the veracity and confirm to the members on the income and expenditure accounts and balance sheet that are presented to the next AGM.

## **19. DISTRIBUTION OF PROFITS**

All surplus income or profits are to be reinvested in the club. No surpluses or assets will be distributed to members or third parties.

## **20. TERMINATION**

The Club shall not terminate except by a resolution of an EGM convened for the purpose and, in such an event, any surplus assets shall be handed over or transferred to another registered CASC, a charity or charities or the rowing governing body British Rowing for use by them in related community sports and agreed by the meeting which formally terminates the Club.

## **21. POWER OF DECISION**

Any matter not provided for in this constitution, or any question over the interpretation of it shall be dealt with by the Committee whose decision shall be final.

## **22. SAFETY**

The Officers and Committee have primary responsibility for safe practice within the Club and for observing guidance of water safety issued by British Rowing and through RowSafe.

## **23. OPENING AND CLOSING OF CLUB'S PREMISES:**

Intentionally left blank.

## **24. DAMAGE TO PROPERTY:**

Any Member who wilfully or negligently damages in any way any property of the Club or any property entrusted to the Club shall, at the discretion of the Committee, be called upon to make good such damage.

## **25. PRIORITY**

- a. Where there is any conflict between any of the Rules and the Policies , the Rules will prevail.
- b. Where there is any conflict between any of the Rules and the Code of Conduct, the Rules will prevail.

c. Interpretation of all Rules, Policies and the Code of Conduct must be consistent with the statutory requirements for a CASC (Community Amateur Sports Clubs as first provided for by the Finance Act 2002).

## **26. INTERPRETATION:**

Where necessary in these Rules:–

- a. The singular shall include the plural and vice versa;
- b. The masculine shall include the feminine and gender neutral; and
- c. Rowing shall include sculling.

## **27. DECLARATION**

Each member upon joining shall sign a declaration substantively as follows:

Upon acceptance into membership of the London Otters Rowing Club (LORC).

I understand that rowing is undertaken at my own risk. I confirm that I do not suffer from any disability or medical condition which may render me unfit for strenuous exercise.\*

I also confirm that I am able to swim a minimum of 50 metres.

\*Should a medical condition exist, this will not necessarily preclude you from membership/participation, but it must be declared. Should you be in any doubt, advice should be sought from your family doctor.

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**Agreed and signed by all Officers acting for and on behalf of the Club in their temporary capacity which constitutes the Committee elect.**



## **Appendix I - List of existing LORC Policies & Codes**

The following documents are available on the Club's website, under Members Area > Governance.

### Policies

- LORC Disciplinary & Grievance policy
- LORC Diversity Plan
- LORC Welfare & Safeguarding policy
- LORC Cold Weather policy

### Codes

- LORC Code of Conduct

This list should not be considered an exhaustive list of Club Policies and codes. The Club may implement new policies or codes, or amend existing ones, from time to time, as needed. The Committee may also from time to time issue requirements pursuant to these Rules to ensure the effective functioning of the Club.