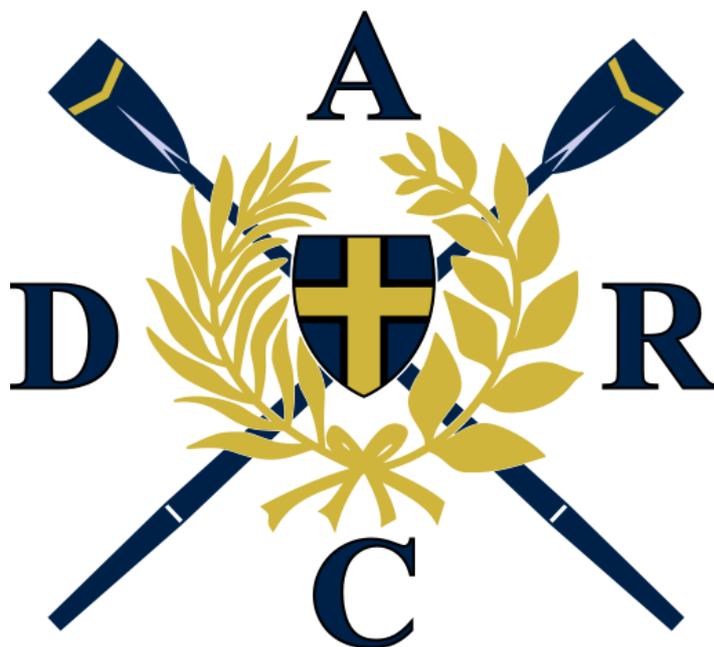


# **Durham Amateur Rowing Club 1860 Limited**

(Established by General Meeting 5th December 1860 and incorporated as Durham Amateur Rowing Club 1860 Limited (Company no. 12532589), a Company limited by guarantee in March 2020 and registered as Charity no.1196614)

## **Rules and Bye-Laws of the Club**



### **CONSTITUTION**

Durham Amateur Rowing Club (“The Club”) is incorporated as a company limited by guarantee, Durham Amateur Rowing Club 1860 Limited (Company no. 12532589) and is a registered charity (no. 1196614).

The Articles of Association of Durham Amateur Rowing Club 1860 are available for viewing and download on the Club’s website.

Members are referred particularly to:

Section 4 The objects of the Club; s3 Liability of members; s5 Affiliation to British Rowing; s6 Powers; ss11-13 Membership; ss14-21 General Meetings; ss22-32 Directors (Trustees); s37 Rules

# **RULES**

## **1 CONDUCT & DISCIPLINE**

- 1.1 All members shall abide by the rules, bye-laws, regulations and code of conduct of the Club and of British Rowing, the National governing body for the sport of rowing.
- 1.2 Members breaching Rules or Bye-Laws may be subject to disciplinary procedures as set out in the current British Rowing Guidelines on Grievance and Disciplinary Procedures and the Club's current Code of Conduct and Disciplinary procedures.
- 1.3 If the conduct and behaviour of a member is such as to endanger the health, safety, or well-being of other people present, the senior Club officer, or manager, in attendance may temporarily suspend the member and require that the member absent themselves from Club premises until such time as any further disciplinary procedures are completed

## **2 GRIEVANCE**

- 2.1 An individual or a member with a complaint about treatment by the Club should set out and submit their grievance in line with the Club Grievance & Disciplinary Procedure. The Club will seek to deal with complaints in a fair and timely manner, with reference to British Rowing Guidelines on Grievance and Disciplinary Procedures in Rowing and the Club Code of Conduct and Grievance and Discipline Procedures.

## **3 MEMBERSHIP**

- 3.1 That Membership is open to anyone who is interested in the sport of rowing, subject to the Rules and Bye-Laws of the Club.
- 3.2 A person who has been expelled from, or refused membership of, British Rowing shall not be eligible for membership.
- 3.3 That membership shall consist of the classes of membership as set out in the Club's Bye-Laws (Section 13).
- 3.4 That Life, Senior-Racing, Senior-Non racing, Senior-Improver, Corporate and Senior-Junior members who have reached the age of 15, shall be granted the right to vote at General Meetings after continuous membership of the Club for one year.
- 3.5 Applicants for membership shall complete an online application form which will include a declaration to satisfy current health and safety requirements and pay a joining fee (currently £30).
- 3.6 The power of election to the Club rests with the Board of Directors (Trustees). If it is considered by the Directors that the granting or renewal of membership would be detrimental to the aims and objectives of the Club, by virtue of conduct or character likely to bring the Club or the sport of rowing into disrepute or for some other good cause, the Club shall be entitled to refuse or withdraw such membership. In doing so the Directors shall provide full reasons for their decision and grant a right of appeal to the member.
  - 3.6.1 Membership appeals are to be received by the Club Secretary within 14 days of the outcome notification being sent.

3.6.2 In the event that an appeal against the decision on membership is unsuccessful, a further application will not normally be considered by the Club for a period of three years after the conclusion of the appeal.

3.7 That another organisation may have use of the Club facilities and equipment by holding a Corporate Membership. The organisation will pay an annual fee based on the number of its members using the Club's facilities and equipment. The fee will be set by the Directors to reflect the Senior member subscription level.

3.8 The Directors shall propose the value of subscriptions to be levied for the ensuing year and after discussion at the Annual General Meeting the final rates shall be confirmed by the directors in line with the company articles. Members will be required to pay the relevant subscription in monthly instalments by Direct Debit.

3.9 The Directors will keep subscriptions at levels that will not pose a significant obstacle to people participating.

3.10 Members wishing to resign must give notice to the Club in writing or by email. Membership will cease at the next (monthly) membership fee renewal date after receipt by the Club of the notice.

## GOVERNANCE

### 4 GENERAL MEETINGS

4.1 That the Annual General Meeting (AGM) of the Club shall be held in accordance with the Articles of Association.

4.2 The Annual General Meeting will in accordance with the Articles of Association elect directors, who will also normally hold the office of Trustee. Directors include the Chairman, Secretary, Treasurer, Captain and up to three additional directors. The normal term of office for directors elected by the AGM is two years prior to re-appointment. (See Articles for limits on re-appointment).

4.3 The Annual General Meeting will elect the President of the Club. The normal term of office for the President is one year, prior to reappointment. At each subsequent annual general meeting the President must retire from office but may be reappointed (There are no limits on the re-appointment of the President)

4.4 The Annual General Meeting will elect the Vice-Presidents from amongst the senior membership.

4.5 The Annual General Meeting may appoint members to such other positions as the directors deem necessary or desirable to run the Club effectively. Such additional appointees may be requested to assist the directors by serving on executive committees as authorised by the directors. Such positions include:

4.5.1 Senior Vice Captain, Masters Vice Captain, Junior-Co-ordinator, Coaching-Co-ordinator, Safety Advisor, Welfare Officer, Regatta Secretary, Boat Warden, Press

Officer and members of the Club.

- 4.6 The normal term of office prior to re-appointment for these officers (4.4 & 4.5) is one year.
- 4.7 At each subsequent annual general meeting these officers (4.4 & 4.5) must retire from office but may be reappointed subject to the condition that no person may be reappointed more than four times consecutively to the same office.
- 4.8 Officers appointed at the Annual General Meeting shall take office at the conclusion of the meeting.
- 4.9 Only members who are entitled to vote at General Meetings may hold office.
- 4.10 The Annual General Meeting may confer Life Memberships.
- 4.11 That, subject to the Articles of Association (s14), Special General Meetings be held as often as required.

## 5 MANAGEMENT OF THE CLUB

- 5.1 The Directors may appoint committees to carry out routine management, organisation and governance of the Club's affairs subject always to the approval of the Directors. (A model committee structure is shown below)
- 5.2 The Chairman shall be an ex-officio voting member of all committees.
- 5.3 The Directors may appoint the General Manager or other staff as ex-officio, non-voting, members of committees.
- 5.4 Power to co-opt additional members is extended to the membership of these committees.
- 5.5 In the case of a casual vacancy among a committee, the committee shall be entitled to appoint another eligible person to act until the next AGM.

### QUORUM

- 5.6 The quorum for all committee or sub-committee meetings shall be the whole number (integer) nearest to one third of the committee's voting membership plus one.
- 5.7 The Directors may delegate authority to the committees to sanction expenditure within prescribed limits.
- 5.8 That Committee Meetings be held as often as required and that at least two days' notice of meeting shall be given to each committee member.
- 5.9 That the designated chair of a committee shall preside at the committee meeting but if he shall not be present within fifteen minutes after the time appointed for the meeting or has signified his inability to be present at the meeting the members present shall choose one of their number to chair the meeting.

- 5.10 That Committees make and preserve minutes of decisions made and actions taken and report these regularly to the Directors through the Secretary.
- 5.11 That the Directors shall ensure that adequate and appropriate insurance is in place to cover all the activities of the Club, its directors and members.
- 5.12 At the first meeting of each year the appropriate Committee(s) should make such appointments and co-options as are deemed necessary and appoint such Club representatives as are required by other bodies associated with or affiliated to the Club. (To include Durham Regatta and Northern Rowing Council).

## MODEL COMMITTEE STRUCTURE

**Rowing & Coaching Committee**, chaired by the Captain with basic membership of Senior Vice-Captain, Masters Vice-Captain, Treasurer, Junior Co-ordinator, Coach (co-ordinator), and one member of the Club appointed by the AGM.

*Terms of reference* for this committee would normally include responsibility for rowing; coaching; competitions; maintenance of, and advice on purchase of rowing equipment

**Operations and Management Committee**, chaired by the Chairman, with basic membership of President, Treasurer, Secretary, General Manager, Facilities Manager and one member of the Club appointed by the AGM.

*Terms of reference* for this committee would normally include responsibility for monitoring day to day management, financial control, setting and monitoring of budgets, infrastructure, planning, membership

**Communication and Liaison Committee**, chaired by the Secretary, with basic membership of Communications officer and one member of the Club appointed by the AGM.

*Terms of reference* for this committee would normally include responsibility for communication with members, media and public relations, fund-raising initiatives

## OFFICERS of the CLUB

Club officers include, but are not limited to:

President, Vice-President, Captain, Vice-Captain, Chairman, Secretary, Treasurer, Director (Trustee), General Manager, Facilities Manager, Safety Advisor, Coaching Co-ordinator, Junior Co-ordinator, Boat Warden, Welfare Officer, Coach

## 6 FINANCE

- 6.1 That no expenditure on behalf of the Club will be defrayed from the Club funds unless sanctioned by the Directors or an authorised committee or authorised employee
- 6.2 That any account opened in the name of the Club must be under the signatures of the Treasurer and at least one other Director, normally the Chairman.
- 6.3 That the Treasurer shall receive all money due to the Club and shall keep account of all the sums received and shall be responsible for all payments made on behalf of the Club, subject to the Rules of the Club and the approval of the Directors.

6.4 That the Treasurer shall be responsible for preparing and presenting to the Annual General Meeting an Annual Statement of Income and Expenditure and Balance Sheet which have been examined by the Auditor or Examiner appointed by the Club.

6.5 That aspects of the Treasurer's duties may be delegated to members of staff as agreed by the Directors, normally via a scheme of delegation

6.6 The Club may in connection with the sports purposes of the Club:

6.6.1 sell and supply food, drink and related sports clothing and equipment

6.6.2 employ members (though not for playing) and remunerate them for providing goods and services, as permitted by the Articles of Association

## 7 EQUAL OPPORTUNITIES

7.1 The Club is fully committed to the principles of equality of opportunity and is responsible for ensuring that no member, volunteer, employee or job applicant receives less favourable treatment on the grounds of age, gender, disability, race, ethnic origin, nationality, colour, parental or marital status, pregnancy, religious belief, social status, sexual orientation or political belief

## 8 HEALTH AND SAFETY

8.1 The Club, normally on the advice of the Rowing and Coaching Committee, will appoint a member to act as Safety Advisor whose duty is to understand the requirements of British Rowing as set out in their safety documentation, including Rowsafe, and advise on their prominent display, their observation and their implementation.

8.2 That members should be familiar with British Rowing guidance set out in Rowsafe and other BR safety documentation

8.3 That members should accept and act on advice given by the Safety Advisor.

## 9 CHILDREN and VULNERABLE ADULTS.

9.1 The Club accepts the Policy and Procedures relating to Safeguarding and Protecting Children and Vulnerable Adults as set out by British Rowing and requires all members to accept them as a condition of membership.

9.2 The Club shall appoint a Junior Co-ordinator to be responsible for the Club's Juniors on a day to day basis.

9.3 The Club shall appoint a separate suitably qualified Welfare Officer to whom concerns or allegations regarding inappropriate treatment of juniors and vulnerable adults may be made. It is their duty to understand the requirements of the British Rowing Safeguarding & Protecting Children and Vulnerable Adults Procedures and Policies and to act on them as necessary. They must also ensure that there is a clearly established reporting procedure and that parents and children have access to relevant information.

## 10 GENERAL

- 10.1 That all trophies won by a crew shall, if capable of fair division, be their own property but if incapable of division (as where a single cup or other article constitutes the prize) such trophy to be the property of the Club.
- 10.2 That the Club will not allow members to accept Challenge Trophies won by crews at competitions. These trophies to remain with the appropriate competitions.
- 10.3 That any financial prize or sponsorship shall be the property of the Club other than personal sponsorship sanctioned by the Directors.
- 10.4 That any member who wilfully or by negligence damages any boat or other property belonging to the Club may be charged with the cost of repair.
- 10.5 That private boats may, by leave of the Directors, be kept in the Boathouses.
  - 10.5.1 Such boats are left at their owners' risk
  - 10.5.2 Storage fees as determined by the Directors must be paid by direct debit alongside membership subscriptions.
  - 10.5.3 Failure to pay such fees may result in removal of the boats from the Boathouses.
  - 10.5.4 Members must hold comprehensive insurance for their boats. A copy of the certificate should be supplied to the Club on request.
- 10.6 That any member's property left in the Club premises is left at that owner's risk. The Club accepts no responsibility for any loss or damage.

## 11 SOCIAL FACILITIES

- 11.1 That the Club will seek to hold a Full Premises License in accordance with Licensing legislation.
- 11.2 Any regulations necessary to conform to the Licensing Acts shall be deemed to be embodied within the Club Rules.

## 12 POWERS of DECISION RELATING TO RULES AND BYE-LAWS

- 12.1 That the Directors shall have power to frame Rules and Bye-laws which shall be deemed to have equal force and authority as if incorporated in these Rules.
- 12.2 Any matter not provided for in these Rules and Bye-Laws, or any question over the interpretation of such matter shall be determined by the Directors whose decision shall be final.
- 12.3 With the exception of minor corrections or updating of details, Rules and Bye - laws shall not be altered, amended or rescinded except by a General Meeting of the Club.
  - 12.3.1 That any member wishing to propose any alteration or addition to the Rules and Bye-laws of the Club shall give notice in writing to the Secretary who shall bring such notice to the attention of members by appropriate means and shall then call a Special General Meeting to consider the same.
  - 12.3.2 A resolution to give effect to a change in Rules or Bye-Laws must be passed by at least 75% of the members present at the General Meeting, and voting on this

behalf.

### 13 DISPLAY

- 13.1 That a copy of the current Club Rules and Bye-Laws be displayed at all times on the Club Website or equivalent location. Members are entitled to a personal copy on request.

## BYE-LAWS

### 1 MEMBERSHIP

Any person in arrears with monthly Direct Debit membership payments is not entitled to use any of the Club's facilities and equipment

### 2 BOAT ALLOCATION

That a crew chosen to compete in any boat race shall so far as is possible be allotted by the Rowing and Coaching Committee a boat for use during training.

### 3 REGATTA ENTRIES

That any member wishing to compete at a Regatta or Head must provide full details to a member of the Rowing and Coaching Committee together with full entry fee and any trailerage fee. No entry will be submitted until full payment is received.

### 4 CAPTAIN OF A CREW

That each crew shall choose its own Captain but in default of such choice the stroke oar shall be the Captain for the time being.

### 5 UPSTREAM LIMIT

That no boats be taken past the Maiden Castle landing stage. Members in breach of this Bye Law may be held liable for any damage to equipment and may be subject to discipline under the Rules of the Club

### 6 HOUSING BOATS

That every Member on landing from a Club boat shall be bound to assist in housing such boat and oars and in so doing shall follow the directions of the Captain or other officer present. Members should close and bolt the boat bay doors after racking boats and oars.

### 7 TRAINING OUTINGS

That all outings must be recorded in advance using the designated (currently on-line) boat booking system

### 8 OPENING OF BOATHOUSES

8.1 Boathouse keys, fobs or similar items may be issued on payment of a deposit (currently £20.00) at the discretion of the Directors. Such items remain the property of the Club.

8.2 No member or crew shall leave the Boathouses unattended or unsecured when going out training or on the river. Any breach of this bye-law 8.2 may render the member or crew liable for any loss or damage and to discipline under the Rules of the Club.

### 9 USE OF EQUIPMENT BY MEMBERS AGED UNDER 18

The use of any Club equipment by a member of the Club, including Corporate Members, under the age of 18 years is prohibited unless with the express permission and supervision of an authorised representative of the Club. A breach of this bye-law (9) may result in the expulsion from the Club of the Member or Corporate Member.

### 10 RESPONSIBILITY OF CREW CAPTAIN

That the Crew Captain shall be responsible for the reporting of any loss or damage to boats or other equipment and the recording of such loss or damage in the manner required by the Club (currently a book provided in the boathouse or the on-line system)

## 11 CREW RACING KIT

That official matching Club rowing colours and clothing shall be worn at all competitions and in all races. Failure to comply with this bye-law may result in a fine of £10.00. Members should note that regatta umpires may disqualify a sculler or crew if they are not wearing the correct and matching Club colours.

## 12 ATTENDING AWAY EVENTS OR TRAINING, CARRIAGE OF BOATS & USE OF CLUB VEHICLES

- 12.1 That the Club shall seek to provide and maintain boat trailers and assist with the fitting of towing equipment to approved cars at the discretion of the Directors.
- 12.2 The Club may assist with obtaining the necessary licenses to drive a Club vehicle.
- 12.3 Any member shall be deemed a Club employee when driving a Club vehicle or towing the Club's trailers. Persons shall not be employed or paid specifically to drive vehicles or tow trailers for payment other than that of appropriate expenses, or as an incidental part of their normal employment.
- 12.4 Members using the boat trailers or vehicles will be charged a fee for boat transport or use in addition to the race entry fee, such fees will be set to cover reasonable costs and will not be profit making. Such fee to be paid in full along with the race entry fee at the time the entry is submitted.
- 12.5 Members must de-rig and load boats at the time suggested by the Club Captain or other Club officer. Similarly they must assist in unloading the trailer and re-assembling the boats within 48 hours of the unloading. Failure to comply and re-assemble the boats within 48 hours may result in a fine of £10 to each member concerned.

## 13 CLASSES OF MEMBERSHIP

- 13.1 **Life**  
Life members shall have the same rights as Senior-Racing members
- 13.2 **Senior Racing**
- 13.3 **Senior Non-Racing**  
Members who have opted to pay Senior Non-Racing subscription are only permitted to use the Club's Rowing and Training Equipment between the hours of 9am and 4pm on week days or at other times which have been agreed with the Club Captain. Equipment available to these members will be determined by the Rowing and Coaching committee.
- 13.4 **Senior – Junior**  
Members who have reached the age of 15 on 1<sup>st</sup> September and wish to compete or wish to be eligible for voting rights.
- 13.5 **Junior**  
Aged under 14 on the 1<sup>st</sup> September.
- 13.6 **Senior Improver**  
For those currently in the improvers section, normally for those who have recently graduated from learn to row.
- 13.7 **Junior Improver**  
For those aged under 18 who are currently in the junior improvers section, normally for those who have recently graduated from learn to row or who wish to row at a recreational level only.
- 13.8 **Associate**
  - 13.8.1 Non-rowing, use of the Club's land training or social facilities only.
  - 13.8.2 Nonrowing, use of the landing stage.
- 13.9 **Family Membership**

Where one or more adults is a Senior Member together with partner and/or children in full time education the family may opt to pay Family Membership

13.10 **Friends**

Those who have rendered service to the Club as volunteers or otherwise may be appointed Honorary Friends by the Directors.

13.11 **Corporate Membership**

Corporate Membership confers on an organisation a single membership equivalent to that of one Senior member with a single vote (subject to the qualifying period).

13.12 **Temporary membership**

Any other class of temporary membership as the Directors may from time to time designate.