

# RLSS POOLE LIFEGUARD

## CONSTITUTION – Amended (March 2019)



### 1 GENERAL

- 1.1 The name of the club shall be RLSS Poole Lifeguard.
- 1.2 The Club shall be registered with and affiliated to the Royal Life Saving Society UK as a lifeguard club and shall affiliate to aligned organisations as deemed appropriate by the Executive.

### 2 OBJECTS

- 2.1 To preserve or assist in the preservation of life at sea on the foreshore of Sandbanks Peninsula and Poole Harbour.

### 3 POWERS

- 3.1 Upon request to assist in the preservation of life at other locations throughout the year.
- 3.2 To promote the development of lifeguard training and expertise.
- 3.3 To arrange and promote lectures, demonstrations and competitions and to form classes of instruction, so as to bring about a widespread and thorough knowledge of the principles that underlie the arts of swimming and lifesaving.
- 3.4 To promote awareness of the Club and all associated partners to a high level.

### 4 THE EXECUTIVE

- 4.1 The Executive will consist of Officers and can include representatives /co-opted members as defined within this constitution.
- 4.2 The Officers of the club shall be: the President, the Chairman, the Vice Chairman, the Hon. Secretary, the Hon. Treasurer, the Equipment Officer, the Pool Training Officer, the Open Water Training Officer, the Club Captain, the Fundraising Officer, the Public Relations Officer, the Membership Officer, the Competitions Officer and the Safeguarding Officer.
- 4.3 The President and Hon Treasurer shall be appointed by the Executive and put to the Annual General Meeting for ratification. In the event of the Annual General Meeting not ratifying the positions of President and Hon Treasurer then the Trustees shall be asked to appoint a person into the vacant position.
- 4.4 The Officers of the club with the exception of the President and Hon Treasurer, shall retire from office at each AGM, but may offer themselves for re-election.

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### 5 THE CLUB EXECUTIVE

- 5.1 The affairs of the Club shall be managed by the Executive, which shall have the power to do all such things as may from time to time be necessary, or convenient for promoting the objectives of the Club, and are not hereby reserved to the Club in general meeting, or contrary to any regulations from time to time made by the Club in general meeting, provided that no such regulation shall invalidate any prior act of the Executive, which would have been valid if such regulation had not been made.
- 5.2 The responsibilities of the Executive shall be:
- [a] To administer the Club under the guidelines of the Charity Commission Ruling.
  - [b] To keep minutes of its proceedings.
  - [c] To exercise control over the funds of the Club. It shall prepare a Report and Statement of Accounts of each year's activities, and submit them to the Annual General Meeting of the Club.
  - [d] Members of the Executive can hold one position only, with the exception being the Safeguarding Officer. This role can be held in conjunction with another executive position.
  - [e] To publicise and promote the work of the Club as widely as possible.
  - [f] To foster and maintain co-operation with Poole Local Authority and all associated partners.
- 5.3 Without prejudice to the general powers conferred by the last preceding clauses the Executive shall have power:
- [a] To acquire any property real or personal which may be necessary or convenient for use in the business of the Club.
  - [b] To organise classes of instruction in, and demonstration of and lectures about water safety, lifesaving, lifeguarding, life support and boat handling, and to appoint teachers, demonstrators and lecturers providing that all such teaching, demonstrations and lectures shall be given and conducted in accordance with all instructions from time to time issued by the RLSS and or associated partners.
  - [c] To appoint from time to time representatives of the Club, and (if and when necessary) deputies for such representatives to the executive committee.
  - [d] To appoint and subsequently discharge any sub-committee or working party.
  - [e] To delegate its powers to committees not necessarily consisting of members of the Executive.
- 5.4 The members of the Executive shall be the Officers and shall include any such representatives /deputies as permitted by this constitution.
- 5.5 The Executive shall have power to fill any casual vacancy that may occur among the Officers and committee members. The person(s) appointed to fill such vacancy shall hold office until the date of the next Annual General Meeting.

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- 5.6 The Executive may meet together for the despatch of business and adjourn and otherwise regulate their meetings and proceedings as they think fit, provided that it shall meet not less than four times in each year.
- 5.7 The Executive shall determine the quorum necessary for the transaction of business and the notice, which shall be given of its meetings. Unless otherwise determined, six members of the Executive present shall form a quorum.
- 5.8 Matters arising at any meeting shall be decided by a majority of votes, each member present having one vote only. In the event of an equality of votes the chairman shall have a second or casting vote.
- 5.9 If at the time fixed for holding any meeting neither the President nor Chairman shall be present, the members of the Executive shall choose one of their numbers to be Chairman at that meeting.
- 5.10 A meeting of the Executive at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretion vested in or exercisable by the Executive generally.
- 5.11 Every committee, to which the Executive may delegate authority, shall conform to any regulations, which may from time to time be imposed upon it by the Executive while exercising this delegated authority. The meetings and proceedings of any such committee shall comply with any procedures imposed by the executive'.
- 5.12 All acts done by any meeting of the Executive, or any committee appointed by it, shall, notwithstanding that it shall afterwards be discovered that there was defect in the appointment of all or any of its members of the Executive, or of such committee, be as valid as if every member had been duly appointed.
- 5.13 Any elected member of the Executive shall cease to hold office:
- [a] If by notice to the Hon Secretary he/she resigns their office in writing, including by way of electronic communication, to the executive.
  - [b] If the Executive by way of a majority of the members present and voting thereon, resolve that he/she do retire. This action will only take place following due process as detailed within paragraph 5.14.
- 5.14 The Executive may at any time serve a written notice upon any member specifying conduct or behaviour of such member, which is considered detrimental to the Club. Such notice shall also specify the date, time and place of a meeting of the Disciplinary Committee appointed by the Executive, whether or not specially convened for the purpose (not being less than fourteen days nor more than twenty-eight days after service of such notice), at which meeting the member concerned shall be given reasonable opportunity to be heard. The member shall have the right to have another member to speak on their behalf. After the member shall have been heard, or if he/she fails to appear within thirty minutes of the time appointed, the Disciplinary Committee by resolution passed by a simple majority of those present and voting may expel such member from the Club. Any member so expelled will have the right of appeal to the Executive.

## 6 TRUSTEES

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6.1 There shall be three trustees of the Club: On the occurrence of any vacancy in the trusteeship, the Executive shall, by resolution nominate a person to fill the vacancy, and such person shall be appointed by deed in accordance with the provisions of the status in that behalf.

(The responsibility of the Trustees is to safeguard the assets of the Club at all times, but this must be viewed in the widest possible way. They must agree and act together on what they intend to do. However, they need not be unanimous in their decision; the Majority can bind the Minority.)

## 7 MEMBERSHIP

7.1 The membership of the Club shall consist of adult members, youth members, supporter members, guest members (see para 7.8) and honorary life members.

7.2 All applications for membership shall be via an application form to be provided by the Club. Acceptance of Full Membership will follow the receipt of the completed form and upon full payment to the Club of the annual membership fee. The executive committee reserve the right to decline membership. If for any reason an application for membership should be declined, the applicant will be notified within a 3month period and any monies paid will be refunded.

7.3 Membership will run from 1<sup>st</sup> January to the 31<sup>st</sup> December annually. Membership renewals will be sought from the beginning of December in each year. This process will be managed by the Executive.

7.4 The holding of any Royal Life Saving Society UK qualification neither constitute membership of the Club, nor be a pre-requisite of membership.

7.5 The minimum age limit shall be nine years.

7.6 The Executive shall set subscriptions, joining fees and training levies during the last quarter of each membership year.

7.7 An adult member is one who is eighteen years or over of age, a youth member is one who is less than eighteen years of age.

7.8 A guest member is someone who the executive committee invite to join the club for a fixed period of time (usually equal to the membership year). They will hold the same rights of membership as a youth member and will not be able to vote at official club meetings.

## 8 MEETINGS OF THE CLUB

8.1 An Annual General Meeting of the Club shall be held once in every year, between the months of January and March, at such time and place as the Executive shall prescribe. The business thereof shall be to consider the Annual Report and Accounts of the Club, to elect from the Life Members and adult members to fill any vacancies amongst the Officers and to appoint an Auditor or Examiner. All other business transacted at any Annual General Meeting and all business transacted at any extraordinary meeting shall be special business for which previous notice shall be given.

8.2 Nominations of candidates for election as Officers and members of the Club Committees shall be made on a form provided for that purpose and shall be signed by the proposer and seconder, and

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countersigned by the nominee, all of whom shall be eighteen years of age or over, and in current membership of the club. All such nominations shall be received by the Hon Secretary prior to the

- 8.3 commencement of the Annual General Meeting at which the election is to take place. The Executive will accept nominations through the clubs website by the due date, providing the proposer, seconder and nominee all send independent emails to the Hon Secretary by 00:01hrs on the day of the AGM, confirming the nomination.
- 8.4 The President or Chairman may summon a meeting of the Club at any time giving seven days notice. The Hon Secretary shall, if so required by a resolution of the Executive, or upon the written request of not less than 10 adult members, summon a meeting of the Club. The resolution or requisition shall state the business for which the meeting is to be called, and no other business shall be transacted. The meeting shall be called within 21 days of the date of the resolution or receipt of the requisition, the members shall be given 14 days clear notice of the date, time and venue, together with an agenda, and this will be posted on the Club notice board and or club website.
- 8.5 At least 28 days clear notice shall be given of every Annual General Meeting, specifying the place, day and hour of the meeting. Such notices shall be given to all members in writing or by means of electronic communication.
- 8.6 The accidental omission to give notice of a meeting to any member thereof entitled to receive such notice shall not invalidate anything done at such meeting.
- 8.7 A meeting of the Club at which a quorum is present shall be competent to transact any business of the Club. The quorum for any meeting of the Club shall be 25% of adult members. In calculating whether a quorum is present where there are members who are closely related, only one from the family shall count. If within half an hour of the time appointed for a meeting a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and place (wherever possible), and if at such adjourned meeting a quorum is not present those members who are present shall be a quorum and may transact any business for which the meeting was called.
- 8.8 The Chairman or President shall be entitled to take the chair at every meeting of the Club. If they are not present, then the members present shall choose one of their numbers to take the chair.
- 8.9 Any resolution put to the vote of a meeting of the Club shall be decided upon a show of hands or ballot. All adult members present in person shall have one vote only. Voting by proxy shall not be admitted.
- 8.10 In the event of an equality of votes upon resolution, the Chairman of the meeting shall have a second or casting vote.
- 8.11 At any meeting of the Club, a declaration by the Chairman thereof that a resolution has been carried, or carried by a specific majority, and an entry to that effect in the books of the Club shall be conclusive evidence of the fact without proof of the number of relative proportions for or against the resolution.
- 8.12 The Chairman of the meeting may with the consent of the meeting adjourn it from time to time, and from place to place.

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### 9 AUDIT OR INDEPENDENT EXAMINATION

- 9.1 The Accounts shall be audited or independently examined in accordance with current legislation relating to charities.

### 10 REPORT AND ACCOUNTS

- 10.1 It shall be the duty of the Executive to cause proper minutes and records to be kept of all meetings of the Club, the Executive and all committees and of all matters arising in connection with the business of the Club.
- 10.2 All Officers shall prepare a written annual report. The Hon Secretary shall be responsible for compiling and presenting these as the Club's Annual Report to all members.
- 10.3 The Hon Secretary shall prepare a report upon the affairs of the Club for each year and shall present the same, after approval by the Executive, for the consideration of the Club at its Annual General Meeting. Immediately after such Annual General Meeting a copy of such report shall be made available to the RLSS-UK and other associated partners.
- 10.4 The Executive shall cause proper accounts to be kept of all receipts and expenditure on behalf of the Club, and of the matters in respect of which the same are received or expended, and also of the assets and liabilities of the Club.
- 10.5 The Hon Treasurer shall cause to be prepared and laid before the Club at its Annual General Meeting in each year, duly audited accounts made up to the preceding 31st day of December. After approval at the Annual General Meeting, one copy of the Accounts shall be sent to the Royal Life Saving Society UK Headquarters. Copies may be sent to other organisations as determined by the Executive.

### 11 DISSOLUTION OF THE CLUB

- 11.1 The Club shall be dissolved if so determined by a resolution of an Extraordinary General Meeting of the Club passed by three-quarters of the persons present and voting thereon.
- 11.2 In the event of the Club being dissolved, its assets after all liabilities have been paid shall be dissolved by the Trustees into like local charities under the guidance of the club executive.

### 12 NOTICES

- 12.1 Any notice required by this constitution to be given to or by any person must be:

[a] in writing; or

[b] given using electronic communications

- 12.2 The Charity may give any notice to a member either:

[a] personally; or



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[b] by sending it by post in a prepaid envelope addressed to the member at his or her address; or

[c] by leaving it at the address of the member; or

[d] by giving it using electronic communications to the member's address.

- 12.3 A member who does not register an address with the Charity or who registers only a postal address that is not within the United Kingdom shall not be entitled to receive any notice from the Charity.
- 12.4 A member present in person at any meeting of the Charity shall be deemed to have received notice of the meeting and of the purposes for which it was called.
- 12.5 Notice shall be deemed to have been given under the following circumstances:
- [a] proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given.
  - [b] proof that a notice contained in an electronic communication was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators shall be conclusive evidence that the notice was given.
  - [c] notice shall be deemed to be given 48 hours after the envelope containing it was posted or, in the case of an electronic communication, 48 hours after it was sent.

### 13 INDEMNITY

- 13.1 The Executive shall insure its members against any third party and member to member claims whilst in training or on active duty.

### 14 ALTERATION OF THE CONSITUTION

- 14.1 All the provisions of the Constitution; with the exception of the objects clause, may at any time be added to, abrogated or varied by a resolution passed at a meeting duly convened for that purpose by a minimum of a simple majority of the adult members of the club present and voting thereon.
- 14.2 Any proposed change to the objects clause would require approval from the Charity Commissioners.