

Nunnery Wood Colts Football Club Constitution

1. Name

The club is called **Nunnery Wood Colts Football Club** and is affiliated to the Worcestershire County Football Association. The club is subdivided into individual club teams with each team having their own bank account in the team's name, and the following personnel; a Manager, Coach and Treasurer.

2. Objectives and Aims

The objective of the club is to provide quality football training and Association Football for its members and such social and recreational activities as may be deemed desirable by the Committees and Managers. The aim is to develop youth football in the City of Worcester and surrounding areas.

3. Status of Rules

The club rules form a binding agreement between each member of the club.

4. Rules and Regulations

- a. The club shall have the status of an Affiliated Member Club of the Football Association by virtue of its affiliation to the Football Association.
- b. The Rules and Regulations of the Football Association Limited and Parent County Association and any League or Competition to which the club is affiliated for the time being shall be deemed to be incorporated into the club rules.
- c. No alteration to the club rules shall be effective without prior written approval by the parent Association.
- d. The club will also abide by the Football Association's Child Protection Policies and Procedures, Codes of Conduct and the Equal Opportunities and Anti Discrimination Policy.

5. Club Membership

- a. All managers, coaches & players registered within club teams and their legal guardians shall be deemed club members.
- b. Membership of the club shall be open to anyone interested in the sport on application, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs, except as a necessary consequence of the requirements of association football.

6. Monthly Membership Fee

- a. Each registered team shall pay a monthly fee during the season to cover central costs such as website etc.
- b. The fee will be set and agreed for the forthcoming season at the club AGM.
- c. The Executive Committee (EC) shall have the authority to levy further subscriptions from the members as are reasonably necessary to fulfil the objectives of the club.

7. Resignation and Expulsion

- a. A member shall cease to be a member of the club if, and from the date of which, he/she gives notice to the team manager of their resignation.
- b. All club members are to adhere to the FA Codes of Conduct in place at the time or be subject to the disciplinary procedures set out therein.
- c. The EC shall have the power to expel a member when, in their opinion, it would not be in the interests of the Club for them to remain a member. There shall be no appeals procedures.
- d. A member who resigns from or is expelled shall not be entitled to claim any, or a share of any, of the Club Property.

Club Committees

- a. An Executive Committee (EC) consisting of the following elected officers Chairman, Secretary, Treasurer, Vice Chairman & Child Welfare Officer shall control the club.

- b. The EC shall have the right to co-opt people either permanently or temporarily as and when they see fit but all permanent appointments will need to be ratified at the next AGM thereafter.
- c. The EC should meet once every six weeks throughout the football season and as required out of season
- d. A General Committee (GC) consisting of the one representative from each team shall elect the EC.
- e. The GC is elected at the Annual General Meeting, (AGM) following a ballot of the previous season's members.
- f. The GC meets once every six weeks and the proceedings at such meetings shall be duly recorded. A minimum of three EC members and three GC members are required to hold a General Committee Meeting (GCM).
- g. Any Member of the EC or GC may call a GCM by giving not less than 7 day's notice via email to all members of the GC.
- h. An outgoing member of the EC/GC may be re-elected. Any vacancy on the EC/GC, which arises between AGMs shall be filled by a Member proposed by one and seconded by another of the remaining EC Members and approved by a simple majority of the remaining EC Members.
- i. Save as provided for in the Rules and Regulations of the Football Association and the County Association to which the Club is affiliated, the EC shall have the power to decide all questions and disputes arising in respect of any issue concerning the Club Rules.

2. Annual and Special General Meetings

- a. An Annual General Meeting (AGM) shall be held each year to:
 - o receive a report of the Club's activities over the previous year.
 - o receive a report of the Club's finances over the previous year
 - o elect the members of the Club Committees
 - o consider any other business
- b. Nominations for the election of members as Club Officers or as Members of the Club Committee shall be made in writing by the proposer and seconder, both of whom must be existing Members of the GC, to the Club Secretary not less than 21 days before the AGM. Notice of any resolution to be proposed at the AGM shall be given in writing to the Club Secretary not less than 21 days before the meeting.
- c. A Special General Meeting (SGM) may be called at any time by the EC and shall be called within 21 days of the receipt by the Club Secretary of a requisition in writing signed by not less than five GC members stating the purposes for which the meeting is required and the resolutions proposed. Business at an SGM may be any business that may be transacted at an AGM.
- d. The Secretary shall send to the each member at their last known email address, written notice of the date of a General Meeting together with the resolutions to be proposed at least 14 days before the meeting.

3. Club Teams

At the AGM, the EC shall appoint a GC member to be responsible for each of the club's football teams. The appointed GC members shall be responsible for managing the affairs of their team. The appointed members shall present to the Club Committees at its last meeting prior to an AGM, a written report on the activities of the team for the previous season.

4. Codes of Conduct

All Team officials, coaches, players and parents / spectators shall be issued with and abide by the appropriate FA Codes of Conduct. Failure to comply with the Code of Conduct shall be dealt with by the Committee who retain the right to expel any individual and associated person, from the Club.

5. Club Complaints Procedure

- a. Member to discuss complaint with Team Manager on first instance or member of EC if appropriate.
- b. Team Manager to advise EC of complaint.

- c. If complaint not dealt with appropriately / to member satisfaction by Team Manager, the complaint to then be taken to EC via club Secretary.
- d. If complaint is not dealt with appropriately / to member satisfaction by EC – it can then be taken forward to WFA (if this is felt a necessity).
- e. Member must inform the EC that this course of action is being followed and copy Club Secretary with any correspondence.
- f. The EC will support the WFA to fully resolve the complaint.

Club Disciplinary Procedure

- a. In the event of a reported or alleged breach of the clubs codes of conduct by a club member, the EC will action an investigation to establish the facts and determine an appropriate course of action.
- b. A hearing may be convened to aid the investigation and will include a minimum of two EC members. The member under investigation may be supported by a GC member if they see fit.
- c. In the case that the alleged incident either involves or potentially impacts upon a EC/GC member, then that individual will not participate in the supervision of the hearing or be party to determining the proposed outcome.
- d. Format of reprimands
 - o A formal, oral warning in the case of a minor offence.
 - o A written warning for subsequent minor offences or a more serious offence.
 - o A final written warning for further misconduct. The warning should make it clear that dismissal may follow failure to comply.
 - o Dismissal with appropriate notice will follow if there is insufficient improvement.
- e. Misconduct
Conduct, which is sufficiently serious that it requires disciplinary action. In order to warrant dismissal, misconduct must be extremely serious, or repeated on more than one occasion.
- f. Gross misconduct
This is the term used for serious misconduct, which may lead to instant dismissal (that is, summary dismissal). Acts that constitute gross misconduct are those resulting in a serious breach of the Club's Constitution / Codes of Conduct. They might include the following:-
 - o Breach of Club / FA Codes of Conduct
 - o Theft, fraud or deliberate falsification of records.
 - o Physical violence.
 - o Serious bullying or harassment.
 - o Serious insubordination.
 - o Serious incapability brought about by alcohol or illegal drugs
 The committee should provide the offender with examples of what they consider to be gross misconduct.
- g. Types of warning
 - o First warning Oral:
In the case of a minor infringement the member may be given a formal oral warning. Members should be told of the reasons of the warning, that it is the first step in the disciplinary process and that they have the right of appeal.
 - o Written:
If the infringement is regarded as more serious, the member may be given a formal written warning, giving the details of the complaint, the improvement required, the timescale allowed for this and the right of appeal. The warning should also state that a final written warning might be considered if the desired change doesn't occur.
 - o Final written warning:
Where there is failure to improve the behaviour, or an infringement which is considered sufficiently serious, the member may be given a final written warning. This should include details of the offence, that failure to improve may result in dismissal and the right of appeal.
- h. Dismissal or other sanction:

If the behaviour remains unchanged then the sanction imposed may include, disciplinary suspension, demotion or dismissal.

The committee reserve the right to issue an instant dismissal to an individual in a case deemed to represent gross misconduct.

The decision to dismiss must be taken by the appointed Club Committee and the member should be informed as soon as is reasonably practicable and how to make an appeal. The decision to dismiss must be confirmed in writing including particulars of reasons for dismissal.

i. Recording

Nunnery Wood Colts FC will record all written warnings. Any disciplinary action taken should be disregarded after a specified period of time. The normal practice is that severity of the action taken will take different periods of time before they are disregarded.

- o Warnings for minor offences may be valid for up to six months.
- o Final warnings may remain in force for 12 months or more.

Once the time limits have been passed, warnings should be disregarded in any further disciplinary proceedings. These records should be kept confidential and retained in accordance of the disciplinary procedure and the Data Protection Act 1998, which requires the release of certain data to individuals on their request.

j. Appeals

The opportunity to appeal against a disciplinary decision is essential to natural justice. Appeals should be dealt with as promptly as possible. The time limit usually set for lodging appeals is five working days. Individuals should be informed of arrangements for appeal hearings and also of their right to be accompanied. The individual should be informed of the result of the hearing as soon as possible and this should be confirmed in writing.

6. Club Finances

- a. A bank account shall be opened and maintained in the name of the Club (the Club Account). Designated account signatories shall be the Club Chairperson, Club Vice Chairperson, Club Secretary and the Club Treasurer. No sum shall be drawn from the Club Account except by cheque signed by two of the four designated signatories. All monies payable to the Club shall be received by the Treasurer and deposited in the Club Account.
- b. The income and assets of the Club (the Club Property) shall be applied only in furtherance of the objects of the Club.
- c. The Club Committee shall have the power to authorise the payment of remuneration and expenses to any member of the Club and to any other person or persons for services rendered to the Club.
- d. The Club shall prepare an annual Financial Statement in such form as shall be published by the Football Association from time to time.
- e. The Club Property, other than the Club Account, shall be vested in no less than two and no more than four custodians, one of whom shall be the Treasurer, who shall Club Property deal with the as directed by decisions of the Club Committee and entry in the Minute Book shall be conclusive evidence of such a decision.
- f. The Custodians shall be appointed by the Club in a General Meeting and shall hold office until death or resignation unless removed by a resolution passed at a General Meeting.
- g. On their removal or resignation a Custodian shall execute a Conveyance in such form as is published by The Football Association from time to time to a newly elected Custodian or the existing Custodians as directed by the Club Committee. On the death of a Custodian, any Club Property vested in them shall vest automatically in the surviving Custodians. If there is only one surviving Custodian, a Special General Meeting shall be convened as soon as possible to appoint another Custodian.
- h. The Custodians shall be entitled to an indemnity out of the Club Property for all expenses and other liabilities reasonably incurred by them in carrying out their duties.
- i. Each team within the Club is responsible for its own funding by way of subscriptions, fundraising and sponsorship. Each team shall operate its own individual bank account and all monies raised and assets purchased by an individual team shall remain the property of that team. Any assets purchased by a team (or the Club), shall remain

the property of the team (or the Club) and not the sponsor or the individual who introduced the sponsor to the team (or Club). Upon dissolution of a team all funds shall be either donated to the club or split equally between all the team's current players the associated bank account shall be closed.

- j. Each team shall keep a proper record of accounts, in a format agreed by the Committee, and these accounts shall be submitted to the Club Treasurer annually at the Annual General Meeting and be available for immediate inspection at any given time.

7. Dissolution

- a. A resolution to dissolve the Club shall only be proposed at an Annual General Meeting and shall be carried by a majority of at least three quarters of the GC members present.
- b. The dissolution shall take effect from the date of the resolution and the members of the EC shall be responsible for the winding up of the assets and liabilities of the Club.
- c. Any surplus assets remaining after the discharge of the debts and liabilities of the Club shall be transferred to the parent Association who shall determine how the assets shall be utilised for the benefit of the game. Alternatively, such assets shall be disposed of in such other manner as the members of the Club with the consent of the Parent Association, shall determine.

Darren Mace, Club Chairman, updated June 2014

Mark Wilcox, Club Vice-Chairman, updated 7th August 2008.

Mark Smith, Club Secretary, 4th March 2005.