

# **Club Constitution**

### Name

Our club will be called Moycarkey Coolcroo Athletic Club (the "Club").

The Moycarkey Coolcroo Athletic Club will affiliate annually with the Athletic Association of Ireland (the "AAI") or its successor. The Club shall be in affiliation with Tipperary Athletics County Board & the Munster Council of the Athletic Association of Ireland. All Club members including committee members, coaches and volunteers shall register annually with the AAI and will be subject to the rules and regulations of the AAI.

The Moycarkey Coolcroo Athletic Club shall register Club colours with the AAI, which shall conform with IAAF/AAI Rules. Our colours are Black and Red

# Aims & Objectives

The Aims & Objectives of the Moycarkey Coolcroo Athletic Club will be:

- To participate and compete in the sport of Athletics including track & field, cross country, road running & race walking.
- To offer coaching and competitive opportunities in Athletics.
- To promote Athletics within the local community.
- To ensure a duty of care to all members of the Club.
- To provide all its services in a way that is fair & ethical to everyone.
- To ensure that all present and future members receive fair & equal treatment.

### Membership

Membership should consist of officers & members of the Moycarkey Coolcroo Athletic Club. All members will be subject to the regulations of the constitution and by joining the Club will be deemed to accept these regulations and codes of conduct that the Moycarkey Coolcroo Athletic Club has adopted. All members will be registered with Athletics Ireland. All officers and coaches as well as any Club members dealing with children and vulnerable people will be Garda Vetted.

#### Membership Fees

Membership fees will be set annually and agreed by the management committee (elected Club Officers) or determined at the Annual General Meeting. Fees will be paid annually or by weekly subscription. Every member of the management committee and sub-committees will have to complete a membership form each year and register with the Moycarkey Coolcroo Athletic Club. No member will be allowed to sit on a committee or attend a meeting unless they are a registered member of the Moycarkey Coolcroo Athletic Club.

New coaches/helpers and juvenile athletes can train for 5 training sessions but must register with the Moycarkey Coolcroo Athletic Club within this time or before their 6<sup>th</sup> training session. At each training session, a check between the athletes/coaches attending and the membership log will be carried out to ensure all athletes and coaches are registered for the current year.

### Officers of the Moycarkey Coolcroo Athletic Club

The Moycarkey Coolcroo Athletic Club shall elect each year from its members the following officers –

- 1. Chairperson
- 2. Vice Chairperson
- 3. Secretary
- 4. Treasurer
- 5. Registrar
- 6. Public Relations Officer
- 7. Club Children's Officers consisting of at least 1 male and 1 female Club member over 18 years of age
- 8. Designated Liaison Person
- 9. Covid Safety Officer
- 10. Committee Members
- The Roles of the Officers from No. 1 to No. 9 are set out in the Appendix below. Officers will be elected annually at the Annual General Meeting. All officers will retire at the AGM each year but will be eligible to stand for re-election.

# **Management Committee**

The Moycarkey Coolcroo Athletic Club will be managed by the Management Committee consisting of elected Club Officers. Only these posts will have the right to vote at meetings of the Management Committee. The Management Committee shall meet at least <u>eight</u> times a year, where all decisions and records will be minuted and circulated to all committee members within one week of the meeting and/or read out at the following meeting. The quorum required for business will be agreed by the Management Committee & will be <u>5</u> members of the Management Committee. The Management Committee will be responsible for adopting new policies, codes of conduct and rules that affect the organisation of the Moycarkey Coolcroo Athletic Club.

The Management Committee will have powers to appoint sub-committees as necessary & appoint advisers to the Management Committee as necessary to fulfil its business. The Management Committee will be responsible for disciplinary hearings of members who infringe the Moycarkey Coolcroo Athletic Club rules/regulations/Constitution in line with the AAI Disciplinary Process (Complaints & Disciplinary Process Version 6.0; 6<sup>th</sup> February 2020 or latest update thereafter). The Management Committee will be responsible for taking any action of suspension or discipline following such hearings.

# **Real & Personal Property & Trustees**

- 1. The Moycarkey Coolcroo Athletic Club shall have the power to acquire, hold and develop, sell, lease, mortgage, charge, exchange or sell, real and personal property (as defined below) and to borrow or raise money in promotion of the objects of the Moycarkey Coolcroo Athletic Club subject to the overall authority of the Athletic Association of Ireland.
- 2. The Real Property shall not be leased, mortgaged, charged, exchanged, sold, conveyed, transferred or otherwise dealt with unless as set out in any separate Declaration of Trust.
- 3. The Real Property including the proceeds of sale thereof until otherwise directed by the Moycarkey Coolcroo Athletic Club shall be vested in the Trustees who shall hold same in trust for the Moycarkey Coolcroo Athletic Club.
- 4. In the case of the appointment of the Trustees of Real Property, the Committee shall select a minimum of five persons who shall then be appointed by the Chairman for the time being as Trustees. As of December 2020, the Trustees currently in place as per Lease are Brendan O'Dwyer, Tommy Healy, Billy Purcell, Jim Martin and Kay Cantwell.

- 5. The Trustees shall hold office until retirement or death. Any Trustee who loses mental capacity shall be treated as having died.
- 6. By way of acceptance of their appointment, the Trustees of the Real Property shall sign a Declaration of Trust which shall contain the provisions for appointment, removal and replacement of Trustees as well as regulating the conduct of the Trustees in performing their duties and exercising their powers under the Trust. Personal Property shall be vested in the Chairman, Treasurer and Secretary who shall hold same in trust for the Club
- 7. The Moycarkey Coolcroo Athletic Club shall indemnify and save harmless it's Trustees in respect of any loss or expenses bona fide incurred by them in or about the execution of the Trust. "Real Property" shall be defined as the property of the Moycarkey Coolcroo Athletic Club of an immovable nature comprising any playing pitches, grounds, or buildings whether of leasehold or freehold tenure with all fixtures or fittings attached thereto and used therewith. "Personal Property" shall be defined as the property of the Moycarkey Coolcroo Athletic Club of a movable nature comprising all sporting equipment of the Moycarkey Coolcroo Athletic Club as well as all stock and trade and money or other assets of the Moycarkey Coolcroo Athletic Club not already classified as fixtures or fittings on Real Property as heretofore defined.

### **Finance**

All Moycarkey Coolcroo Athletic Club monies will be banked in an account(s) held in the name of the Moycarkey Coolcroo Athletic Club. The Club Treasurer will be responsible for the finances of the Moycarkey Coolcroo Athletic Club. The financial year of the Moycarkey Coolcroo Athletic Club will end on the 30<sup>th</sup> November. Any cheques drawn against Moycarkey Coolcroo Athletic Club funds should hold the signature of the Treasurer plus one other officer. Electronic banking and the use of a debit card will also be permitted by the Treasurer and such other persons that are authorised by the Treasurer and the Management Committee from time to time.

### Keeping of Accounts.

Annual Accounts shall be kept and made available to the Revenue Commissioners on request. Where the gross annual income exceeds €250,000 the accounts will be audited.

### **Income and Property**

The income and property of the Club shall be applied solely towards the promotion of the object as set forth in this Constitution. No portion of the Club's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to members of the Moycarkey Coolcroo Athletic Club. No officer shall be appointed to any office of the Moycarkey Coolcroo Athletic Club paid by salary or fees or receive any remuneration or other benefit in money or money's worth from the Moycarkey Coolcroo Athletic Club. However, nothing shall prevent any payment in good faith by the Moycarkey Coolcroo Athletic Club of:

- a) reasonable and proper remuneration to any member or servant of the Club (not being an officer) for any services rendered to the Moycarkey Coolcroo Athletic Club.
- b) interest at a rate not exceeding 1% above the Euro Interbank Offered Rate (Euribor) per annum on money lent by an officer or other members of the Club to the Club.
- c) reasonable and proper rent for premises demised and let by any member of the Club (including

any officer) to the Moycarkey Coolcroo Athletic Club.

- d) reasonable and proper out-of-pocket expenses incurred by any officer in connection with them attendance to any matter affecting the Moycarkey Coolcroo Athletic Club.
- e) fees, remuneration or other benefit in money or money's worth to any Company of which an officer may be a member holding not more than one hundredth part of the issued capital of such Company.

Winding Up

If upon the winding up or dissolution of the Moycarkey Coolcroo Athletic Club there remains, after satisfaction of all debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the Moycarkey Coolcroo Athletic Club. Instead, such property shall be given or transferred to some other institution or institutions having objects similar to the objects of the Moycarkey Coolcroo Athletic Club. The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of their income and property among their members to an extent at least as great as is imposed on the Club under or by virtue of the Income and Property clause hereof. Members of the Moycarkey Coolcroo Athletic Club shall select the relevant institution or institutions at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object. Final accounts will be prepared and submitted that will include a section that identifies and values any assets transferred along with the details of the recipients and the terms of the transfer.

### Additions, alterations or amendments

No addition, alteration or amendment shall be made to the provisions of the objects clause, the income and property clause, the winding up clause, the keeping of accounts clause or this clause of the Constitution for the time being in force unless the same shall have been previously approved in writing by the Revenue Commissioners.

### Code of Ethics and Good Practice for Children's Sport

The Moycarkey Coolcroo Athletic Club shall adopt the Athletics Ireland Code of Ethics & Good practice for Children in Ireland as its Club Constitution. All Club officers, committee members and parents shall familiarise themselves with Athletic Ireland's "Code of Ethics and Good Practice for Children in Athletics". No member of the Moycarkey Coolcroo Athletic Club shall be discriminated against on the basis of age, gender, class or creed. The Moycarkey Coolcroo Athletic Club is fully committed to safeguarding the wellbeing of all its registered members. Every individual in the Club should at all times, show respect and understanding for registered members rights, consider the safety and welfare of each athlete and conduct themselves in a way that reflects the principals of the organisation and the guidelines contained in the Club's "Code of Ethics and Good Practice for Children's Sport and the Child Protection Guidelines in Ireland." The Moycarkey Coolcroo Athletic Club must complete and display it's Child Safeguarding Statement and Risk Assessment for Athletics Clubs for mandator compliance with the Children First Act 2015. The Athletics Ireland Child Safeguarding Team are available to liaise with the Moycarkey Coolcroo Athletic Club Children's Officers and Designated Liaison Person to help and support them.

### **Athletics Ireland Child Safeguarding Contacts**

Kieron Stout - National Children's Officer, HR Manager Phone 01,8869932/086,2450134 Email: kieronstout@athleticsireland.ie / childwelfare@athleticsireland.ie

Olivia O Rourke – Child Safeguarding & Garda Vetting Liaison Officer Email - oliviaorourke@athleticsireland.ie

# **Club Equipment**

Equipment bought by Moycarkey Coolcroo Athletic Club will remain the property of the Club with regular updates on all its whereabouts by the Equipment Committee.

### **Annual General Meetings**

The Moycarkey Coolcroo Athletic Club will summon an Annual General Meeting (AGM), which will be held as far as possible in December of each year. Notice of the AGM will be given to the Club Secretary. Not less than 14 days' notice to be given to all members. The AGM will receive a report from officers of the Management Committee and a statement of the (audited) accounts. Nominations for officers of the Management Committee will be sent to the Secretary prior to the AGM. Election of officers is to take place at the AGM. All members have the right to one vote at the AGM. Parents can represent their children and vote on their behalf by proxy in addition to their own vote if they are a paid up member also. The Chairperson has the casting vote in the event of a tie. The Management Committee has the right to call Extraordinary General Meetings (EGMs) outside the AGM. Procedures for EGMs will be the same as for the AGM.

# **Disciplinary Procedures & Appeals**

- 1. Complaint is received by the Secretary or Children's Officer
- 2. Member against whom the complaint is made should be informed of the nature of the complaint being made against them within 1 working day of the complaint being received by the Club.
- 3. A disciplinary committee should be formed consisting of a Moycarkey Coolcroo Athletic Club Management Committee member, the Children's Officer and an ordinary member of the Club. This committee should meet & review the complaint and discuss separately with the complainant and the accused member. This should be done within 10 working days.
- 4. The disciplinary committee should notify the member of any sanction being imposed or not. The notification should be made in writing setting out the reasons.
- 5. The member has a right to appeal any decisions to an appeals committee independent of a disciplinary committee. Any appeal would be made in writing within 10 working days of the decision of the disciplinary committee. The Chairperson of the appeals committee should be a member of the Moycarkey Coolcroo Athletic Club management committee along with two other ordinary members, neither of whom has participated on the disciplinary committee leading to the appeal. The Moycarkey Coolcroo Athletic Club appeals committee has the power to confirm set aside or change any sanction imposed by the disciplinary committee.

# **Dispute Escalation Procedure**

Tipperary Athletics County Board

If any party is not satisfied with the outcome at Moycarkey Coolcroo Athletic Club level, the matter shall be referred to the county board for consideration. "Tipperary Athletics County Board shall decide any dispute that may arise between registered members, if called upon to do so" (Athletic Association of Ireland, Bye laws, April 2012, Objectives of a County Board, item 8).

### Munster Council

If at the County Board level the party is not satisfied with the outcome the matter shall be referred to the Munster Council for consideration. "The Munster Council shall decide any dispute that may arise between registered members, if called upon to do so" (Athletic Association of Ireland, Bye laws, April 2012, Objectives of a Provincial Council, item 6).

#### Athletics Ireland

If at Munster Council level the party is not satisfied with the outcome the matter shall be referred to Athletics Ireland for consideration under Article 25(f) of the Memorandum and Articles of Association of the Athletic Association of Ireland. All decisions issued under the appeals procedure set out in Article 25(f) and Article 25(g) may be appealed exclusively by referral to Just Sport Ireland within 14 days after the decision has been communicated to the person or body in respect of whom or which the decision was made, for final and binding arbitration in accordance with the Just Sport Arbitration Rules. All costs associated with Just Sport Ireland will be the responsibility of the person or persons disputing the decision(s) issued under the appeals procedure by Athletics Ireland.

### Dissolution

A resolution to dissolve the Club can only be passed at an AGM or EGM through a majority vote of the membership.

### Amendments to the Constitution

Any changes to the Club's "Constitution" will only be made at an AGM. or EGM and only passed by a two thirds majority present. The Club Constitution should be reviewed on an annual basis before each AGM.

#### **Declaration**

The Club hereby adopts and accepts this Constitution as a current operating guide regulating the actions of members.

SIGNED: MORIA HORDINAN DATE: 5 9/22	-
PRINT NAME: MARIA HARDIMAD	_
POSITION: Moycarkey Coolcroo AC	
CHAIRPERSON Chairperson	
SIGNED: Level DATE: S/9/22	

Page 6 of 11 Moycarkey Coolcroo Athletic Club's Constitution Revised at EGM 2022

signed: Jeij	i de	DATE:	5/9/22
PRINT NAME: 🔼	ENNIFEL	SHEPP	PARD.
POSITION: <u>∯SS</u>	stant Seco	etay Moy cark	ey Coolcroo AC
SECRETARY	LENPIFER	SH	IEPP AKD

# **APPENDIX**

# **Roles of Club Officers**

# Role of the Chairperson

The role of the Chairperson is to manage the club in an efficient and effective manner, while at all times keeping in mind the club constitution. They have overall control, giving direction, keeping focus and providing guidance. The chairperson should be elected at the AGM. At meetings the chairperson takes charge of the meetings and ensures that those present are heard in a fair and equal manner

Main Duties	Skills Required
<ul> <li>Chair committee meetings and Annual General Meeting</li> <li>Ensure appropriate documents, including minutes are available for committee members</li> <li>Ensure that committee members are aware of their roles and responsibilities</li> <li>Act as the ambassador and/or spokesperson for the Club</li> <li>May be called upon to act as mediator</li> </ul>	<ul> <li>Confident and Effective communicator</li> <li>Great organisation skills</li> <li>Ability to delegate duties</li> <li>Ability and knowledge to act as spokesperson for the Club</li> <li>Unbiased and impartial</li> <li>Strong and fair leadership skills</li> <li>Be able to facilitate discussion and keep the debate focused</li> <li>Be able to take decisive action</li> <li>Be well informed about all aspects of the club</li> <li>Be able to involve all Committee members in the decision-making process</li> <li>Be able to maintain harmony within the group even when there is a disagreement</li> </ul>

# Role of the Club Secretary

The efficiency of the club will greatly depend on the efficiency of the secretary to carry out his/her duties. The Secretary is the mediator between Club Committee and everybody else. All of the written communication that the club receives will go to the Club Secretary. To ensure optimal efficiency, appropriate measures should be put in place to deal with this communication.

Main Duties	Skills Required

- First point of contact for all enquiries
- Organising meetings
- Taking and distributing minutes
- Dealing with correspondence:
- Record date of incoming mail
- Deal with correspondence promptly
- to make life easier, create some standard
- letters that can be re-used with just
- changes of dates, names,
- Keep notes of important telephone conversations.

- Excellent organisational skills
- Reliability
- Excellent communication skills, both written and spoken
- Be able to delegate tasks
- Be able to work to timescales
- Be able to maintain confidentiality

# Role of the Treasurer

It is absolutely paramount that reliable and accurate financial records on all transactions are kept. This responsibility falls directly onto the Club Treasurer. The Treasurer is responsible for the safe keeping of the club funds and also the collection of subscriptions, depositing monies, paying the bills, issuing receipts, preparing year end accounts and keeping up-to-date records of all financial transactions. The treasurer must not commit the club to any expenditure for which prior approval has not been given. Some banks may offer free banking to sports clubs, so with this in mind consider opening an account with a bank that is close and will offer 24-hour phone or internet banking. Statements should be obtained every month to check all transactions. All deposits should be made as soon as possible.

Main Duties	Skills Required
<ul> <li>Managing all income and expenditure, including banking arrangements</li> <li>Managing legal requirements where required</li> <li>Reports regularly to the committee/chairperson on the club's financial status</li> <li>Prepares /presents financial year end report to AGM</li> <li>Financial planning, budgeting and monitoring throughout the year</li> </ul>	<ul> <li>Be well organised</li> <li>Confidence dealing with figures</li> <li>Be very honest and trustworthy</li> <li>Take great care when handling money and cheques</li> <li>Keep up-to-date information and be able to answer any questions on the accounts</li> <li>Be able to keep very accurate records</li> </ul>

# Role of the Registrar

All club members must be registered with Athletics Ireland. This requirement is listed in our bye-laws and should be immediately actioned once a membership fee is accepted by a club. The Registrar must verify proof of age for all juvenile members and ensure that all entries on the on-line system are accurate to avoid problems at a later stage. All members must sign a membership form each year. It is good practise to include important club and NGB rules including affiliation rules on the membership form.

Main Duties	Skills Required
<ul> <li>Entering all members on the online Athletics         Ireland registration system         Keeping up to date records of members         Amending member details online as required         Storing membership forms securely         Reporting membership numbers to the         Committee as required     </li> <li>Liaising with the Treasurer to ensure registration fees are dealt with appropriately</li> </ul>	Be well organised Be able to keep very accurate records Good attention to detail A working knowledge of Athletics Ireland online system

# Role of PRO

#### Role of the Public Relations Officer

This person deals with the publicity side of the club. The PRO should attempt to open and maintain lines of contact and relationships with local newspapers and radio stations. A good idea for a PRO to have is a club promotional plan and a social media strategy.

Page 10 of 12 Moycarkey Coolcroo Athletic Club's Constitution Revised at

Main Duties	Skills Required
<ul> <li>Regular updates as to club activity in local media</li> <li>Advertising for members</li> <li>Ensuring results of competitions are given to the local papers and radio</li> <li>Establish your own website and social media Keep the County Board informed of club activity Positive appropriate promotion regularly in every possible way</li> <li>Establish social media channels and monitor content</li> </ul>	<ul> <li>Good communication skills</li> <li>Familiar with social media platforms</li> <li>Knowledge of marketing tools</li> <li>Good writing skills</li> <li>A general knowledge of the sport and club policies</li> </ul>

# Role of the Club Children's Officer (CCO)

The appointment of Children's Officers in clubs is an essential element in the creation of a quality atmosphere. They act as a resource with regard to issues and policies that affect children and young people in the club. Children's Officers should be aware of the code of ethics and child safeguarding in relation to young people. Check that all activities are safe, fun and conducted in a spirit of fair play for all. Children's officers should also be informed on how to deal with any concerns that may arise in relation to the protection of children and young people.

- The CCO should be a member of the Club Management Committee.
- Safe Recruitment and Selection of Coaches and Leaders.
- Garda Vetting is one of the key elements of the safe recruitment process.
- The CCO should ensure that Coaches, Leaders and Parents are vetted in line with AAI Garda Vetting Policy prior to taking on their role within the club.
- Liaise with Athletics Ireland and/or local sports partnership to secure Child Safeguarding Training for coaches/committee members within the first 6 months of taking up a new role.
- CCO should monitor the 4-year refresh of Garda Vetting and SG1.
- Understand the Athletics Ireland Code of Ethics & Child Safeguarding Guidance.
- The CCO should be knowledgeable about child protection and undertake any training considered necessary i.e. Sport Ireland Safeguarding 1 and 2 courses.
- Encouraging the participation of parents /guardians within club activities to ensure maximum enjoyment and participation for each child.
- Acts as a support to Coaches and Sports Leaders on Child Protection issues/concerns.
- Be a presence at juvenile training sessions.
- Ensure that children know how and whom they can report their concerns to within the club.
- If there are grounds for concern about the safety or welfare of a young person you should react to the concern.
- Act as the Relevant Person with responsibility for the club Child Safeguarding Statement.

# Role of Designated Liaison Person (DLP)

Every club should designate a person to be responsible for dealing with any concerns about the protection of children. The designated person is responsible for reporting allegations or suspicions of child abuse and welfare issues to Tusla or the Gardai (Statutory Authorities). This role sits with the Club Chairperson unless another committee member has been appointed. They will work with the Club Children's Officers to act as a resource for children at committee level.

- DLP reports any suspected cases of child neglect or abuse to a Duty Social Worker in the Tusla Child and Family Agency or An Garda Síochána.
- They should also inform the National Children's Officer / Mandated Person that a report has been submitted to the Statutory Authorities.
- Act as a resource for volunteers/coaches/parents who have a child protection or welfare concern.
- The DLP should be knowledgeable about child protection and undertake any training considered necessary i.e. Sport Ireland Safeguarding 1 and 3 courses.
- The DLP should have knowledge of the Safeguarding Guidance and relevant child protection legislation (Children First Act 2015, National Vetting Bureau Act 2012-2016) and be familiar with local support services.
- In consultation with the person who raised the concern and the Club Children's Officer, the DLP will decide if reasonable grounds for a concern exist.

The Athletics Ireland Child Safeguarding Team are available to liaise with Club Children's Officers and Designated Liaison Person to help and support them. Athletics Ireland are committed to ensuring the implementation of safeguarding requirements and can offer guidance where required on all their policies & procedures.

### **Athletics Ireland Child Safeguarding Contacts**

Kieron Stout - National Children's Officer & HR Manager

# **Role of Covid Safety Officer**

Clubs must appoint an assigned Lead Covid Safety Officer responsible for managing issues and queries relating to the Covid-19 pandemic.

This Officer should:

- Ensure indoor /outdoor facilities are risk assessed and cleaned to a high standard.
- Plan the Club risk assessment with the Club Management Committee.
- Should check with insurers if any amendments to their policies are required to cover Covid19 issues.
- Ensure they review AAI protocols and that the Club can comply.
- Ensure that the Club and its members adhere to HSE / Public Health advice in all cases.
- Ensure that sufficient HSE Covid-19 information Posters are in place.
- Operate a booking system for all training, note AAI have developed a bespoke booking app for their members. This will help with contact tracing if necessary.
- Ensure athletes understand the need for social distancing while entering and exiting the Club.
- Ensure that the Club maintains accurate records of who is training and when. This should
  include all persons and not just the one making the booking. This must be carried out for all
  sessions, and in the case that a parent/guardian is present in the Club that must also be
  recorded. This will help with contact tracing if necessary.
- Be responsible for informing all members of the Covid-19 guidelines and insist on full cooperation.
- Ensure that the contact details for all members are up to date as this will assist with contact tracing should it be necessary.
- Listen to feedback and contact Athletics Ireland if there are issues not covered under their guidelines and protocols.
- Ensure all athletes and coaches carry hand sanitizer and antiseptic wipes at all times.