



MARKET OVERTON BOWLS CLUB

Founded 1945

CONSTITUTION - RULES

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Bowling Green Lane, Market Overton, Rutland LE15 7PH

CONSTITUTION

1. The name of the Club shall be Market Overton Bowls Club.
2. The objectives of the Club are:
 - The provision of facilities for bowls to be played under the Laws of the Sport of Bowls as approved by World Bowls.
 - The provision and maintenance of a Clubhouse at Bowling Green Lane, Market Overton, Rutland for social activities and refreshments for the benefit of members.
3. Membership of the Club shall be open to any person regardless of race, age, gender, sexual orientation, religious belief or ability who completes a membership application and pays the relevant subscription determined by the Club. **The Market Overton Bowls Club Equality and Diversity Policy is detailed in Annex A [page 5].**
4. Applications for membership are to be put in writing to the Secretary. Application forms are available in the Clubhouse, directly from the Secretary and can also be downloaded from the Market Overton Bowls Club website.

RULES

Management

5. The **Executive Committee** of the Club shall comprise: the President, Senior Vice President, Secretary, Treasurer and Chairman,
6. The **Management Committee** shall comprise: All Officers as in rule 5 plus Junior Vice President, Fixture Secretary, Bar Manager, Club Captain, Greenkeeper, Club Competition Secretary, Stamford League Representative, Safeguarding Officer plus one member without portfolio. The Committee shall have the power at any time to fill any casual vacancy among the Officers. The Chairman shall have the casting vote at meetings.
- 6a. Any Officer or member of the Management Committee shall hold office only until the next following Annual General Meeting apart from the President and Senior Vice President who will be automatically succeeded by the current Senior Vice President and the Junior Vice President plus the Chairman who shall be elected for three year re-electable terms. All officers on the Management Committee must be full bowling members of the Club.
- 6b. For administration purposes the Management Committee may appoint individuals, from the wider body of full members, to 'non committee' roles e.g. as Club Team/League Captains, 'Chummy night' organiser, Webmaster, as required from year to year after the AGM. The list of positions required to be approved at the last Management Committee meeting prior to the AGM notice being displayed.
7. A committee meeting shall not be considered quorate with fewer than 5 members present including Secretary and or Treasurer
8. Any Officer/Representative of the Club who is not on the Management Committee may be invited to attend a specific committee meeting at which item[s] are to be discussed which come under their brief. They may also be requested by the Secretary to submit a report on any meetings attended on

behalf of Market Overton Bowls Club. If attending a Committee Meeting the item[s] to be discussed will be the first item[s] on the Agenda.

Honorary Life membership

9. Honorary Life membership is the gift of the Management Committee for those full members who have significantly supported the Club for a notable period of time. There shall be no more than 10% of the total full membership when new nominations are made.

Trustees

10. There shall be a maximum of four and no fewer than three Trustees of the Club who shall be appointed from time to time as necessary by the current Trustees of the Club from among full or Honorary Members who are willing to be so appointed.

- A Trustee shall hold office until they resign by notice in writing given to the Secretary or until a resolution removing them from office be passed at a meeting of the Trustees
- All the property of the Club, including land and investments, shall be held by the Trustees for the time being, in their own names so far as it is necessary and practicable, on trust for the use and benefit of the Club.
- In the event of the death, resignation, or removal from office of a Trustee, the remaining Trustees shall nominate a new Trustee and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all Club property into the names of the Trustees as constituted after such nomination. For the purpose of giving effect to any such nomination, the [Honorary] Secretary for the time being is hereby nominated as the person to appoint new Trustees of the Club within the meaning of Section 36 of the Trustee Act 1925 automatically as amended and they shall by Deed duly appoint the person or persons so nominated. Seven days prior Notice of such a meeting to appoint or remove a Trustee should be sent to the Trustees by the Secretary. The outcome of such a meeting should be recorded by the Secretary who shall act as a Witness together with one other responsible independent Witness.
- The Trustees shall be effectually indemnified by the members of the Club out of the assets of the Club from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or relation to any property of the Club vested in them, or in relation to any legal proceedings, or which otherwise relate directly or indirectly to the performance of the functions of a Trustee of the Club.
- Trustees to attend committee meetings at their pleasure without voting rights unless holding another position on committee.

Dissolution

11. If the Management Committee by a simple majority decides at any time that on the grounds of expenditure or otherwise, it is necessary to dissolve the Club, it shall call an Extraordinary General Meeting of the members with a power to vote. If such a decision is confirmed, again by a simple majority of those present and voting at such a meeting, the Management Committee shall instruct the Trustees to dispose of any assets, after the settling of any debts, to a similar organisation.

Complaints

12. Complaints are dealt with in accordance with the **Complaints and Disciplinary Procedure in Annex B [page 6]**

Discipline

13. The Management Committee may refuse membership, or remove it, only if the member's conduct or character is likely to bring the Club or sport into disrepute. The Management Committee shall have the power to expel a member when in its opinion it would not be in the interests of the

Club for them to remain a member. An appeal against such a decision may be made to the Management Committee in accordance with the Appeals procedure detailed in the Disciplinary Code. **The Market Overton Bowls Club Disciplinary Code is detailed in Annex B [page 6]**

General Meetings

14. The **Annual General Meeting of the Club** shall be no later than 30th November.
15. Twenty one days notice of the Annual General Meeting of the Club shall be given to members.
16. Proposals for the Agenda of the Annual General Meeting of the Club from fully paid up members shall be received by the Secretary proposed and seconded no later than fourteen days prior to the date of the Annual General Meeting. The Secretary shall circulate the Agenda for the AGM no later than seven days prior to the meeting. Unless otherwise stated all notices and or communication to and from members may be communicated via electronic mail.
17. The Secretary may call an **Extraordinary General Meeting** at the request of six or more full members in writing. Fourteen days notice of any Extraordinary General Meeting must be given to all members.
18. In the event of a pandemic or similar extreme circumstance the Management Committee may use their discretion and arrange meetings electronically in order to fulfil the business of the Club.

Voting

19. Voting at General meetings shall be by a simple majority of members who are entitled to vote and are present at the meeting, by a show of hands or ballot.

Finances

20. The financial year of the Club shall be November 1st to October 31st
21. Finances of the Club shall be dealt with through a recognised High Street bank.
22. All monies raised on behalf of the Club shall be handed to the Treasurer who will keep a true record of all transactions.
23. The bank mandate requires two named signatories on all cheques: the two signatories shall be either Trustees, Committee, Treasurer, Secretary or Bar Manager. For the purposes of Internet Banking the Treasurer shall manage the account supported by one other nominated committee member.
24. The accounts of the Club shall be presented to members by the Treasurer at the Annual General Meeting. The accounts will be independently examined.
25. The annual subscription shall be determined each year by the Management Committee. Only members may play for the Club other than in exceptional circumstances.

General

26. Guests must be signed in. Anyone invited to the Club for sports fixtures shall automatically be received as guests..
27. The green is considered closed every morning for maintenance. The decision of a Green keeper is necessary for morning play and the decision is final.
28. Market Overton Bowls Club will not be held responsible for the loss or damage to property not held on the inventory of the Club.

29. Dogs will not be allowed in the Club, except for assistance dogs.

30. No person under the age of 18 shall be allowed to purchase or consume any intoxicating drinks on the premises of the Club.

31. Children brought into the Club must be accompanied by a responsible adult and supervised at all times.

Safeguarding Policy

32. **The Market Overton Bowls Club Safeguarding Policy adheres to National guidelines and is detailed in Annex C [page 10]**

MEMBERSHIP

33. Membership of the club shall be from 1st April to 31st March.

i) **Full members** – anyone over 18 years of age, by payment of full membership fee:–

Privileges

- a. may participate in the game of bowls
- b. vote at any meeting
- c. hold office within the Club
- d. invite guests into the Club

ii) **Junior Members** – Anyone between 12 and 18 years of age, by payment of the junior membership fee

Privileges:

- a. may participate in the game of bowls

iii) **Associate Members** – Anyone over the age of 18 years, by payment of Associate membership fee.-

Privileges:

- a. may vote on any matter not directly concerned with the game of bowls
- b. entitled to bowl on Chummy nights only on payment of a rink fee

ANNEX A - EQUALITY AND DIVERSITY POLICY

Policy Aims

The aim of this policy is to communicate the commitment of Market Overton Bowls Club (MOBC) to the promotion of equality and diversity within the Club.

It is our policy to provide equality of opportunity to all, irrespective of:

- Gender, including gender reassignment
- Marital or civil partnership status
- Having or not having dependants
- Religious belief or political opinion
- Race (including colour, nationality or ethnicity)
- Disability
- Sexual orientation
- Age

MOBC is opposed to all forms of unlawful and unfair discrimination. All Club members and volunteers who work with us will be treated fairly and will not be discriminated against on any of the above grounds.

Commitments

MOBC is committed to:

- Promoting equality of opportunity for all persons.
- Promoting an enjoyable sporting environment in which all persons are treated with respect.
- Preventing occurrences of unlawful direct discrimination, indirect discrimination, harassment and victimisation.
- Fulfilling our legal obligations under the Equality and Diversity legislation and associated codes of practice.
- Taking lawful affirmative action, where appropriate.
- Treating all breaches of this policy as misconduct which will be dealt with through the Club's normal procedures.

This policy will be made available to all Club members and those working for the Club through publication on the Club website and in writing on the notice board in the Clubhouse

Implementation

The MOBC Management Committee has a specific responsibility for the effective implementation of this policy. All our Club members are expected to abide by the policy and help create the equal opportunities environment, which is its objective.

In order to implement this policy the MOBC Management Committee shall:

- Communicate the policy widely within the Club.
- Obtain commitments from other persons or organisations such as subcontractors or agencies that they too will comply with the policy in their dealings with our Club.
- Ensure that adequate resources are made available to fulfil the objectives of the policy, e.g. provision of disability equipment.

Monitoring and Review

The effectiveness of the MOBC Equality and Diversity policy will be reviewed annually and remedial action taken as necessary. Where monitoring suggests there is an issue in relation to this policy, then the Management Committee will develop an action plan to address the issue in question.

Complaints

MOBC members who believe that they have suffered any form of discrimination, harassment or victimisation are entitled to raise the matter through the agreed Club procedures. All complaints of discrimination will be dealt with seriously, promptly and confidentially. Every effort will be made to ensure that those who make complaints will not be victimised. Any such victimisation will result in disciplinary action. **The Market Overton Bowls Club Complaints and Disciplinary Procedure is detailed in Annex B [page 6].**

ANNEX B – COMPLAINTS AND DISCIPLINARY PROCEDURE

Making a Complaint

All members have the right to complain: the Club will take all complaints seriously. No member should be harassed, bullied or put at a disadvantage because of making a complaint. The Club will treat complaints as confidentially as possible

If a member has a complaint, it is often best to start by having a conversation with a member of the Management Committee, who may be able to help to solve the problem informally.

If the complaint needs to be looked into further, the complainant will normally be asked to put the complaint in writing, providing as much detail as possible. This should be given to the Secretary. The complaint will then be investigated in accordance with the Club's Complaints and Disciplinary Procedure.

The complainant will be given the details of a person who will be their point of contact at the Club. That person will make sure that the complainant understands the process and will answer any questions or concerns that the complainant may have. The complainant will be given regular updates on the progress of the complaint.

Disciplinary Matters General

Disciplinary matters, applying to **Market Overton Bowls Club**, (hereinafter referred to as the Club), will be dealt with by Executive Committee of the Club in the first instance **followed, where necessary**, by the full Management Committee and, if appointed, a Disciplinary Committee. All members of the Club shall agree to comply fully with this code of conduct.

Disciplinary action against any Club member, including expulsion, 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 Club Secretary's judgement or Disciplinary Committee's decision.
- 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 Market Overton Bowls Club will be duly recorded and placed on file for reference at a future date.

Offences Leading to Disciplinary Action

The actions by members, noted below, may be interpreted by the Executive Committee to fall within this Code. However, the lists are not to be considered as 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 incur either a verbal warning, a written warning or both from the Executive Committee, together with a demand for full and appropriate corrective action. Examples of misconduct include: -

- Discourteous, crude or offensive behaviour at games, training sessions or organised Club events.
- Conduct of an unsafe nature.
- Reckless disregard for equipment or property.
- Refusal to carry out reasonable instructions issued by event officials or organisers.
- Any other actions of similar gravity to the above, at the discretion of the Executive Committee.

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

“Serious Misconduct” is the carrying out of an offence of such gravity that in the opinion of the Executive Committee it warrants a **Market Overton Bowls Club disciplinary hearing**. Examples of offences, which may be considered as serious misconduct, include: -

- Misconduct offences listed above, if especially grave or repeated.
- Deliberate or consistent breaches of Club rules.
- Any attempt to achieve gains or advantage over others by unfair or unscrupulous means.
- Theft or misappropriation.
- Use of threatening or abusive behaviour
- Malicious interference with equipment or property.
- Actions which show disregard for the safety of others or themselves
- Any other action which, in the opinion of the Club Officers, may bring the sport or **Market Overton Bowls Club** into disrepute, or which left unpunished, may result in the detriment of the Club or its members.

“Gross Misconduct” is action of such seriousness that the Executive Committee will require the immediate expulsion of the offender from the Club. The Executive 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 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 carried out against the Club, its members or any other party.

*Child Protection – if the matter relates to a child protection issue, follow the child protection procedures for dealing with a complaint, then follow disciplinary procedure after outcome has been reached. If in doubt contact the local social services duty team for advice on how to deal with the complaint and the offender. **The Market Overton Bowls Club Safeguarding Procedure is detailed in Annex C [page 10].***

Disciplinary Procedure

On receipt of a written complaint from either a Club member, another team within the sport, the league/match organisers or any other party, the Executive Committee, with advice from a Legal Advisor where necessary, will decide whether the complaint falls within the scope of this disciplinary code. If, in their opinion it does, then the Executive Committee will decide as to the type of offence listed above.

If the offence is considered to be one of simple misconduct, the Club Secretary, after consultation with the Executive Committee, will write to the offender with a formal written warning including the demand for an apology or other corrective action they may deem appropriate.

A disciplinary file will be opened by the Executive 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 Executive Committee's decision, in which case they may appeal directly to the Executive Committee for a final decision.

Should the complaint be considered by the Executive Committee as one of serious or gross misconduct, then the following procedure is to be implemented: -

- The Executive Committee will appoint an Investigating Officer who will research evidence presented and, if possible, will obtain further written evidence and witness statements.
- If necessary the Investigating Officer will consult all relevant witnesses for supportive evidence.
- 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). In such circumstances/instances a sworn declaration must be submitted to the Executive Committee.
- Contact the subject of the complaint to advise of the official complaint and request the member to submit a written statement of events
- In cases of disputes of a personal nature, the Executive Committee will attempt to resolve the situation amicably and to the mutual satisfaction of the parties concerned.
- If 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 Disciplinary Hearing date and ensure the parties have all relevant copies of paperwork in good time prior to the hearing.

Disciplinary Hearing

- A disciplinary committee will be appointed which will comprise:
Three members of the Management Committee
and the Club Secretary who will be responsible for administration
- The Club will nominate a member, usually the Investigating Officer, to present the case.
- All witnesses to be interviewed and all written evidence is to be reviewed at the hearing.
- No witnesses or statements are to be introduced at the hearing without prior notice and copies of all written evidence produced for consideration prior to the hearing, is to be made available in advance to all parties involved.
- The Disciplinary Committee may adjourn the hearing to allow further evidence to be referred to if it considers it fair to do so.
- After the Disciplinary Committee has reached a decision, the subject of the complaint is to 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 may apply such penalties, as it deems appropriate, including temporary or permanent expulsion of the offender from the Club; such penalties are to be implemented immediately, notwithstanding the possibility of an appeal.

The Club will, in all cases, comply with the requirements of the National guidelines and policies dealing with child protection, including immediate notification of the police where required.

Appeals

If an appeal against the decision or penalty is to be made then the offender must make written notice of that appeal to the Club Secretary, within 28 days of being notified of the decision. No appeal will be considered after that period has elapsed. The offender must give full written grounds for the appeal, stating exactly what is being appealed against and the reasons for this.

An appeal hearing will be convened as soon as practicable and will consist of an Appeal Committee made up of

a) Club Chairman, a member of the Executive or Management Committee who did not take part in the first hearing plus one other full Club member or
b) if there is any conflict of interest then the Executive/Management Committee may invite officer/s from another Bowls Club to take part

The Club Secretary will also attend any Appeal Committee and be responsible for administration..

The Appeal Committee shall have power to amend or revoke any decision made at the previous disciplinary hearing.

The decision of the Appeal Committee is final and binding on the parties and not subject to further appeal.

ANNEX C - SAFEGUARDING POLICY

PART A: CHILD PROTECTION

This policy sets out the standards that Market Overton Bowls Club (MOBC) wishes to uphold in providing activities for Young People and Adults at Risk and safeguarding their welfare whilst in our care.

Policy Statement

MOBC acknowledges its duty of care to safeguard the welfare of all young people (defined as those under 18) involved in bowls within the Club. All young people have a right to protection and to have their particular needs taken into account.

MOBC will therefore endeavour to ensure the safety and protection of all young people involved with the Club through the Child Protection guidelines adopted by the Management Committee of the Club. It is the responsibility of all adults within the Club to assist the Management Committee in this endeavour.

Policy Aims

- To provide young people with appropriate safety and protection whilst in the care of the Club and also to help them enjoy their experience of the sport of bowls.
- To reassure parents that their children will receive the best practicable care possible while participating in activities within the Club.
- To provide support to Club members to make informed and confident responses to specific child protection issues and to fulfil their role effectively.

Principles

- The welfare of young people is paramount
- All young people, whatever their age, culture, disability, gender, language, ethnic origin or religious beliefs, have the right to protection from abuse.

Types of abuse may include:

- physical, emotional or sexual abuse
- grooming and exploitation
- bullying or cyber-bullying
- name-calling and threats
- physical harm when engaging in physical activity without adequate supervision

Photography

- Photographs of children (under 18) may not be taken without the explicit written permission of the child's parent or guardian.
- Photographs of children may not be published or stored in any form without the explicit written permission of the child's parent or guardian.

Implementation

- All suspicions and allegations of abuse and poor practice will be taken seriously and responded to swiftly and appropriately.
- All members of the Club have a responsibility to report concerns to the Safeguarding Officer.
- All adults in the Club have a role in the duty of care and protection of young people in the Club and should remain alert and aware of possible safeguarding risks to children.
- MOBC will work in partnership with young people and parents to review and implement child protection and safeguarding procedures.

Legislation

- MOBC's policy and procedures are based on the above principles, together with UK and international legislation and government guidelines, including:
The Children's Act 1989 and 2004
Working Together to Safeguard Children 2015
The UN Convention on the Rights of the Child

Any subsequent legislation relating to child protection will implicitly be incorporated into this document.

Responsibilities and Communication

- MOBC Child Protection Policy will be available to all members, parents and participants, on the Club's website and on the notice board in the Clubhouse.
- The Policy will be reviewed every three years by the Management Committee and amended as appropriate.
- The Management Committee has responsibility for ensuring that the policy and procedures are implemented, including referring any disciplinary action to the authorities (Police, Social Services) if appropriate.
- The Safeguarding Officer has responsibility for responding to any allegations, concern or child protection incidents, passing information to the authorities where relevant.
- Parents have a responsibility to work together with the Club in implementing procedure and providing their children with the necessary information to ensure their safety.

PART B: ADULTS AT RISK

Policy Aims

- The purpose of this policy is to outline the duty and responsibility of members at MOBC in relation to Safeguarding Adults at Risk.
- All adults have the right to be safe from harm and must be able to live free from fear of abuse, neglect and exploitation.

Objectives

- Everyone who participates in bowls is entitled to do so in a safe and enjoyable environment.
- MOBC is committed to helping everyone in bowls to accept their responsibility to safeguard adults at risk from harm and abuse.
- All suspicions and allegations of abuse and poor practice will be taken seriously and responded to swiftly and appropriately.

- Members working with adults at risk in bowls have a responsibility to report concerns to the Safeguarding Officer.

Definition of an Adult at Risk:

- An Adult (a person aged 18 or over) who “is or may be in need of community care services by reason of mental or other disability, age or illness, and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation”. (Definition from the Department of Health 2002).
- This could include people with learning disabilities, mental health problems, older people and people with a physical disability or impairment. It may include victims of domestic abuse, hate crime or anti-social behaviour.
- The person's need for additional support to protect themselves may be increased when complicated by additional factors such as physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems, social or emotional problems, poverty or homelessness.
- **Types of Abuse**
 - Physical abuse
 - Sexual abuse
 - Psychological abuse
 - Neglect and acts of omission
 - Discriminatory abuse
 - Financial or material abuse

Responsibilities and Communication

- MOBC Safeguarding (Adults at Risk) Policy will be available to all members, parents and participants, on the Club's website and on the board in the Clubhouse.
- The Policy will be reviewed every three years by the Management Committee and amended as appropriate.
- The Management Committee has responsibility for ensuring that the policy and procedure are implemented, including referring any disciplinary action to the authorities (Police, Social Services) if appropriate.

Role of Key Individual Agencies

- Adult Social Services: The Department of Health's "No Secrets" guidance document requires that authorities develop a local framework within which all responsible work together to ensure a coherent policy for the protection of vulnerable adults at risk of abuse, overseen by the Safeguarding Adults Board.
- The Police: The Police play a vital role in Safeguarding Adults with cases involving alleged criminal acts. It becomes the responsibility of the police to investigate allegations of crime.

Legislation

The Government guidance "No Secrets", published in 2000

The Care Act (2014) which came into force from April 2015

Human Rights Act 1998, the Mental Capacity Act 2005 and Public Interest

Disclosure Act 1998

Data Protection Act 1998, Freedom of Information Act 2000, Safeguarding

Vulnerable Groups Act 2006, Deprivation of Liberty Safeguards Code of Practice 2008