

# BRACKNELL & WOKINGHAM SWIMMING CLUB BY-LAWS

Date of Issue: November 2017

## **By-Law 1** **REGULATION OF CLUB BY-LAWS**

### **Introduction.**

The Bracknell & Wokingham Swimming Club [BWSC or the Club] constitution recognises the need that some matters requiring “laws” shall be best served in the form of “by laws”.

Quote from Rules of Bracknell & Wokingham Swimming Club:

*13.1 The Committee shall have power to make, repeal and amend such by-laws as they may from time to time consider necessary for the well being of the Club. They shall have effect until set aside by the Committee or at a General Meeting.*

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The following By-Laws have been proposed or agreed:

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### **Procedure**

From time to time the Club Committee will agree that there shall be a By-law governing any particular subject. The requirement for a By-Law may be proposed verbally or by e-mail to the Committee for consideration, with the rationale minuted clearly. The presentation of a written proposed By-Law shall be made at a subsequent meeting as Draft 1 and a minute shall make it clear that the By-Law will be presented at the next, or a subsequent, Committee Meeting for ratification and Issue 1.

Once agreed the By-Law shall be published on the club’s website and notified to the club membership in whatever appropriate means the Committee shall decide. When it is necessary as required in the Club Constitution that the Club membership shall be notified then a list of the By-Laws existing at that time shall be notified also. This may be by reference to the Club Website.

Approved By-Laws at any time shall supplement the Club’s Constitution and thus form part of the agreement between the Club and each individual member.

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## **By-Law 2**

### **MEMBERSHIP CATEGORIES**

**Introduction** There shall be the following categories of Club Membership, divided here into two groups – ‘wet side’ and ‘dry side’. ‘Wet side’ covers those who participate in the water; ‘dry side’ covers all others. It is possible for a member to be included in more than one category.

#### **Wet Side Members:**

##### **SENIOR MEMBERS:**

Persons over 18 years of age on 1st September of the year, who normally engage in any activity ‘in the water’. A Senior Member may exercise their vote at a General Meeting of the Club.

##### **JUNIOR MEMBERS:**

Persons under 18 years of age on 1st September of the year, who normally engage in any activity ‘in the water’. Junior Members who have reached their 16<sup>th</sup> birthday have voting rights at a General Meeting of the Club.

##### **COUNTRY MEMBERS:**

Identified as a separate Membership Category for those persons who may not be present in the district all the year. An appropriate subscription will therefore apply which shall be deemed to include a fee providing Junior or Senior Membership.

Applicants for Senior, Junior or Country Membership must undergo a swimming entry test as shall be specified from time to time by the Coach, or otherwise satisfy the Coach as to their ability in their recognised discipline before being accepted for Membership.

Senior, Junior or Country Members shall register as is appropriate as an ASA Category 1 or 2 Member in the name of Bracknell & Wokingham SC.

#### **Dry Side Members:**

##### **HONORARY/ASSOCIATE ANNUAL MEMBERSHIP:**

May be awarded by the Committee to persons over 18 years of age on 1st September of the year who are actively engaged in assisting the work of the Club. An Honorary/Associate Annual Member may exercise one vote at a General Meeting of the Club up to and including the AGM following their award.

Honorary/Associate members shall include, but are not restricted to, Registered and Licensed Officials, and Committee Members including non-voting members.

**HONORARY LIFE MEMBERSHIP:**

May be awarded at an AGM on the recommendation from the Committee to persons deemed to have given exceptional service to the Club. An Honorary Life Member may exercise one vote at a General Meeting of the Club.

All dry side members shall be registered as ASA Category 3 Members.

For information, extract from ASA law:

ASA Category 1: members of any age who are learning to swim or who are swimmers at any level, who do not compete in any discipline in open competition other than those competitions designated as 'low level competition'

ASA Category 2: members of any age who compete in any discipline in open competition

ASA Category 3: members of any age who are not in categories 1 or 2

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## **By-Law 3**

### **COMMUNICATIONS POLICY**

#### **1. Introduction**

It is recognised that, in a modern environment, the ability to communicate effectively, efficiently and clearly is essential. This document sets out the policy and describes the standards that are to be adopted by all members of Bracknell & Wokingham Swimming Club (hereinafter referred to as 'BWSC'), including volunteers, coaches, contractors, swimmers and their parents (hereinafter referred to as 'members'). This policy and standards document includes:

- Email;
- Computers including applications;
- Website
- Social Media including Facebook, Twitter
- General written communication by whatever means;
- Oral communication

#### **2. General Policy**

##### **2.1 Use of Communication Tools**

BWSC supplies various communication tools including some computer equipment as well as letterhead notepaper and all messages produced or carried by such means are BWSC property. BWSC reserves and intends to exercise its right to review, audit, intercept, access and disclose this information to persons outside the organisation if deemed appropriate and on a random basis check any messages created, received or sent in the name of BWSC for any purpose. BWSC Management Committee at its sole discretion may determine whether a member has authority to represent BWSC and to set the boundaries on the authority they may exercise.

Members may use the BWSC address or email lists (hereinafter referred to as the 'contact list') to communicate with the membership solely for the purpose of promoting or furthering the business of BWSC. BWSC's purchasing policy and procedures must be followed when ordering goods and/or services in the name of BWSC.

Members when acting on behalf of BWSC must **not** produce any communication, either written or oral (whichever applies) that will:

- be defamatory, discriminatory, offensive or obscene;
- infringe any intellectual property rights (e.g. Copyright);
- violate the terms of any applicable telecommunications licence or any laws governing transborder data flow (e.g. Laws dealing with data collection, protection, privacy, confidentiality and security);
- gain unauthorised access to any computer, or email accounts or equipment;
- violate any other law or BWSC policy;
- disclose confidential information about other members, BWSC or its sponsors;
- communicate non-BWSC matters;
- transmit data which contains viruses or other computer programs of a malicious nature;
- in the name of BWSC conduct a personal business;
- generate, respond to or distribute 'chain' e-mail;
- bring discredit to BWSC, either intentionally or inadvertently.

This list is not exhaustive and any misuse of the BWSC name and contact list for communication may lead to disciplinary action.

## **2.2 Representing BWSC**

All information that is spoken, written and/or published electronically ('a posting') on behalf of BWSC must be responsible, professional, and reflect BWSC values whilst also complying with all BWSC policies.

Despite any disclaimer that members may make, information that is published electronically under the letterhead, email address or verbally as a member of BWSC reflects on and will be associated with BWSC and its associated members. We expect members to act responsibly at all times with regard to any communication, however made, when made on behalf of BWSC.

## **3. Intellectual Property**

Members are required to respect the intellectual property rights of third parties (e.g. trade marks, copyrights and other rights in images, text, video and audio material, software, information and inventions). Members must not copy, use, or transfer materials belonging to third parties without appropriate authorisation. Software and other material may be subject to licensing obligations or restrictions, even when software is labelled 'freeware' or 'shareware'. For further guidance, members should contact the Management Committee.

## **4. Confidential Information**

BWSC confidential information must not be disclosed to any unauthorised person/s. Members are required to check with the Hon. Secretary, Hon. Treasurer or Hon. Chairman ensuring they are up to date with what confidentiality arrangements apply to information (e.g. disclosure may be limited to certain specific individuals within BWSC on a 'need to know' basis) and use appropriate methods of communication to comply with any obligations.

Email may not be an appropriate medium for transferring confidential information where it might be intercepted, lost or disclosed to individuals other than those intended to read them. Members using this medium should take adequate precautions.

## **5. Retention and Security of Messages**

Members should be aware that email and voicemail messages and computer records sent in the name of BWSC are all BWSC records and therefore belong to BWSC. All of these records have the same legal and operational effect as traditional, hardcopy documents and may be disclosed in litigation or to regulatory authorities or used as evidence in disciplinary proceedings. The Electronic Communications Act 2000 defines an electronic signature as anything in electronic form incorporated into an electronic communication for the purpose of establishing the authenticity or integrity of the communication. All electronic records must be treated as though they might be disclosed externally and be created and managed with the same high degree of care and respect applied to hard copy documents.

Members who routinely use computers (desktop and/or lap top) in the course of carrying out their work on behalf of BWSC should arrange to back-up the data held on their computer, whilst also ensuring the security of any such equipment that is BWSC property, including the use of secure passwords.

## **6. Offensive Material**

BWSC members are not expected to access, display, store, or generate on BWSC equipment or send to others (e.g. members contact list) via any equipment, material that may be regarded as causing offence. What is offensive material is determined by its effect on the recipient, not how it is regarded by the sender. In this context offensive material would not be limited to but does include pornographic, sexist, racist and abusive material. In the same way all members when representing or acting on behalf of, or participating in any activity as BWSC must also refrain from using language that may cause offence. As above, offensive language is determined by its effect on the listener, not how it is regarded by the speaker.

It is not always possible to avoid receiving offensive material from others. Members receiving such material from other BWSC members must immediately report the matter to the Hon. Chairman or Hon Secretary.

## **7. Privacy**

BWSC respects the personal privacy of its members. However, communication tools or material are provided for BWSC purposes, members' rights of privacy in this context are limited. Members and others should have no expectation that any information transmitted on behalf of BWSC will remain private.

## **8. Internet**

Members accessing and/or designing and editing the internet site must remember the following:

- the internet site is provided for BWSC purposes.
- members must never attempt to gain unauthorised access to any part of the site which is restricted;
- if downloading material from the BWSC site or any other, you must read and comply with any copyright or licence restrictions, and comply with the BWSC policy on unauthorised software on BWSC equipment;
- do not enter into a legally binding contract on the internet, take great care and consider taking legal advice before making any commitment, ensure that where there is a cost associated with the contract the required agreement has been raised and signed off by the BWSC Management Committee prior to making any commitment.

## **9. Breaches of the Policy**

Misuse of any of BWSC's communication tools or contravention of relevant BWSC policies will result in disciplinary action, which may include membership suspension and/or revoking of the members BWSC membership for a period of time as agreed and imposed by the Management Committee.

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**By-Law 4**  
**RULES FOR CLUB RECORDS**

**Categories**

Club Records may be recorded for MALE and FEMALE, OPEN and JUNIOR swimmers. Note: A JUNIOR Record can only be claimed by a swimmer who is under 16 years of age on the day of the claimed record swim.

**Distances**

Records can be claimed for the following distances:

Freestyle	50, 100, 200, 400, 800 and 1500 metres
Backstroke	50, 100 and 200 metres
Breaststroke	50, 100 and 200 metres
Butterfly	50, 100 and 200 metres
Individual Medley	100, 200 and 400 metres

**Pool Length**

Short Course records shall have been swum in 25 metres pools, Long Course records in 50 metre pools.

**Eligibility**

Records can only be claimed by swimmers who were members of Bracknell & Wokingham Swimming Club at the time of the claimed record swim. In the case of a swimmer with multiple registrations the swim shall have been made under the BWSC name. However claims can be made when representing and swimming in the name of schools, Counties or nations in the name of those organisations.

**Evidence**

Records shall be confirmed from rankings.

**General Notes**

The Club will endeavour to identify records as they are achieved in selected events. Selected events are: BWSC Championships, BWSC President's Cup Competition, and some ASA Level 4 Licenced Meets standard and above. However, the final responsibility lies with the swimmer to check all records and, if necessary, contact the Webmaster as soon as reasonably possible and in any event not later than 3 months from the date of the claimed record swim.

Records can be claimed using times for shorter distances achieved from longer events or from relay events. A record claim must include a valid start. In a relay a record claim is not nullified if the team is subsequently disqualified as a result of an infringement by another swimmer later in that race. Records will be recorded to 1/100th of a second and will not be accepted using converted times. Records can only be established in events held under FINA rules.

Where possible a report will appear in the results section of the club's website showing any records that were broken. Disputes over records shall be notified to the Management Committee in writing.

For any claim to be accepted that does not satisfy the above it should require individual ratification [i.e. not to be accepted via precedent] at a Club Committee Meeting that should reject such claims unless there was a justified exception - and thus expected to be very rare.

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**By-Law 5**  
**CLUB COMPETITIONS**

**Club Championships**

The Club Championships shall be competed annually in accord with the Championship Conditions that shall be published with the announcement of the competition. All members of the club who were members of the club at the closing date are eligible to compete in relevant events.

The arrangements for the Club Championships are the responsibility of the Management Committee who may delegate to a Championship Sub-Committee or Group.

**President's Cup**

The President's Cup Competition shall be competed annually in accord with the Competition Conditions that shall be published with the announcement of the competition. All members of the club who were members of the club at the closing date are eligible to compete in relevant events.

The arrangements for the Competition is the responsibility of the President of the Club\* who may delegate to a Sub-Committee or Group.

\*Note: In the absence of a Club President the responsibility shall pass to a Vice-President.

**Competition Records**

Times achieved at the Club Championships or the President's Cup shall be eligible for recording as the separate Championship, or President's Cup, Competition Best Times. They may also be eligible for recognition as Club Records.

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## **By-Law 6**

### **RETENTION OF RECORDS – ARCHIVE STORAGE**

#### **Legal Finance Safeguards**

##### Background statements

1. adequate annual finance records are required by law to be safeguarded for 6 years. Clubs and individual Officers/Committee Members of other clubs have been fined for not having adequate records available to be examined at a later date. Also in the short term, Clubs have got themselves into difficulties because they have not had adequate backup records of financial affairs as an ongoing record.
2. our Club constitution states:
  - 14.4 The financial transactions of the Club shall be recorded and reported by the Treasurer in such manner as the Committee thinks fit.
  - 14.6 The Committee shall retain for a minimum period of six years all financial records relating to the club and copies of Minutes of all meetings.

#### **Short Term Records**

The Club Treasurer shall keep accounts and present finances in accordance with the requirements of the Management Committee. Normally these will be a minimum statement of the income and expenditure and summarised into a statement of the financial status of the Club presented at monthly meetings. The Treasurer shall make back up copies of transactions on his/her personal computer facilities as the Treasurer should feel necessary, but to the satisfaction of the Committee. Satisfaction may be via explanatory statements.

In addition the Treasurer shall transfer an independent copy of the detailed monthly computer based ledgers to the Club Chairman. This may be achieved via e-mail or by transfer on an external memory device. Each month the Treasurer and Chairman shall affirm to the Management Committee that a security transfer has taken place.

Purpose – the prime objective of this procedure is to ensure that should the Treasurer's records suffer a calamitous failure there is an immediate secure copy available which will require no more than one month's duplicate processing to bring records back up to date.

#### **Long Term Records**

To fulfil the legal archive requirements a transfer shall take place bi-annually of ALL the Treasurer's financial records into archive store, that is a computer record and hardcopy vouchers. By this it is meant that the Treasurer may hold the current year's finance ledgers together with the past year. The previous 4 years records shall be in long term storage.

After each year's accounts have been independently inspected in accord with the Constitution, they shall be packaged. The Treasurer may hold this package against the requirement to access it in the processing of the current year's accounts. On completion of the following year's accounts the package shall be transferred to storage at the Bracknell Sport and Leisure Centre as the agreement for the designated archive store. Suitable alternative storage may be agreed from time to time by the Committee. Each package shall be held for 6 years after which it may be disposed of as appropriate.

Purpose – the Club shall maintain 6 years of financial records against the event that a complaint is received and it is required that the records shall be examined.

## **Minutes of Committee**

As the Constitution requires, minutes of Club Meetings shall be safeguarded for 6 years. The Secretary shall make back up copies of minutes on the club's One Drive.

At the end of the tenure of either the Club Secretary or the Club Chairman the outgoing Officer shall make a statement to the Management Committee of what arrangements have been made to safeguard the long term records. The incoming Officer shall affirm such arrangements.

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## **By-Law 7**

### **FINANCE**

This By-Law specifies the banking requirements for the Management of Accounts. General requirements concerning Club finances are covered in Part 1. Banking controls are covered in Part 2. Together they cover the requirement required in the Club Constitution clause 14.1.

#### **Part 1. General Conditions and Management of Finance**

##### **1.1 Monthly Reports**

In accordance with the Club's Constitution, Law 14.4 The financial transactions of the Club shall be recorded and reported by the Treasurer in such manner as the Committee thinks fit.

Normally a committee member will make his/her contribution towards maintaining the club's financial viability based on common book keeping knowledge or experience. The Treasurer provides the accurate books.

The club treasurer shall report each month's income and expenditure ledger in a level of detail that each committee member is able to understand. Thus each member who is intimately involved with each item can affirm accuracy to other members and be aware of margins. A balance should be reported of the bank accounts so that all members can have a feel for the solvency of the club on an ongoing basis. However bank balances are not the ultimate measure because the club needs sufficient funds to cover pool deposits and on-going expenditure. The club treasurer will provide his/her assessment of the true health of the club via a statement of accruals, budgets and forecasts as appropriate. When everything is proceeding smoothly such financial monitoring will suffice. If predictions suggest possible problems ahead, a wider view of strictures should be considered by a financial working group or subcommittee.

An annual budget should be approved by the Management Committee to provide a measure against which the following year's accounts can be monitored. It is not a requirement but it may be considered appropriate to present the budget to the Annual General Meeting.

##### **1.2 Other Sub-Committees**

The financial responsibilities of any sub-committee set up by the Management Committee shall be defined when it is set up. It may be noted that the Officers of the Club, and in this context in particular the Club Treasurer are de facto members of any sub-committee and should be notified of meetings of sub-committees. If a sub-committee is given independent control of funds, including a separate bank account, then the terms of reference of that sub-committee shall be required to include the following finance controls:

- that the sub-committee may have an independent account in the name of the Club. [There shall be a Main Committee minute indicating such authority in order that appropriate banking facilities may be set up].
- that the sub-committee shall identify at least two signatories including a Sub-Committee Treasurer. [This is a proposed "title" for the purposes of banking arrangements but indicating no more than one person shall perform an appropriate book keeping function.] Any proposed changes to the signatories shall be notified to the Club Treasurer for approval prior to implementation.
- payments requiring signatures shall be with any one authorised signatory but any expenditure over £50 should be approved by the sub-committee prior to payment.
- the Sub Committee Treasurer shall report to the Club Treasurer excess income and expenditure and a reconciled balance at least quarterly and specifically in time for the Club Treasurer to prepare proper reports for the AGM.

### **1.3 Contracts**

The Treasurer shall have full knowledge and details of all contracts to be placed in the name of the Club – including contracts to be negotiated within the terms of reference of sub-committees.

### **1.4 Coaches Contracts**

Contracts placed with coaches shall be negotiated whenever possible as “contracts for services” with the coach designated “self employed” or if necessary as an employee paying PAYE. Contracts placed with academy teachers shall be negotiated whenever possible as an employee paying PAYE. Until further notice the management of BWSC coaches’ and Teachers contracts shall be decided and enacted with the Treasurer’s and Chairman’s agreement.

## **Part 2. Specific Banking Controls.**

### **2.1 Nominated individuals to manage club funds**

After each AGM, at the next Management Committee Meeting, the Treasurer shall nominate or re-confirm the individuals who hold banking authorities for the club and this shall be recorded in the minutes.

### **2.2 Authority to spend**

In principle the Treasurer and Open Meet Treasurer are mandated to pay any cost incurred in the relevant part of the club’s operation without limit. However, they shall refer to the Management Committee any item that is of a non-recurrent nature that exceeds £500 for approval. In cases of urgency, approval to pay may be given by any two Officers of the Club in agreement.

### **2.3 Cheque Signatories**

Any sum drawn from an account by cheque shall be signed by two of the three signatories who should include the Chairman, Secretary and Treasurer. Moneys relating to open meets organised by the club shall be subject to separate arrangements put in place by the Treasurer, or by any sub-committee appointed to run open meets, with the agreement of the Treasurer. Such arrangements must also be approved by the Committee.

When cheques are required for payment any two authorised persons shall be used. The relevant banks shall be so informed.

### **2.4 Control of On Line Payments**

Any form of split responsibility for initiation and authorisation of on line payments will significantly impact the club’s ability to pay its debts in a timely fashion. The club has appointed the Treasurer and Open Meet Treasurer to make on line payments because they have financial integrity. To minimise the opportunity for fraudulent payments (accidental or deliberate) the Treasurer and Open Meet Treasurer shall meet to review the cash needs of the two major accounts of the club. The Treasurer (Club or Open Meet) shall make invoices and bank statements available to any member of the committee upon request. The accounts should be audited by a person independent of the committee and Treasurer at the year end prior to the AGM.

## **2.5 Control of Floats and Petty Cash**

Anyone holding a float or petty cash long term shall make a monthly declaration of movements to the Treasurer and shall present surplus cash as directed by the Treasurer. All temporary floats [after galas etc] shall be passed to the nominated person as instructed, and typically within 24 hours together with a reconciliation.

## **2.6 Control of Accounts**

**2.6.1 Main Club Accounts** – If requested the Treasurer shall present a list of payments and cash receipts in the month to the Management Committee each month for examination. If requested the Treasurer shall also table the bank statements. The Treasurer shall also table an Income and Expenditure account with a Balance Sheet so that the club's true financial position is available to all committee members.

**2.6.2 Open Meet Account** – the Open Meet Treasurer shall present a list of payments and cash receipts between committee meetings to the Open Meet Management Committee at least quarterly for examination. If requested the Open Meet Treasurer shall also table the bank statements. The Open Meet Treasurer shall also table an Income and Expenditure account with a Balance Sheet so that the Open Meet's true financial position is available to all subcommittee members. On request (normally once a term) the Open Meet Treasurer shall supply this information to the Club Treasurer.

## **2.7 Security**

### **2.7.1 Computer ledgers**

Where club accounts are computerized, periodically a soft copy shall be passed to another nominated person for backup as part of good operating practice.

- Main club – monthly to Chairman and Assistant Treasurer
- Open Meet Committee - at least quarterly to the Treasurer and Assistant Treasurer

Where accounts are kept on cloud based accounting software, regular downloads are not possible and should not be required. However, at least 2 nominated people should always have account access to the software.

### **2.7.2 On Line Banking**

- Any computer used for this purpose shall have a good up to date anti-virus etc. software package installed and use Trustee Rapport as recommended by the banks. Passwords should be changed periodically and be a good mixture of alphabetic and numeric information.
- No-one other than authorized individuals, nominated by the committee, shall have access to on-line payments.
- On any change of nominated individuals, every effort should be made to rapidly delete the departing persons template and create a new one for the incoming individuals. All individuals nominated should be informed of their nomination and that of the others nominated.

## **2.8 Paypal**

The open meet treasurer is authorised to establish and operate a Paypal account linked to the open meet current account and an appropriate e-mail address to collect (and where appropriate refund) fees for entries made via the on-line meet entry system. The open meet treasurer shall manage and reconcile the Paypal balance with the management tools in the on-line entry system and shall transfer all funds from the Paypal account immediately following the end of the relevant meet. The open meet treasurer shall also comply with the By-laws relating to on-line banking in respect of the Paypal account (with necessary adaptation).

## **2.9 Financial Records**

In accord with the Constitution, Law 14.6, the Committee shall retain for a minimum period of six years all financial records relating to the club and copies of Minutes of all meetings

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**By-Law 8**  
**CLUB AGM – PROCEDURE & PROTOCOLS**

**FORWARD**

The Club AGM is a very important event of each year. It is the formal presentation of the immediate past year. It is a review of the state of the Club. It is the opportunity to try to lay down plans for the delivery of the best results that can be achieved in all workings of the Club, for the benefit of every member. It is the opportunity for the members to exert their influence collectively. As such it provides the prime opportunity for each member to exercise their democratic rights. It will be seen that a lot of effort has to go into the preparation and execution of the AGM so every member is urged to show respect and give appropriate recognition of the efforts of the Secretary who has volunteered to meet all these conditions. A member's presence at the AGM is important even if it is only the contribution of their body count for support.

**PRIOR TO THE AGM**

Prior to an AGM the following and any other actions as prescribed in the Club Constitution, shall have been undertaken. Many of the matters raised herewith are included in the Club Constitution. Should there be any conflict in what is described, then in all cases the Constitution shall take precedence.

The Club Secretary shall hold nomination forms for the election of members to any office or for membership of the Committee and also forms for tabling proposals at AGMs. Forms shall be available on application to the Secretary at any time during the year. To be accepted for consideration, completed forms shall require a proposer and a seconder plus nominees shall indicate in writing their willingness to stand. Forms shall be returned to the Secretary no later than 21 days before the day on which the AGM is to be held in order that the Secretary may complete the next stage. Proposals and nominations by the Committee may be made at any time up to notification by the Secretary as below [i.e. 14 days].

The Committee shall decide the date, time and venue for a forthcoming AGM to be held in October or November. The Secretary shall then be responsible for appropriate notification, as below, to all club members eligible to vote at an AGM. The calling Notice of the Meeting shall in addition be displayed on the Club Notice Board, and on the club website.

No later than 14 days before the AGM the Secretary shall be personally responsible that all members eligible to vote are notified of the calling notice, the Agenda, the nominations that have been received for Committee and other offices, and of any resolution to be moved at the AGM and together with a copy of the examined accounts for the immediate previous year. The Secretary will, wherever possible, distribute these materials by e-mail using the normal communication addresses utilised by the squad representatives. For non-squad members the Secretary will use the last e-mail address notified in the previous 12 months else have written copy of the material delivered to the last recorded postal address. It is the responsibility of members to ensure that the Secretary is notified of any change of e-mail or postal address they wish to be used. Any member shall have the right to request a paper copy of these materials.

Any member wishing to raise a question at the AGM on the content of the accounts that requires consideration of the detail of an element of the accounts shall notify the Secretary and the Treasurer in writing at least 7 days prior to the AGM. This is a protocol to ensure that the Treasurer has some time to research into the ledgers for an honest answer to the question. Else it is probable that a detailed answer will not be available at the AGM.

By the time of the AGM the Secretary shall have arranged for appropriate minutes of the last AGM to have been prepared – see section below “After the AGM”. Copies of these minutes and copies of the existing Club Constitution shall be available on request to the Secretary.

## AT THE AGM

The Club Secretary shall have determined all members entitled to vote. As the meeting assembles the Club Secretary shall ascertain those in attendance that have the right to vote in order to determine when a quorum is present and shall advise the Chairman accordingly. The quorum for the Annual and Special General Meetings shall be seven members entitled to attend and vote at the Meeting or, if greater, such number as represents one-tenth in number of such members.

If a quorum is not present 30 minutes after the published start time, the meeting shall be adjourned for one month, or as close to one month as is practical to set up a new venue. At the reconvened meeting the quorum shall be at least seven members entitled to attend and vote at the Meeting. Specifications of notifications as above shall be required again.

The AGM Minutes Secretary may be the Club Secretary or an appointee substitute from the Committee. The Chairman of the Club or an appropriate nominee selected by the Committee shall take the Chairman for the Meeting. From that point the Chairman may take or request advice but shall have sole jurisdiction for the conduct of the meeting and have absolute discretion to rule on points of order.

The Chairman shall recognise the formal protocols of debate that a member may speak once only on a subject. All questions shall be put through the Chairman. A speaker may not be interrupted except on a point of order. If a proposal is made the proposer, or their deputy, shall have the right to speak first to the motion, followed by the seconder. Anyone else may then speak for or against the motion before the Chairman shall invite the proposer to respond and to move the proposal to a vote.

However for BWSC the Chairman should stick to these formalities only when he/she feels it is necessary to maintain control of a debate. Otherwise the Chairman may permit a more relaxed debate with members responding to each other within reason determined at the discretion of the Chairman. Only members 16 years and over have a right to speak. Non-members may speak at the discretion of the Chairman.

When a vote is required the Chairman shall request members to show an appropriate coloured card that shall be held clearly in view for the appointed teller to count the votes. Each member present shall have one vote and resolutions shall be passed by a simple majority. However proposals to change the club rules shall be passed only with a 2 to 1 majority vote to change. In the event of an equality of votes the Chairman shall have an additional casting vote when normally the Chairman shall follow the protocol to cast the deciding vote for 'no change'. Following a count the Secretary shall declare and record a clear result of the vote.

## AGENDA

The Agenda for the AGM shall include the following:

1. Registration and Apologies for Absence.
  - (a) The Chairman shall be identified. The Chairman shall ask the Secretary to read the Calling Notice.
  - (b) The Secretary shall define appropriate procedures for the registration of those present so that those present may be recorded in the club records. The Secretary shall explain who is entitled to vote.
  - (c) Apologies for absence shall be noted to be recorded in the club records.
  - (d) On the advice of the Secretary, the Chairman shall declare when a quorum is present.

(e) The Chairman shall explain how members shall indicate their voting preference.

## 2. Minutes of the Last Meeting(s)

Consideration of the minutes of the last AGM and any subsequent EGM since the last AGM:

- (a) Multiple meetings shall be considered in the order that they were held.
- (b) Consideration of the minutes shall be in two parts taking accuracy, and then followed by any matters arising from the minutes that are not expected to be the subject of an agenda item of the meeting being held.
- (c) There shall be a vote to accept first the accuracy of the tabled minutes; there shall then be a vote that “the minutes represent an accurate recording of the business of the meeting” leading to the Chairman accepting to sign a master copy of the minutes that shall be recorded in the club records in each case.

## 3. Reports.

There shall be reports as considered appropriate:

- (a) Chairman. The Chairman shall report on the activities of the Club during the previous year.
- (b) Chief Coach. It is customary that reports of the swimming achievements of individual swimmers and teams are shared or set aside to be reported by the Chief Coach.
- (c) Secretary. The Secretary may report.
- (d) Welfare Officer. The WO shall be given an opportunity to report at his/her discretion.

## 4. Finance

- (a) The Treasurer's report as to the financial position of the Club shall be received.
- (b) The accounts of the Club for the previous year shall be received and discussed.
- (c) The report on the accounts of the independent examiner shall be considered.
- (d) There shall be a vote to accept the accounts to be added to the club records.
- (e) The Independent Examiner for the following year shall be appointed. The Examiner must not be a member of the Committee nor a paid employee of the Club nor a member of the family or close business associate of a member of the Committee or a paid employee. If there is no volunteer then it may be necessary to ask the members to delegate to the incoming committee to find and appoint a suitable Examiner.

## 5. Amendment of the Constitution

- (a) The Club Rules may be altered provided only that a resolution is carried by a majority of at least two-thirds of members present and entitled to vote.

- (b) Only rule changes correctly proposed as 'prior to the meeting' above may be considered.
- (c) The Chairman shall first consider any amendment that is proposed to the tabled rule change. An amendment must be first proposed and seconded before being voted into acceptance. The proposer of the original amendment may accept any amendment at any time without putting it to a vote. Successive amendments properly brought forward shall be considered.
- (d) The Chairman shall not accept any amendment to a tabled proposal that has the effect to nullify the proposal or to change its principle substantially.
- (e) The Chairman shall read the substantive motion as many times as asked before it is put to the vote.
- (f) The Chairman shall remind members that no amendment(s) to the rules shall become effective until such amendment(s) shall have been submitted to and validated by such person as is authorised to do so by the ASA South East Region represented by the local County Association.

#### 6. Declared Agenda Items

- (a) Any other resolution proposed in accord with 'Prior to the Meeting' above shall be debated. A vote on any proposal shall require only a simple majority to be successful.
- (b) Any other business recorded on the published Agenda shall be considered.

#### 7. Elections and Appointments

- (a) The Executive Officers, that is the Club Chairman, Secretary and Treasurer shall be elected/re-elected.
- (b) Up to 6 other members of the Committee shall be elected.
- (c) The Club Welfare Officer shall be affirmed or a new appointment made. The Club Welfare Officer (WO) should not be an Officer of the Club nor a member of the family or close business associate of an Officer of the Club. The WO shall not be a Coach of the Club nor a member of the family or close business associate of a Coach of the Club.
- (d) If there is no volunteer to cover (a) to (c) above then the Chairman shall consider nominations for vacancies from the floor of the meeting. If there are then still vacancies it may be necessary to ask the members to delegate to the incoming committee to find and make suitable appointments.
- (e) A proposal to accept the appointment of a Club President and such Vice Presidents as considered appropriate by the outgoing Committee shall be made
- (f) Any proposal to award Honorary Life Membership to the Club as considered appropriate by the outgoing Committee shall be made.

8. AOB

- (a) Any other business not declared on the Agenda may be discussed at the sole discretion of the Chairman. Reasonable requests to consider an issue are unlikely to be refused if a notification of the subject has been made via the Secretary at some time prior to the commencement of the meeting.

AFTER THE AGM

The Secretary shall make appropriate arrangements for the publication of minutes as soon as possible after the meeting. A First Draft of the minutes shall be presented to a Committee Meeting within 2 months of the AGM. When the Committee has commented, a published Final Draft of the minutes shall be placed on the club website within 3 months of the AGM. The Final Minutes of an AGM shall be approved at the next AGM.

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**By-Law 9**  
**CLUB TROPHIES AND AWARDS**



Remember, Bracknell Swimming Club was formed in April 1961.

**The “Williams Cup for Merit”**

Origins: the Williams Cup was presented to the Bracknell Swimming Club in 1974.

Selection criteria: the cup shall be awarded for meritorious service to the Club in any sphere of the Club’s activities.

Selection procedure: suitable potential recipients of the Williams Cup for merit shall be nominated by the Club Management Committee Members and the Cup awarded by the Management Committee. The award should be made to someone that could be held up as an example of what a good Club Member should be. General guidelines for consideration include: length of service to the Club, reliability, helping younger members, willingness to help in any capacity – often with short notice or with personal inconvenience.

Presentation: the Cup shall be awarded annually and presented at the Club’s Presentation Evening.

**The “Most Improved Swimmer of the Year”** (The Crosland Cup)

Origins: the Crosland Cup was presented to Bracknell Swimming Club in 1973 by Bill Crosland. Bill Crosland was the Treasurer when the Club was founded in April 1961. Bill Crosland is an Honorary Life Member of the Club.

Selection criteria: the cup shall be awarded to the swimmer who has been judged to have made the most significant progress in the year, as determined below.

Selection procedure: The swimmer shall be recommended by the Coaching staff and their selection ratified by the Management Committee. The consideration shall take account of improvements identified in the twelve months or so up to and including August, bearing in mind the swimmer’s age, standard and improvements in single or multiple strokes. Thus the award is open to any swimming member of any standard.

Presentation: the Cup shall be awarded annually and presented at the Club’s Presentation Evening.

**The “Novice Swimmer of the Year”** (The Councillor’s Cup)

Origins: the Councillor’s Cup was presented to Bracknell Swimming Club in 1962. The Club Founder President, Peter Rose, and an Easthampstead Rural District Councillor, persuaded 38 ERDC Councillors to make personal donations to purchase the Councillors’ Cup.

Selection criteria: the cup shall be awarded to the year’s outstanding “novice” swimmer, as determined below.

Selection procedure: The swimmer shall be recommended by the Coaching staff and their selection ratified by the Management Committee. The cup shall be awarded to the Novice Swimmer who has been judged to have made the most outstanding progress in the year. The swimmer probably started the year, or close to the start of the year, at just about the Club entry standard and in the twelve months or so up to August has been seen to make dramatic improvements in two or more strokes.

Presentation: the Cup shall be awarded annually and presented at the Club's Presentation Evening.

### **The "Nikki Park Memorial Cup"**

*Note that in accordance with Note 2 below, from 2015 the appropriate training squad for consideration of this award shall be the Age Group Performance Squad.*

Origins: Nikki Park was a model Devils Squad swimmer who suffered an incurable illness. The Nikki Park Memorial Cup was presented to Bracknell Swimming Club in 1990 by her parents "in loving memory of Nikki".

Selection criteria: the cup shall be awarded to the swimmer in the Devils Squad who has contributed most to the Club's spirit at their level, as shown by their commitment, perseverance and enthusiasm throughout the year, as determined below.

Selection procedure: each year the Devils Squad Coach(es) shall be asked by the Management Committee to review all the Devils Squad swimmers and award points on a scale 1 to 10 for each of the following attributes:

- Commitment
- Perseverance
- Attendance
- Punctuality
- Attitude
- Team spirit

The selection of the top three swimmers shall be discussed with the Club Chief Coach who shall notify their names, and make a recommendation for the final selection to the Management Committee in August - together with a short tribute to the selected swimmer ready for the trophy presentation at the Club Presentation Evening.

Notes:

1. For the purpose of eligibility for this award a swimmer shall be considered who has been a member of the Devils Squad for at least nine months of the year defined between successive Club Presentation Evenings.
2. If for any reason the Devils Squad is renamed or restructured in the future, then the award shall be made from the swimmers of the squad that the Management Committee deem to most closely match the characteristics of the Devils Squad in 1990.
3. The award may be shared if no clear distinction can be determined between swimmers.

Presentation: the Cup shall be awarded annually in accordance with Nikki's parents wishes and presented at the Club's Presentation Evening.

## **The “Rosa Gallop Trophy for Merit”**

Origins: the Rosa Gallop award for merit was presented to the Bracknell Swimming Club by Rosa Gallop. Rosa was the full time professional Club Chief Coach for 24 years from May 1984 until she moved to work for the ASA in 2008. She was awarded Honorary Life Membership of the Club in 2011.

Selection criteria: the trophy shall be awarded for meritorious service to the Club in coaching.

Selection procedure: suitable potential recipients of the Rosa Gallop Trophy for merit shall be nominated by the Club Chief Coach and endorsed by the Management Committee. The intention is to encourage emerging coaches by early recognition of their talent and enthusiasm. The award should be made to a Coach who shall have worked for the Club for at least 6 months in the year.

Presentation: the Cup shall be awarded annually and presented at the Club’s Presentation Evening.

### *ADDITIONAL NOTES :*

*1. In 1969 the President’s Cup was donated by E. Noyes a founder member of the Club. The Cup is swum for in a separate freestanding competition with its own rules.*

## SWIMMERS OF THE YEAR

There are two categories of “Swimmer of the Year” trophy:  
‘Overall Swimmer of the Year’ and ‘Individual Stroke Trophies’.

### OVERALL SWIMMER OF THE YEAR

**There are three ‘overall trophies’:**

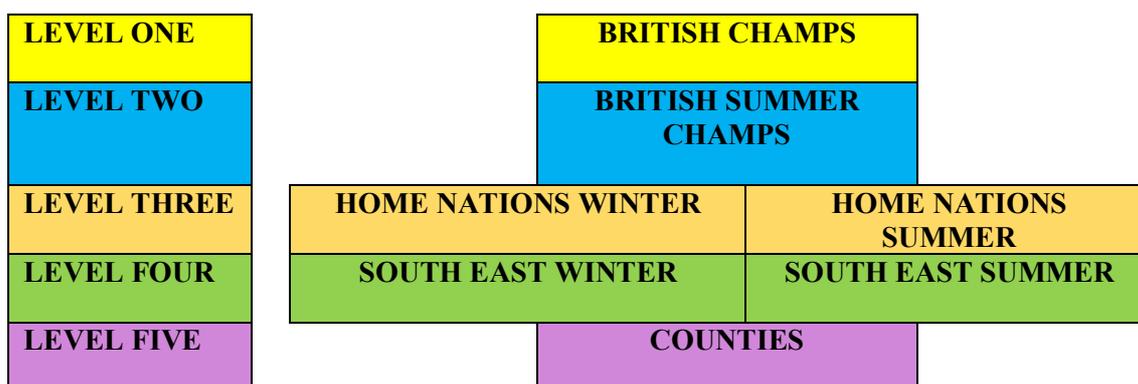
for seniors: **Victor Ludorum – Club [Male or Female] Swimmer of the Year**

for juniors – under 16 years: **Junior Boys’ Swimmer of the Year**  
**Junior Girls’ Swimmer of the Year**

Origins: The Victor Ludorum Trophy was donated to the Club by the Bracknell News in 1962. It was to be awarded for ‘all round performance’. The Junior trophies were added later to give a wider span of recognition.

Selection Criteria: each trophy shall be presented to swimmers who are deemed to have promoted Bracknell Swimming Club to the outside world.

Selection procedure: See below. Swimmers shall accumulate points in the twelve months up to and including August.



**If winner at Level One stop at this level. If no winner move to Level Two. Repeat this procedure if required down to Level Five using points system below to work out a winner.**

<b>Achievement</b>	<b>Points</b>	<b>Weighting</b>
British Championships	Qualification = 4 Final = 6 Bronze = 8 Silver = 9 Gold = 10	20
British Summer Championships	As above	20
Home Nations Summer Nationals	As above	8
Home Nations Winter Championships	As above	8
SE Region Winter Championships	As above	2
SE Region Summer Championships	As above	2
Berks & South Bucks County Championships	As above	1

Presentation: the Trophies shall be awarded annually at the Club’s Presentation Evening.

## **INDIVIDUAL STROKE TROPHIES - AGE GROUPS**

There are 5 trophies. Each of these awards is based on a similar criteria, see below.

### **The “Peter Morris Trophy” – the “fly swimmer of the year”**

Origins: Peter Morris was the first Bracknell Swimming Club member to achieve his/her National Team selection, in this case Wales at the 1978 Commonwealth games in Canada. The Peter Morris Trophy was purchased by Bracknell Swimming Club in recognition of Peter’s many contributions to the standing of the Club at International level. Peter was a remarkable butterfly swimmer and his pinnacle was to be placed 4th in the Moscow Olympic Games in 1980. The Peter Morris Trophy was the first of the “stroke trophies” and subsequent donors selected the similar criterion for their awards.

### **The “Basil Crocker Trophy” – the “breaststroke swimmer of the year”**

Origins: The Basil Crocker Cup was presented to Bracknell Swimming Club in 1994 by Basil Crocker. Basil was Club Chairman from 1976 till 1979 when he was then elected President till the water polo section dissolved. Apart from water polo breaststroke was the favourite stroke of his sons.

### **The “Charlotte Maggs Trophy” – the “freestyle swimmer of the year”**

Origins: Charlotte Maggs was an outstanding freestyle swimmer who was a member of the first Bracknell National Gold Relay winning team. Charlotte died as a result of a tragic road accident. This memorial, unique silver plate was commissioned by Bracknell Swimming Club to commemorate Charlotte Maggs’ ‘swimming life’ using funds donated by her parents.

### **The “Ann Shaw Trophy” – the “individual medley swimmer of the year”**

Origins: Ann Shaw was the parent of two excellent Bracknell Swimming Club girls. But Ann herself made momentous contributions to the Club at management and administration. She was recognised as a superbly efficient administrator. She was involved in all activities associated with the welfare and provision of the swimmers’ needs.

### **The “Masters Trophy” – the “backstroke swimmer of the year”**

Origins: Recognising that the backstroke was the only stroke without an award at the time, the Masters section of the Club used funds raised by them for the purchase of this award.

Selection Criteria: each trophy shall be presented to the year’s outstanding swimmer of the specified stroke, as determined below.

Selection procedure: each trophy shall be awarded by the Management Committee to the Age Group swimmer (i.e. under 19) who appears in the club records with a swim of the specified stroke with a time closest to the 100 metre National Age Group winner of that stroke in their respective age group.

Notes:

- (1) To be eligible for consideration the recorded swim shall have been made in competition in the twelve months up to and including August.
- (2) For comparison purposes, times considered shall be converted in accordance with the ASA published conversion tables to equivalent 25 metre times, and 100 metre times may be derived from longer distances by simple division.

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