

BEAULY BOWLING CLUB

CONSTITUTION

1. Name and Objects.

1.1 The name of the Club shall be Beauly Bowling Club and it shall seek to affiliate to and be bound by the rules of Bowls Scotland.

1.2 The object of the Club shall be to provide facilities for and to promote participation in the amateur sport of playing the game of lawn bowls in Beauly and undertake other activities incidental or conducive to the furtherance of these objects.

1.3 The club recognise that it has a duty of care to the membership to ensure that its activities are carried out in a safe and friendly environment.

2. Membership.

2.1 Membership of the Club shall be open to anyone interested in the sport on application, regardless of sex, age, disability, race, ethnicity, nationality, sexual orientation, gender reassignment, religion or other beliefs, without discrimination.

2.2 Applications for membership shall be made in writing to the Club Committee for approval. If approved, the applicant will become a Member on payment of the subscription. The Club may have different classes of membership and of 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.

2.3 The Club shall consist of such Members as have paid the subscription for the year as fixed by the Club and only these Members shall be entitled to vote at Club meetings.

2.3.1 The Club can have Non-playing Members, who shall pay a lesser subscription.

2.3.2 The Club can have Junior Members, who shall pay a lesser subscription.

2.3.3 The Club can have Temporary or Trial Members, who shall pay a lesser subscription.

2.3.4 Non-playing Members, Junior Members, Temporary or Trial Members shall be admitted to the privileges of the Club on such terms as shall from time to time be determined by the Club.

2.4 The Club may confer Honorary Life Membership at the AGM.

2.5 The Club Committee may refuse any new application for membership after a vote by the committee.

2.6 The Club Committee may also remove membership for any extant members under the guidelines set out in the Club's disciplinary procedure contained within Appendix 1 of the constitution.

3. Club Management Structure

3.1 The Club shall have a committee for the following year elected by Members at the AGM consisting of at least the following honorary office-bearers: President; Vice-president; Secretary; Treasurer; and not more than six others.

3.2 The Club Committee shall meet as required and transact the general business and affairs of the Club, subject to the approval of the Members in general meeting. All committee members must be members of the Club.

3.3 The Club Committee may invite a person to attend committee meetings as a participant without the power to vote.

3.4 The Club Committee can fill any vacancy in the committee by appointment of a Member of the Club until the succeeding AGM. Where required a committee member may hold up to two office bearers' positions.

3.5 No member of the Club Committee shall receive remuneration from the club funds in money or monies worth with the exception of out-of-pocket expenses.

3.6 The committee shall have the full power to act as it deems best in the interest of the club and in such a manner as it considers effective. The committee shall take all possible steps to carry out the objects of the club.

4 Sub-committees

4.1 The Club Committee may appoint sub-committees for special purposes.

4.2 When setting up a sub-committee, the Club Committee shall determine its terms of reference, composition and powers.

4.3 Sub-committees shall have a co-ordinator and a recorder.

4.4 Sub-committees shall have the power to co-opt additional persons as and when required.

5 Extraordinary General Meetings (EGM).

5.1 The Club Committee shall have the power to call an EGM open to all Members for the purpose of considering any matter that should be referred to the Members in general, including altering the constitution.

5.2 The Club Committee must call an EGM open to all Members at the request of not less than two Club Committee members or not less than four ordinary Members.

5.3 Notice of at least fourteen clear calendar days shall be given to Members of every EGM.

6 Annual General meetings (AGM).

6.1 The Club Committee shall convene an AGM to be held before the end of November each year.

6.2 The membership subscription for the following year (and any lesser subscriptions) shall be fixed by the Members at the AGM.

6.3 The office-bearers shall hold office until the conclusion of the AGM.

6.4 Notice of at least fourteen clear calendar days shall be given to Members of an AGM.

6.5 Copies of the President and treasurers report should be made available to members prior to the AGM.

7 Rules of Procedure

7.1 QUORUM: a minimum of three Club Committee members shall form a quorum at committee meetings and a minimum of ten Members shall form a quorum at an AGM or ECM.

7.2 VOTING: every matter, except where this constitution provides otherwise, shall be determined by a majority of members present and voting. In the case of equal votes the chair of the meeting shall have the casting vote.

7.3 MINUTES: a minute of all meetings including sub-committees shall be kept and formally adopted.

8 Finance.

8.1 The financial year shall run from 1st October to 30th September in the following year.

8.2 The Club will hold an account with the Royal Bank of Scotland.

8.3 The Treasurer shall keep proper accounts of the finances of the Club. All monies raised by the Club shall be applied to further the objects of the Club and for no other purpose. All surplus income or profits are to be reinvested in the Club. No surpluses or assets will be distributed to Members or to third parties. All cheques, etc. relating to the bank account shall be signed by any two of the officebearers mentioned in clause 3.1.

8.4 An independent financial examiner (who may not be an office-bearer) approved by the Committee shall audit the club accounts annually.

8.5 To comply with Charity Law guidelines, all donations to any outside source can only be made following a majority of the Club members agreeing to that donation.

9 Alterations to the constitution.

9.1 Notice of any proposed changes to this constitution shall be given with the notice of an AGM or EGM.

9.2 Any alterations to this constitution shall receive the assent of no less than two-thirds of the members present and voting at the AGM or EGM.

9.3 Alterations approved at an EGM shall be ratified at the next following AGM.

10. Dissolution.

10.1 The Club may be dissolved by a resolution passed by a majority of Members present and voting at an EGM convened for the purpose.

10.2 Upon dissolution of the Club any remaining assets shall be given or transferred to some other organisation(s) having objects similar to the objects of the Club, to be determined by a Resolution passed by the Members at a General Meeting, or in the absence of such a resolution to Bowls Scotland as the sport's governing body for use by them promoting participation in the amateur sport of playing the game of lawn bowls.

Beauly Bowling Club – Disciplinary Guidelines.

The following guidelines apply to all members of the Club and relate to conduct / behaviour of an individual not in keeping with the rules of the club and its ethical standards detailed in the constitution and or conduct and behaviour likely to bring the club or the game of bowls into disrepute.

All actions taken under the disciplinary procedures should be conducted in a confidential, proportionate and impartial basis, applying the balance of probabilities and natural justice as the standard of proof in order to come to a fair determination of the matter raised.

1. Initial Action.

- a) Any formal complaint relevant to the club activities should be brought to the attention of an honorary office bearer of the club in writing within 7 days of the alleged infringement by a member(s) or complainer(s).
- b) The club secretary (see Note One) will in the first instance seek to resolve the matter through informal actions, e.g. discussing the problem with the relevant person(s) with a view to resolving the issue.

- c) Where this is not possible or the member(s) / complainer(s) are not satisfied with the outcome of the informal disciplinary action, formal disciplinary action will be undertaken and the committee will be advised by the club secretary that a formal complaint has been received.
- d) In the event of formal disciplinary procedures, the Club Secretary will forward a copy of the complaint to the member(s) in question and request a written response within 10 calendar days. If the secretary considers the offence serious enough the member(s) will also be informed that they are temporarily suspended from all club activities and premises until the matter has been resolved (excepting any attendance at any hearing or appeal).
- e) On receipt of this response, the club secretary will carry out any further investigation of the complaint, obtaining if necessary written witness statements, any other relevant material and prepare a report of his findings in a CASE FOLDER – he/she will then inform the Club Committee that this action has been completed.
- f) The club secretary if he/she deems it necessary may at any time request the committee provide an additional club member(s) to assist with any enquiries required.
- g) The Club's "Child Wellbeing and Protection in Sport Officer" will play no part in the enquiries, hearings, appeals etc. but will be available as a source of confidential and impartial advice and guidance etc to all parties.
- h) On completion of the secretary's actions, the Club Committee will select a Disciplinary Committee of 3 persons drawn from the membership (including the committee) but not involved in the matter concerned. The Secretary (and any assistant that has been provided) together with the President are debarred from that committee.
- i) The secretary will forward a **CASE FOLDER** comprising of the complaint, written response, witness statements, investigation report (if appropriate) and any other relevant material, to the Disciplinary Committee for consideration.

2. Disciplinary Hearing

- a) The chairperson of the Disciplinary Committee will provide any member(s) subject to a disciplinary hearing, with a copy of the CASE FOLDER provided by the club secretary to the Disciplinary Committee.
- b) The chairperson will also request the member(s) provide in writing any rebuttal or other relevant evidence that the member(s) will rely on in the disciplinary hearing, within a set 14 calendar day period.

- c) On receipt of such material or failing that the 14 calendar day period deadline, the Disciplinary Committee will set a date, time and location for the formal hearing, with the member(s) being given at least 7 calendar days advance notice.
- d) If the Member(s) is unable to attend the formal hearing, they should notify the Chairperson of the Disciplinary Committee in writing of the reason for their non-attendance. If the member(s) elect not to attend the formal hearing without good reason, the disciplinary hearing may proceed in their absence.
- e) The Disciplinary Committee only, will have the right to further question or seek clarification from any witness and this can be undertaken either at a preliminary hearing or the formal hearing itself.
- f) At the formal hearing the Chair of the Disciplinary committee will read into the minutes the complaint, and any witness statements, other material and report completed by the club secretary during his investigations and any material provided by the member(s) concerned.
- g) The Member(s) will be given an opportunity to respond to the complaint(s) and present their own case based on the material they had previously submitted to the Disciplinary Committee. This can also include any submissions on sanctions in the event that the complaint is upheld. The member(s) can if they so wish answer any questions asked by the committee by way of clarification.
- h) On completion of the hearing, the Disciplinary Committee will consider their decision, including any sanctions they agree as being appropriate. The findings of the committee's decision will be advised in writing by the Chairperson of the committee to all parties, as soon as practicable, following completion of the hearing.

3. APPEALS

- a) Any appeal must be made in writing and lodged with the Club Secretary within 7 days of the Disciplinary Committee decision being notified to the member(s). The member(s) shall be entitled to enter an appeal only if they can prove one or both of the following
 - 1. that there has been a procedural error in proceedings that is **serous enough to effect the earlier decision** and provide full evidence of the same **or**
 - 2. that new evidence not available before the Disciplinary hearing has come to light – in which case the Appellant(s) is required to furnish within the 7 day Appeal period, not only the relevant witness statements but also a statement from him/herself/themselves as to why this new evidence was not produced at the earlier hearing.
- b) On receipt of an appeal, the Club Secretary will inform the club committee that an appeal had been made, they in turn will appoint an independent Appeals Panel of between 1 and 3 persons,

drawn from the club membership / committee and normally to include the President as Chair. Anyone previously involved in the matter or previously excluded from participation are debarred from membership of the Appeal Panel. The Club secretary will forward all documentation received to the Chair of the Appeals Panel for its consideration.

- c) The Appeals Panel will consider if the appeal is competent – if the Appeal Panel deem that it not competent, the Chair will inform the Appellant(s) in writing as soon as practicably possible. If that is the case the matter is deemed to be closed.
- d) If the Appeals Panel accepts that new evidence can be considered **and is relevant**, the Appeals Panel will refer the new evidence back to the original Disciplinary Committee to review their decision and any sanctions in the light of this new evidence. The reviewed decision and any sanction will be sent to the Appellant(s) in writing as soon as practicably possible. No further appeal will be allowed, and the matter will be deemed to be closed.
- e) If in the opinion of the Appeal Panel the matter relates to Procedural matters serious enough to affect the original outcome, the Panel can either, reverse that original decision entirely or mitigate the decision /sanction as it sees fit. The written notification of the decision will be issued to the Appellant(s) as soon as practicably possible and the matter will be deemed to be closed.
- f) The decision of the Appeals Panel is final and binding.

Note One – If the secretary is unable to fulfil this role, the committee will appoint a replacement.

4.The guidelines above should be reviewed by and updated by the committee on a regular basis

5. The Club Committee retain the right under paragraph 3.6 of the constitution to act in the best interest of the club in the event of circumstances arising not covered by the guidelines provided.