



## **SILEBY TOWN CRICKET CLUB CONSTITUTION**

### **OCTOBER 2018 REVISION**

#### **1. Name**

The name of the Club is **Sileby Town Cricket Club** and the club colours shall be **maroon** and **gold**.

#### **2. Club Purposes**

The main purposes of the Club are to provide facilities for and to promote participation in the amateur sport of cricket.

#### **3. Affiliation**

- 3.1 The Club is affiliated to the England and Wales Cricket Board through the Leicestershire and Rutland Cricket Board (Leicestershire County Cricket Club's Community Team).
- 3.2 The Club and its members shall ensure that members, playing and non-playing, abide by the ECB Code of Conduct which incorporates the Spirit of Cricket and by the Laws of Cricket.
- 3.3 The Club shall adopt and implement "Safe Hands" – ECB's Policy for Safeguarding Children; and any future versions of the policy. The Club must also have a separate club safeguarding Policy Statement, as required by the ECB.
- 3.4 The Club shall adopt and implement both the ECB's Cricket Unleashed Strategy and the ECB Club Inclusion and Diversity Policy and any future versions of these documents

#### **4. Permitted means of advancing the Purposes**

The Committee has the power to:

- 4.1 acquire and provide grounds, equipment, coaching, training and playing facilities, clubhouse, transport, medical and related facilities;
- 4.2 provide coaching, training, medical treatment, and related social and other facilities;
- 4.3 take out any insurance for club committee, employees, contractors, players, guests and third parties;
- 4.4 raise funds by appeals, subscriptions, loans and charges;
- 4.5 borrow money and give security for the same, and open bank accounts;
- 4.6 buy, lease or licence property and sell, let or otherwise dispose of the same overseen by the club's trustees (see point 11).



# Sileby Town Cricket Club Est. 1895

Mill Lane, Sileby, Loughborough, Leicestershire LE12 7NF



- 4.7 make grants and loans and give guarantees and provide other benefits;
- 4.8 set aside or apply funds for special purposes or as reserves;
- 4.9 deposit or invest funds in any lawful manner;
- 4.10 employ and engage staff and others and provide services;
- 4.11 co-operate with any organisation, club, sporting body, government or government-related agencies; and
- 4.12 do all other things reasonably necessary to advance the purposes.

NONE of the above powers may be used other than to advance the purposes consistently with the Rules below and the general law.

## 5. Membership

- 5.1 Membership of the Club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs, except as a necessary consequence of the requirements of cricket.
- 5.2 The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will have an equitable pricing policy and will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- 5.3 The level of subscriptions will be decided by the Committee from time to time and notified to the members. All membership fees must be paid by 30th April of each year. Any member who has not paid his membership fee by this date will not be eligible for team selection and will cease to be a member of the club.
- 5.4 The Club will have the following classes of membership:
  - 5.4.1 Full member- playing
  - 5.4.2 Associate member – non-playing
  - 5.4.3 Junior member (under the age of 18)
  - 5.4.4 Honorary Life Member
- 5.5 Application for membership of the Club shall be by completion of a membership application form.
- 5.6 No person shall be eligible to take part in the business of the Club, vote at general meetings or be eligible for selection for any Club team unless the applicable subscription has been paid by the due date and/or membership has been agreed by the Club Committee.
- 5.7 The Club Committee may refuse membership, or remove it, at their discretion but only for good cause such as conduct or character likely to bring the Club or cricket into disrepute and:
  - 5.7.1 The Club Committee may only refuse to admit a new member if a resolution is passed at a meeting where the person in question has been notified in writing





in advance and been given 14 days to submit written representations for the Club Committee to consider at the meeting. Appeal against a refusal of membership shall be to the Appeal Committee as detailed below.

5.7.2 The procedure for taking disciplinary action against a member, including removing membership, is dealt with in more detail below.

- 5.8 All members will be subject to these Rules and by joining the Club will be deemed to accept these Rules, any Club Regulations and any Codes of Conduct that the Club has adopted. A Code of Conduct for Members and Guests must be displayed prominently to ensure that all Club guests and non-member volunteers are aware of the code and the requirement to abide by it.
- 5.9 The Membership Secretary will keep a register of members.
- 5.10 Should a member seek to transfer to another cricket club, all monies owed must be paid in full before being released.
- 5.11 A member may resign by written notice to the Club, but the return of any subscription paid is at the discretion of the Club Committee.

## **6. All General Meetings**

- 6.1 All members (including non-playing members of the Management Committee) may attend all general meetings of the Club in person.
- 6.2 All full members (including non-playing members of the Management Committee) for all business except the election of Senior Captains, when only Senior playing members, and Junior playing members who have played one third, or more, of the available games for the respective senior team during the past season are eligible to one vote. In the event of a tie the Chairman shall have the casting vote.
- 6.3 Members must be given at least 7 clear days written notice of all general meetings.
- 6.4 The quorum for all general meetings is 12 members present.
- 6.5 If a quorum is not present within 15 minutes of the start of the meeting, the meeting will be adjourned to the following week at the same time and place or such other time and place as the Committee decide and any voting members attending the adjourned meeting will constitute a quorum.
- 6.6 The Chair or (in his or her absence) another member chosen at the meeting by the members shall preside.
- 6.7 Except as otherwise provided in these Rules or in Club Regulations every resolution shall be decided by a simple majority of the votes cast on a show of hands.
- 6.8 Formalities in connection with general meetings (such as how to put down resolutions and nominate candidates for election to the Committee) shall be decided by the Committee in Club Regulations and publicised to Club members.

## **7. Annual General Meetings**

The Club will hold an AGM once in every calendar year and not more than 15 months after the last AGM. Members will be given 14 days' notice in writing of the date of



the AGM. Copies of the Agenda, Proposals, Nominations and Balance sheet shall be made available at least 3 days prior to the AGM. At every AGM:

- 7.1.1 with the exception of the President, officers shall be elected. All nominations for Officers of the Club must be in writing and reach the Secretary at least seven days prior to the Annual General Meeting. Officers shall be approved on a majority basis;
- 7.1.2 the Treasurer will produce accounts of the Club for the latest financial year audited as the Committee shall decide. The 2018/19 Financial year shall date from November 1<sup>st</sup> to September 30<sup>th</sup>; from 2019/20 onwards the Financial year shall date October 1<sup>st</sup> to September 30<sup>th</sup>.
- 7.1.3 the Committee will present a report on the Club's activities since the previous AGM; and
- 7.1.4 the members will discuss and vote on any resolution (whether about policy or to change the Rules) and deal with any other business put to the meeting.

## **8. Extraordinary General Meetings (EGM)**

An EGM shall be called by the Secretary within 14 days of a request to that effect from the Committee or on the written request of not less than 10 members signed by them. Such EGM shall be held on not less than 7 nor more than 21 days' notice at a place decided upon by the Committee or in default by the Chair. If the Committee fails to call a meeting within 14 days of receiving a valid request from the members then the requisitionists may themselves call a meeting, the costs of which will be reimbursed by the Club.

## **9. The Committee**

### **9.1 Role**

Subject to these Rules the Committee shall have responsibility for the management of the Club, its funds, property and affairs.

### **9.2 Property, etc.<sup>1</sup>**

- 9.2.1 The property and funds of the Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and all surplus income or profits are to be re-invested in the Club. No surpluses or assets will be distributed to members or third parties.
- 9.2.2 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 Corporation Tax Act 2010 and the Community Amateur Sports Clubs Regulations 2015 (as modified by statute or re-enacted from time to time) (the "CASC Regulations").
- 9.2.3 The Club may also in connection with the sports purposes of the Club:

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<sup>1</sup> The whole of clause 9.2 is CASC compliant and should not be changed if the Club is a CASC (having chosen the CASC optional wording).



- (a) sell and supply food, drink and related sports clothing and equipment;
- (b) employ members (though not for playing) and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present;
- (c) pay for reasonable hospitality for visiting teams and guests; and
- (d) indemnify the 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).

9.2.4 The Committee shall ensure that they take practical steps to comply with legislation relating to both The Equality Act 2010 and the safeguarding of children and vulnerable adults.

### 9.3 Composition, etc.

- 9.3.1 The Committee shall consist of at least five and not more than twenty members (including Officers and the Club Welfare Officer).
- 9.3.2 At least three of the Committee must be unrelated to each other and not co-habiting.
- 9.3.3 The Committee shall be elected by the members at the Annual General Meeting as detailed in clause [7].
- 9.3.4 The Committee members shall consider skills needed and diversity on the Committee.
- 9.3.5 The Committee may co-opt Club members to fill a vacancy or as an additional Committee member to serve until the end of the next AGM.
- 9.3.6 Any Committee member may be re-elected without limit. The Committee may agree a process, set out in Club Regulations] for nominating and electing Committee members at the AGM.
- 9.3.7 A Committee member ceases to be such if he or she:
  - (a) ceases to be a member of the Club; or
  - (b) resigns by written notice to the Club; or
  - (c) is removed by the Committee in accordance with clause [5.7] and [10].

### Committee Meetings

- 9.3.8 Whenever a Committee member has a personal interest in a matter to be discussed he/she must declare it, withdraw from that part of the meeting (unless asked to stay), not be counted in the quorum for that agenda item and withdraw during the vote and have no vote on the matter concerned. Conflicts of Interest must be recorded and included in the minutes.<sup>2</sup>
- 9.3.9 The Committee shall meet at least four times each year.<sup>3</sup> The Committee may decide its own way of operating. Unless it otherwise resolves the following rules apply:

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<sup>2</sup> This clause is compulsory for ECB Clubmark.

<sup>3</sup> This clause is compulsory of ECB Clubmark.





- (a) at least 2 Committee members must be present for the meeting to be valid;
- (b) Committee meetings may be held either in person or by telephone, televisual or other electronic or virtual means agreed by the Committee in which all participants may communicate simultaneously with all other participants;
- (c) the Chair or whoever else those present choose shall chair meetings;
- (d) decisions shall be by simple majority of those voting;
- (e) a resolution in writing signed by every Committee member shall be valid without a meeting; and
- (f) the chair of the meeting shall not have a casting vote.

9.3.10 The Committee shall appoint a Club Welfare Officer to ensure compliance with safeguarding legislation and the ECB Safe Hands policy. The Club Welfare Officer shall be a Committee member and report to relevant Committee meetings and the reports, together with any action taken, must be recorded in the minutes.<sup>4</sup>

#### 9.4 Bank Account

Bank accounts in which any part of the club's funds are deposited shall be operated by the Committee and shall be held in the name of the Club. Unless regulations state otherwise, all cheques and orders for payment of money from such accounts must be signed (or otherwise authorised in the event of electronic payment) by at least two people authorised by the Committee, including at least one Committee member.<sup>5</sup>

#### 9.5 Delegation, etc.

The Committee may delegate any of their functions to sub-committees but must specify the scope of each Sub-committee's activity and powers; the extent to which it can commit the funds of the Club; its membership; its duty to report back to the Committee. The Committee may wind up any sub-committee at any time or change its mandate and operating terms.

#### 9.6 Disclosure.

Annual Club reports and statements of account must be made available for inspection by any member and all club records may be inspected by any Committee member.

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<sup>4</sup> This clause is compulsory for ECB Clubmark.

<sup>5</sup> If the Club's procedures for bank accounts are different this clause should be amended.



## **10. Removal of Membership, Discipline and Appeals<sup>6</sup>**

- 10.1 Any complaints regarding the behaviour of members, guests or volunteers should be lodged in writing with the Secretary.
  - 10.2 Any person that is the subject of a written complaint or appeal shall be notified of the procedures to be followed by the relevant committee in reasonable time to prepare for any hearing.
  - 10.3 The Committee shall appoint a disciplinary sub-committee who will meet to hear complaints within 21 days of a complaint being lodged. Any person requested to attend a Disciplinary Sub-Committee shall be entitled to be accompanied by a friend or other representative and to call witnesses. The Disciplinary Sub-Committee has the power to take appropriate disciplinary action on behalf of the Committee, including the termination of membership or exclusion from Club premises.
  - 10.4 The outcome of the disciplinary hearing shall be put in writing to the person who lodged the complaint and the person against whom the complaint was made within 14 days following the hearing.
  - 10.5 There shall be a right of appeal within 14 days of receipt of the disciplinary decision or decision to refuse membership:
    - 10.5.1 against the Disciplinary Sub-Committee's findings or the sanction imposed or both; and
    - 10.5.2 against the Committee's refusal to admit a new member
- in either case, the Committee shall appoint an Appeals Committee. The Appeals Committee shall have a maximum of three members which shall not include members involved with the initial disciplinary hearing but may include non-members of the Club. The Appeals Committee shall consider the appeal within 21 days of the Secretary receiving the appeal. The individual who submitted the appeal shall be entitled to be accompanied by a friend or other representative and to call witnesses. The decision of the Appeals Committee shall be final and binding on all parties.

## **11. Property Trustees**

- 11.1 Any property or assets of the Club may be vested in between two and four trustees. The trustees shall hold the same for and on behalf of the members of the Club.
- 11.2 The Committee shall have power by notice in writing to appoint such trustees from the membership of the Club, and may remove them at any time, by resolution of the Committee.
- 11.3 The trustees shall deal with the Club's property and assets as directed by the Committee from time to time.
- 11.4 The trustees shall be entitled to be indemnified against any cost or expense properly incurred in dealing with the property or the assets out of the Club's funds.

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<sup>6</sup> Clubmark requires there to be an appropriate disciplinary process. The procedure for disciplining members and hearing appeals can be changed to suit the club. For example, another option is for appeals to go to the members. However, there must be a right of appeal against removal or refusal of membership and any disciplinary process must be reasonable.



## **12. Club Regulations**

The Committee may make Club Regulations consistent with these constitutional rules and will publicise these to the members.

### **12.1 Bar and Licensing**

12.1.1 The permitted hours during which intoxicating liquor may be supplied and consumed on the Club premises Monday to Sunday - 11.00 AM to 01.00 AM

12.1.2 No person under the age of 18 years shall be supplied with or shall consume intoxicating liquor on the Club premises.

12.1.3 Only persons authorised by the Licensee shall be permitted to serve behind the Club Bar. A daily record of takings shall be kept and the member in charge of the Bar on that day shall sign the takings book after cashing up.

12.1.4 The Licensee or appointed person in charge may refuse to serve any member or visitor he or she deems to represent a problem for the club

## **13. Notices**

13.1 Notices to be sent out in accordance with these Rules may be sent by hand, by post or by suitable electronic means and will be treated as being received:

13.1.1 24 hours after being sent by electronic means or delivered by hand to the relevant address;

13.1.2 Two clear days after being sent by first class post; or

13.1.3 Three clear days after being sent by second class post.

13.2 Notice of all general meetings must also be put on the Club's website.

13.3 A technical defect in the giving of notice of which the members or the Committee are unaware at the time does not invalidate decisions taken at a meeting.

## **14. Amendments**

14.1 These Rules may be amended at a general meeting by resolution passed by two-thirds of the votes cast but not (if relevant) so as to jeopardise the Club's status as a Community Amateur Sports Club as first provided for by the CASC Regulations and not in any event to alter its purposes (unless the procedure set out in 14.2 has been followed) or winding up provisions.<sup>7</sup>

14.2 The Club Purposes may be changed to include another eligible sport if the Committee unanimously agree and the members also agreed the change by a 75% majority of votes cast.

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<sup>7</sup> Include words in square brackets for CASCs.





## **15. Codes of Conduct**

### **15.1 Senior Club Code of Conduct**

- 15.1.1 All members must play within the rules and respect officials and their decisions
- 15.1.2 All members must respect the rights, dignity and worth of all participants regardless of gender, ability, cultural background or religion.
- 15.1.3 Members must pay any fees for training, matches or events promptly
- 15.1.4 Members are not allowed to consume drugs of any kind whilst representing the club

### **15.2 Junior Club Code of Conduct**

- 15.2.1 All members must play within the rules and respect officials and their decisions
- 15.2.2 All members must respect the rights, dignity and worth of all participants regardless of gender, ability, cultural background or religion.
- 15.2.3 Members should keep to agreed timings for training and competitions or inform their coach or team manager if they are going to be late
- 15.2.4 Members must wear suitable kit – for training and match sessions, as agreed with the coach/team manager.
- 15.2.5 Members must pay any fees for training, matches or events promptly
- 15.2.6 Junior members are not allowed to smoke on club premises or whilst representing the club at competitions
- 15.2.7 Junior members are not allowed to consume alcohol or drugs of any kind on the club premises whilst representing the club

### **15.3 Code of Conduct for Parents/Carers**

- 15.3.1 Sileby Town Cricket Club expects you as a parent/carers to abide by the following code of conduct:
  - (a) Encourage your child to learn the rules and play within them
  - (b) Discourage unfair play and arguing with officials
  - (c) Help your child to recognise good performance, not just results
  - (d) Never force your child to take part in sport
  - (e) Set a good example by recognising fair play and applauding the good performance of all
  - (f) Never Punish or belittle a child for losing or making mistakes
  - (g) Publicly accept official's decisions
  - (h) Support your child's involvement and help them to enjoy their sport
  - (i) Always use proper language



## 15.4 Code of Conduct on Social Media

15.4.1 Sileby Town Cricket Club fully understands and acknowledges any player's/member's right to pass reasonable and considered comment on a specific match or on the sport in general. The club does, however, expect all such social media postings to be constructive and relevant given the potentially unrestricted audience of social media platforms.

15.4.2 The following conditions apply to any social media posting which relates either directly, or indirectly, to STCC. These conditions also apply to any posting that might reasonably be regarded as reflecting on the club in any way.

15.4.3 No social media posting may be made by a player/member which:

- (a) Contains any threatening, abusive, insulting or indecent language
- (b) Discriminates on any grounds of race, colour, ethnic origin, nationality, faith, sexual orientation, social class or disability
- (c) Is detrimental to the interests of STCC or to the game of cricket in general, or which brings STCC or the game of cricket into disrepute
- (d) The individual could reasonably be expected to know would implicate a third party in any disciplinary or legal hearings. This may include, but is not restricted to, the copying and redistribution of any third-party social media posting the individual might reasonably be expected to know would undermine the unity of a team, and or the standing of STCC in general.
- (e) Discloses any matter which is confidential to STCC. This may include, but is not restricted to, team selection, tactics & injuries.

15.4.4 All players/members are reminded that while an individual's opinions may not represent those of STCC, they can very easily reflect on the club. As such, all players/members are expected to consider the club's values as well as its long and proud history in any social media postings that they choose to make.

15.4.5 Any player/member failing to adhere to this code of conduct will face disciplinary measures and may be suspended or banned from representing/attending STCC. Given the potentially severe sanctions following any breach of the code, players/members should keep all login details and passwords secure.

## 16. **Data Protection.**

16.1 The Club will only hold data where there is evidential need. The club will use the information provided as part of its Membership Form (together with other information it obtains about the player) to administer his/her cricketing activity at the Club and in any activities in which he/she participates through the Club and to care for and supervise activities in which he/she is involved. In some cases, this may require the Club to disclose the information to County Boards, Leagues and to the England and Wales Cricket Board, this will only be done in the case of personal information with the permission of the member and in accordance with the General Data Protection



Regulations (2018). In the event of a medical issue or child protection issue arising, the Club may disclose certain information to doctors or other medical specialists and/or to police, children's social care, the Courts and/or probation officers and, potentially to legal and other advisers involved in an investigation.

## 17. Winding Up the Club (Dissolution)

- 17.1 The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.
- 17.2 The Committee will then be responsible for the orderly winding up of the Club's affairs.
- 17.3 After settling all liabilities of the Club, any remaining assets shall be given or transferred to another registered CASC, a registered charity or the sport's governing body for use by them in related community sports. This shall be overseen by the club's trustees.

### Adopted at a meeting held

at Sileby Town Cricket Club

on 23<sup>rd</sup> October 2018

#### Signed

Name NIGEL KINCH  
Signature N. Kinch

[Name and signature of chair of meeting]

#### Witnessed

Name MARK BARSON  
Address 17 ARMITAGE DRIVE, ROTLEY  
LEICESTERSHIRE.  
Occupation HEAD OF COMMUNITY DEVELOPMENT  
Signature MB

[Name, address, occupation and signature of witness]