

# **OGMORE PHOENIX RUNNERS CONSTITUTION**

This document was agreed at the Ogmore Phoenix Runners AGM held on 24th April 2023.

## **1. Name of Club**

1.1. The Club's name is "Ogmore Phoenix Runners". ("The Club")

## **2. Purpose and objectives of the Club**

2.1. The primary purpose of the Club is to promote the advancement, enjoyment and companionship of running at all levels, and to encourage members of the local community to participate in the sport of running.

2.2. The Club will take an active role in supporting local and league races. For example – the Bridgend County Running League and the West Glamorgan Cross Country League.

2.3. The Club will be affiliated to Welsh Athletics and the UKA (British Athletics), and will comply with and uphold the Rules and Regulations (as amended) of Welsh Athletics, UKA (British Athletics) and the IAAF and the rules and regulations of any body to which UKA (British Athletics) is affiliated.

## **3. Club colours**

3.1. The Club's registered colours are a royal blue vest or T-shirt with a white Phoenix emblem. (shown below)



3.2. Club members are required to wear these colours when competing for the Club, unless the Rules of Competition of UKA or the IAAF provide otherwise.

## **4. Membership**

4.1. No person shall be denied membership of the Club on the grounds of race, ethnic origin, creed, colour, disability, sex, occupation, sexual orientation, religion, political or other beliefs.

4.2. Four categories of membership are available. Full, Second-claim, Social and Junior.

4.3. Senior Members (Full, Second-claim and Social) must be 17 years old or older.

4.4. Junior members are not allowed to attend Senior training sessions.

4.5. The number of Senior Members is unlimited.

4.6. Only Full Members are entitled to receive notice of, attend and vote at Annual and Extraordinary General Meetings.

4.7. Second-claim members must have affiliation to another Welsh Athletics or UK Athletics club.

4.8. Social members are not allowed to attend training sessions in an active capacity. They may volunteer and be present, but must not take part in any of the training activities.

4.9. Any person who wishes to become a Full, Second-claim or Social Member must submit an application form to the Membership Secretary, which shall admit that candidate to membership of the Club unless to do so would be contrary to the best interests of the sport or the good conduct and interests of the Club.

4.10. A Member may withdraw from membership of the Club having given four weeks notice to the Committee. Membership shall not be transferable in any event, and shall cease immediately on death, or dissolution, or on the failure of the Member to comply or to continue to comply with any condition of membership set out in the Club's constitution and Code of Conduct.

4.11. In line with the rules of the sport, the Committee will only accept a resignation when satisfied that the member has cleared any debt owed to the Club.

4.12. The member intending to resign should ensure that they comply with the eligibility process of the sport in the event that they wish to join another affiliated athletics club.

4.13. The annual subscription for each type of Member shall be determined by the Committee. The Committee shall ensure that the fees set by it do not preclude open membership of the Club.

4.14 In the case of Second-claim and Social members, the annual subscription shall be determined by Full Membership without the Welsh Athletics affiliation fee.

4.15. No candidate who has been accepted as a Member shall be entitled to the privileges of membership until they have paid the first annual subscription.

4.16. Any Member whose annual subscription is not paid by the end of the calendar year (or as decided by the Committee) and one year in arrears shall be deemed to have resigned their membership of the Club.

4.17. The Committee shall be required to register those Full Members as defined by Welsh Athletics, for competition purposes, as being "active members".

4.18. No Member shall be paid a salary, bonus fee or other remuneration for competing for the Club.

## 5. Committee structure and roles

5.1. The Club shall be managed by a Committee consisting of:

- **Chairperson:** to guide the activities of the Club in accordance with general policy as decided at AGMs and/or EGMs; chair committee meetings, AGMs and EGMs; represent the Club's interests at regional and national forums.
- **Vice Chairperson:** to deputise for the Chair. To assist Chairperson in roles stated above. Overseeing sub committees and working with other committee members and those in key roles.
- **Treasurer:** to ensure that records are kept of all financial transactions, to advise the club on financial viability and sustainability, and to advise the club of all financial, legal and regulatory requirements.
- **Secretary:** to ensure that records are kept of all club activities and membership, organisation of AGMs, EGMs and committee meetings; the recording and distribution of minutes relating to such meetings; dealing with all correspondence relating to the general business of the Club.
- **Membership Secretary:** first point of contact for new members wishing to join. Maintaining and updating the secretaries portal through Welsh Athletics to ensure all members information is up to date. Working with the treasurer to ensure payment of membership fees.
- Four **General Committee Members:** to attend committee meetings and help in the decision making. Assist with committee roles in the absence of officers with specific roles.

5.2. The club also has the following non-committee roles:

- **Women's Captain**
- **Women's Vice Captain**
- **Men's Captain**
- **Men's Vice Captain**
- **Social Secretary**
- **Kit Manager**
- **Complaints Officer:** first point of contact to raise an official complaint against a member of the club
- **Male and Female Welfare Officers:** first point of contact for any members of the Club with welfare concerns; advise and support the Committee to implement welfare policies and procedures and to ensure that all coaches/officials/volunteers have completed DBS and Independent Safeguarding Authority checks as required.

5.3. All listed committee and non-committee roles will be elected at the Club's Annual General Meeting or as necessary at an EGM.

5.4. Any person nominated as a member of the Committee must be a Full Member of the Club, and must have paid their annual subscription.

5.5. Any member of the Club that has been subject to a disciplinary process resulting in warning may not stand for a committee, sub-committee or non-committee role until 12 months have passed since the outcome of that disciplinary process. This does not apply if the member is exonerated.

5.6. A member of the Committee shall be deemed to have vacated office if:

a they become bankrupt or make any arrangement or composition with their creditors generally;

b they resign their office by notice to the Club;

c they are suspended from holding office or from taking part in any activity relating to the administration or management of the Club by a decision of the Committee; or

d they are requested to resign by not less than two-thirds of the other Committee members.

e they are subject to a vote of no confidence by the clubs membership

5.7. The Committee may appoint any Full Member to fill any casual vacancy on the Committee on a temporary basis or until the AGM if that is within 2 months. If the AGM is more than 2 months away then a members vote will be held within 2 months of the position becoming vacant. That person shall be eligible for election.

5.8. Examples of important roles in the furthering of the Club's objectives which are not subject to the election process are listed below. These will be appointed by the Committee by majority vote should more than one member be considered.

- Coaching co-ordinator
- Race Directors
- Volunteer co-ordinator

## **6. Committee meetings**

6.1. There shall be at least four Committee meetings each year. The Secretary shall give Committee members at least five days' notice of a meeting, will take minutes of the meeting and ensure the minutes are circulated to Club members within 15 working days of the meeting.

6.2. The Chairperson and the Secretary may call emergency meetings of the Committee if they consider it to be in the interests of the Club.

6.3. The quorum for all committee meetings is more than half of the committee membership.

6.4. In the absence of the Chairperson, another member of the Committee may chair the meeting.

6.5. Decisions reached by the Committee shall be made by a simple majority. In the event of a tied vote, the Chairperson (or acting Chairperson) shall cast an additional vote to defeat the proposal.

6.6. The Committee may from time to time appoint any sub-committees considered necessary. All sub-committees shall report their proceedings to the Committee and shall conduct their business in accordance with the directions of the Committee.

## **7. Annual General Meetings and Extraordinary General Meetings**

7.1. The annual general meeting of the Club shall be held at such time as the Committee shall decide each year to discuss the following business:

- to receive the Chairperson's report on the activities of the Club since the previous AGM or EGM;
- to receive and consider the audited accounts of the Club for the previous financial year, and the Treasurer's report as to the financial position of the Club;
- review the Club's constitution to ensure it is still fit for its purpose;
- to elect the members of the Committee, and members to noncommittee roles;
- to deal with any matters which the Committee or any other member wishes to bring before the membership;

7.2. Notice of any other resolution proposed to be moved at the annual general meeting shall be given in writing to the Secretary at least 7 working days before the meeting.

7.3. No period greater than 15 months shall elapse between one annual general meeting and the next.

7.4. An extraordinary general meeting may be called at any time by the Committee within 21 days of receipt by the Secretary of a written request signed by at least 20% of members of the Club or the Chairperson, stating the purposes for which the meeting is required and the resolutions proposed.

7.5. The quorum for the annual and extraordinary general meetings shall be 20% of the eligible membership of the Club.

7.6. In the absence of the Chairperson, the Members present and entitled to vote may choose one of the other members of the Committee, or one of their number, to chair the meeting.

7.7. Each Full Member present shall have one vote. Resolutions shall be passed by a simple majority of those Members who have voted either on the night or by proxy.

7.8. In the event of a tied vote, the Chairperson of the meeting shall have an additional vote which must be used to defeat the proposal.

7.9. The Secretary, or in their absence another member of the Committee, shall take minutes at annual and extraordinary general meetings and circulate them to all members within 15 working days of the meeting.

## **8. Club Finances**

8.1. The Club is a non-profit-distributing organisation. All surpluses will be used to maintain or improve the Club's facilities and in furtherance of the Club's purpose and objectives.

8.2. The Club will seek funding for its activities by collecting membership subscriptions, by obtaining sponsorship and any other available funding.

8.3. All monies payable to the Club shall be received by the Treasurer and shall be deposited in a bank account in the name of the Club.

8.4. The Committee shall ensure that proper books of account are kept. The Treasurer shall ensure that the books are open to inspection by all members.

8.5. Independently verified accounts shall be prepared each year. The accounts must be made available to every Member in advance of the annual general meeting.

8.6. The accounts shall be independently audited if requested by a simple majority vote at the AGM.

8.7. Committee members may not participate in discussions or decisions regarding financial support that they might benefit from. In such cases the member(s) shall leave the meeting for the specific agenda item and this will be recorded in the minutes. Similarly club members in attendance must leave the meeting if they might benefit from any financial decision that may be taken.

#### **8.8. Indemnity:**

The members of the committee shall not be liable (otherwise than the members) for any loss suffered by the Club as a result of the discharge of their respective duties. The members of the management committee shall be entitled to an indemnity out of the property of the Club for all expenses and other liabilities properly incurred by them in the discharge of their duties.

### **9. Club communications**

9.1. The Committee will keep all Club members informed of Committee discussions and any other developments affecting them by provision of a monthly newsletter to members.

9.2. The Committee will maintain an official social media presence on the following platforms, which will be the Club's public face:

- Twitter
- Facebook (Ogmore Phoenix Runners and Zero to Hero Beginner's Club)
- Website

9.3. Post to these platforms shall be managed by a small team of administrators appointed at the Committees discretion.

9.4. The public-facing Facebook Group page will be used to provide details of training sessions, races that the Club has hosted, and to publicise any relevant Club successes.

9.5. The Club will also maintain a private Facebook Group (Ogmore Phoenix Runners Members Only – Open Discussion) for use by all members to reinforce the more social aspect of the Club.

## **10. Dissolution**

10.1. A resolution to dissolve the Club shall be proposed only at an extraordinary general meeting and shall be passed only if carried by a majority of at least three-quarters of the Members present and able to vote.

10.2. The dissolution shall take effect from the date of the resolution. Members of the Committee shall be responsible for the winding-up of the assets and liabilities of the Club.

10.3. In the event of the dissolution of the Club, any surplus will be distributed to another community amateur sports club for athletics, or to a charitable organisation. To avoid conflicts of interest, any surplus monies should not go to an organisation that a Committee Member has links with.

## **11. Juniors Section**

11.1 With respect to the Juniors section please refer to the Ogmore Phoenix Juniors Constitution Document agreed and dated on the same date as this document.

11.2 The contents of the above referenced document are bound to this constitution and should be considered a constituent part of this document and therefore accepted as part of the overall constitution of The Club.



## Ogmore Phoenix Runners Members Code of Conduct

1. All members will act in a dignified manner and not bring the sport or the Club into disrepute.
2. All members will avoid swearing and abusive language and irresponsible behaviour, including behaviour that is dangerous to yourself or others, acts of violence, bullying, harassment and physical or sexual abuse.
3. Comments made on our social media pages should not be abusive, offensive or derogatory. If they are, the moderators reserve the right to delete these types of postings and exclude the author. The Committee recognises that many runners make use of social media in a personal capacity. While they are not acting on behalf of the Club, members must be aware that they could risk damaging our reputation if these are not appropriate. All members are therefore requested to ensure that they continue to recognise and respect this.
4. On training nights, all members should take equal responsibility for ensuring that no runners are left behind at the back of the group and should take turns in going to the back of the field for slower runners.
5. On all training nights when dark, members should wear fluorescent vests or other suitable clothing to ensure they can be clearly seen.
6. All members will follow the Highway Code while training and not take unnecessary risks with traffic.
7. All members must try to marshal or assist with at least one of the races that the Club organises each year.
8. All members will accept personal responsibility for their own behaviour and performance in training and in competition, and treat others with fairness and respect, showing patience with others and respecting diversity.
9. Wherever possible, members are expected to arrive in good time for the start of the session with suitable footwear and gear, and with adequate arrangements for post-training re-hydration and nutrition made.
10. All members are expected to consistently promote positive aspects of the sport such as fair play and never condone rule violations or the use of prohibited or age-inappropriate substances. They must report any suspected misconduct by to the Club's Welfare Officers in the first instance.
11. Coaches and Leaders in Running Fitness who have been financially supported by the Club in the pursuit of their qualification must use their professional knowledge solely for the benefit of Club members, and no other Club or running group.
12. Members are expected to challenge anyone whose behaviour falls below these standards, and those of UKA/BTF welfare policies.
13. On training nights and when competing in races for The Club, runners should not wear headphones for safety and communication with others.

## **Ogmore Phoenix Runners Grievance and Disciplinary Procedures**

The majority of grievances can generally be resolved informally. An early discussion at the point where the issue begins to cause concern can often ensure that issues do not build up over time to a position where they become difficult to resolve. If you have a grievance against any member of the Club relating to their conduct, you should first of all try to resolve the matter by speaking directly with the other member about the matter. Discussion should be conducted with courtesy and to reach a resolution as soon as possible.

### **Grievance procedure**

If you do not wish to discuss the matter directly with the other member or would like additional assistance, you can approach the complaints officer in confidence.

The complaints officer will determine the details of the grievance and will pass these on to a committee member. The committee member will then discuss the issue with the complaints officer and at least two other committee members. Any member raising an issue in this way can nominate which committee members (a minimum of three) he or she would like to deal with the issue. This grievance sub-committee will then discuss possible solutions with the member raising the grievance and it is hoped that most issues will be resolved in this way.

To the extent that you can, you will need to provide as many details as possible on the following to help the grievance sub-committee with its discussions:

- What has been happening or has happened?
- Who are the members involved?
- What contact (if any) have you made with the member?
- What steps (if any) have you taken to resolve the matter on your own?
- What would you like to happen – i.e. what is your ideal resolution?

The grievance sub-committee will acknowledge receipt of a grievance within five working days.

Complainants will receive a final response within four weeks. In seeking to resolve the grievance, the grievance sub-committee may request more time to investigate, suspend the investigation or defer the decision if more information is required. If this is the case the complainant will be advised and an explanation provided.

After the investigation is completed, the grievance sub-committee shall inform you and all relevant parties on how the matter should be settled and update the Committee on the matter and related settlement at the next earliest Committee meeting.

### **Disciplinary action**

Disciplinary action against Club members, including suspension without notice if required, may be taken for offences of misconduct or breach of the Club's rules. However it is recognised and accepted that every member:

- Has the right to expect fair and consistent treatment.
- Has the right to adequate notice from the Club.
- Has the right to appeal against the Committee judgement or Disciplinary Committee's decision in all disciplinary matters.
- Has the right to representation.

No member will be expelled for the first breach of Club's rules except in cases of "gross misconduct". However all disciplinary actions taken by the Club will be duly recorded and placed on file for reference at a future date.

### **Offences Leading to Disciplinary Action**

The following actions by members may be interpreted by the Committee to fall within these procedures. However the lists are not to be considered as fully inclusive, or covering all possible offences.

"Misconduct" is the carrying out of an offence considered to be of a minor nature (unless frequently repeated) and will normally result in a written warning from the Committee together with a demand for full and appropriate corrective action. Examples of offences that may be considered misconduct include:

- Discourteous, crude or offensive behaviour at a training session or organised Club event, or via social media.
- Conduct of an unsafe nature.
- Offensive disregard for equipment or property.
- Refusal to carry out reasonable instructions issued by event officials or organisers.
- Failure to comply with or adhere to the relevant code of conduct for their position within the club.
- Any other actions of similar gravity to the above, considered prejudicial to or conflicting with the interests of the Club.

Repetition of the above offences or failure to comply with any demands made in writing by the Club may result in further action by the Committee involving a disciplinary hearing.

"Serious Misconduct" is the carrying out of an offence of such gravity that in the opinion of the Committee it warrants a Club disciplinary hearing. Examples of offences, which may be considered as serious misconduct include:

- Misconduct offences above if especially grave or repeated.
- Any attempt to achieve gains or advantage over others by unfair or unscrupulous means.
- Theft or misappropriation.
- Use of threatening or abusive behaviour at a training session or organised Club event or via social media.
- Participating in the sport whilst under the influence of drugs or alcohol.
- Malicious interference with equipment or property.
- Disregard for one's own or other people's safety.
- Any other action, including via social media, which in the opinion of the Committee may bring the Club and/or sport into disrepute, or which left unchecked may result in the detriment of the Club or its members.

"Gross Misconduct" is action of such seriousness that the Committee will require the immediate expulsion of the offender from the Club.

The Committee may by means of an executive decision summarily expel such an offender without invoking a disciplinary hearing. The expelled member will have the right to a disciplinary hearing as soon as this can be arranged but will remain expelled until and unless such a hearing overturns the executive decision. Examples of gross misconduct are:

- Physical violence of assault towards other persons at a Club event or related activity, including serious threatening, intimidating or forceful behaviour.
- Reckless disregard of safety and basic safety rules.
- Being convicted of criminal offences involving physical violence or abuse.
- Other acts that are considered to be of an extremely serious nature perpetrated against the Club, its members or any other party.

### **Disciplinary Procedure**

On receipt of a written complaint from either a member, another Club within the sport, Welsh Athletics, UK Athletics, league organisers or any other party – the Committee, with advice from a Legal Advisor should they so wish, will decide whether the complaint falls within the scope of these disciplinary procedures. If, in their opinion, it does, then the Committee will decide as to the type of offence as set out above.

Should the complaint be considered by the Committee as one of simple misconduct, the Club Secretary will write to the offender with a formal written warning including the demand for an apology or other corrective action the Committee may deem appropriate. The Committee will also attempt to obtain approval for their action from the complainant.

A disciplinary file will be opened by the Committee in which will be placed copies and records of the original complaint, together with the written warning and any other correspondence.

The action outlined above will normally finalise the process unless any of the parties involved object strongly to the Committee's decision in which case they may appeal directly to the Committee against the decision.

Should the complaint be considered by the Committee as one of serious misconduct, then the following procedure will be implemented:

- The Committee will appoint an Investigating Officer who will research evidence presented and, if possible, will obtain further written evidence, witness statements, supporting information etc.
- Advise the complainant that if a disciplinary hearing is called, then the complainant and all relevant witnesses will be obliged to attend and give evidence. (Non attendance at a hearing will only be allowed in extenuating circumstances, i.e. ill-health, threat of violence or intimidation etc).
- Contact the member subject of the complaint to advise of the official complaint and request the member to submit a written statement of events.
- If a settlement cannot be agreed between the parties, or if the offence merits it, then a disciplinary hearing will be arranged as soon as possible.
- Contact the Club's Legal Advisor if required and supply copies of all evidence.
- Notify all parties of the hearing date and provide the member subject of the complaint with a written record of the complaint(s) made against them.

### **Disciplinary Hearing**

The Club Secretary shall take charge of the hearing and all questions will be addressed through the Secretary. A Disciplinary Committee will be appointed which will consist of:

- The Club Chairperson (unless the Club Chairperson is either the complainant, or the subject of the complaint, in which case a suitable deputy shall be selected).

- Two other members of the Committee.

The Club will appoint a case presenter, who will normally be the Investigating Officer. All witnesses will be interviewed and all written evidence will be reviewed at the hearing.

No witnesses or statements can be introduced at the hearing without prior notice. Copies of all written evidence must be produced for consideration prior to the hearing, and be made available in advance to all parties.

The Disciplinary Committee may adjourn the hearing to allow further evidence to be referred to if the Disciplinary Committee considers it fair to do so.

After the Disciplinary Committee has reached a decision, the subject of the complaint will be notified in writing of such decision and informed of any penalties within 7 days of the decision being reached. Penalties will be effective from the date of the decision.

### **Penalties**

Following the hearing, the Disciplinary Committee will apply such penalties as the Disciplinary Committee consider appropriate, including temporary or permanent expulsion of the offender from the Club. Penalties will have immediate effect, notwithstanding the possibility of an appeal. Offences of cheating or being under the influence of alcohol or drugs during a club training session or event or those involving threats of physical violence, will carry automatic expulsion from the Club and will preclude the offender from taking part in any of the Club's organised activities in an official capacity.

### **Appeals**

If an appeal of the decision or penalty is to be made, then written notice of appeal by way of 1st class recorded delivery, or e-mail with electronic receipt, to the Club Secretary must be given by the offender, within 28 days of being notified of the decision. No appeal will be valid or considered after that period has elapsed.

It will not be sufficient to state "I wish to appeal"; the appellant must give full written grounds for the appeal, stating exactly what is being appealed against and the reasons for this. An appeal together with full and recorded argument may be considered relative to:

- the decision
- the penalty
- other

An Appeal Hearing will be convened as soon as practicable by the Secretary who shall convene an appeal panel comprising two members of the Club who have not been involved in the matter and one member of the Club nominated by the appellant who has not been involved in the matter.

The decision of the appeal panel will be final.