

ECB CLUBMARK CLUB CONSTITUTION

1. Name

The name of the Club is Little Baddow Cricket Club.

2. Club Purposes

The main purposes of the Club are to provide facilities for and to promote participation in the sport of cricket.

3. Affiliation

- 3.1 The Club is affiliated to the England and Wales Cricket Board through the Essex County Cricket Board.
- 3.2 The Club and its members shall ensure that members, playing and non-playing, abide by the ECB Code of Conduct which incorporates the Spirit of Cricket and by the Laws of Cricket.
- 3.3 The Club shall adopt and implement the ECB Safe Hands – Cricket's Policy for Safeguarding Children and any future versions of the policy. The Club must also have a separate club safeguarding Policy Statement, as required by the ECB.
- 3.4 The Club shall adopt and implement the ECB Anti-Discrimination Code of Conduct and any future versions of this policy.

4. Membership

- 4.1 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 cricket.
- 4.2 The Club may have different classes of membership and subscription on a non discriminatory and fair basis. The Club will have an equitable pricing policy and will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- 4.3 The level of subscriptions will be decided by the Committee from time to time and notified to the members.
- 4.4 The Club will have the following classes of membership:
 - 4.4.1 Full member- playing
 - 4.4.2 Junior member (under the age of 18).

- 4.4.3 All Full members shall automatically be members of the Little Baddow Sports Club (LBSC) and shall also be bound by its Constitution, rules and Codes of Conduct.
- 4.5 Application for membership of the Club shall be by completion of a membership application form.
- 4.6 No person shall be eligible to take part in the business of the Club, vote at general meetings or be eligible for selection for any Club team unless the applicable subscription has been paid by the due date and/or membership has been agreed by the Committee.
- 4.7 The Committee may refuse membership, or remove it, at their discretion but only for good cause such as conduct or character likely to bring the Club or cricket into disrepute and:
- 4.7.1 The Committee may only refuse to admit a new member if a resolution is passed at a meeting where the person in question has been notified in writing in advance and been given 14 days to submit written representations for the Committee to consider at the meeting. Appeal against a refusal of membership shall be to the Appeals Committee as detailed below.
- 4.7.2 The procedure for taking disciplinary action against a member, including removing membership, is dealt with in more detail below.
- 4.8 All members will be subject to these Rules and by joining the Club will be deemed to accept these Rules, any Club Regulations and any Codes of Conduct that the Club has adopted. A Code of Conduct for Members and Guests must be displayed prominently to ensure that all Club guests and non-member volunteers are aware of the code and the requirement to abide by it.
- 4.9 The Secretary will keep a register of members.
- 4.10 Membership is not transferable and shall cease on death.
- 4.11 A member may resign by written notice to the Club, but the return of any subscription paid is at the discretion of the Committee.

5. All General Meetings

- 5.1 All members may attend all general meetings of the Club in person.
- 5.2 All members over the age of 18 have one vote.
- 5.3 Members must be given at least 14 clear days written notice of all general meetings.
- 5.4 The quorum for all general meetings is 12 members present or 30% of the total membership whichever is greater.
- 5.5 If a quorum is not present within 15 minutes of the start of the meeting, the meeting will be adjourned to the following week at the same time and place or such other time and place as the Committee decide and any voting members attending the adjourned meeting will constitute a quorum.

- 5.6 The Chair or (in his or her absence) another member chosen at the meeting by the members shall preside.
- 5.7 Except as otherwise provided in these Rules or in Club Regulations every resolution shall be decided by a simple majority of the votes cast on a show of hands.
- 5.8 Formalities in connection with general meetings (such as how to put down resolutions and nominate candidates for election to the Committee) shall be decided by the Committee in Club Regulations and publicised to Club members.

6. Annual General Meetings

The Club will hold an AGM once in every calendar year and not more than 15 months after the last AGM. The club's financial year will be from 1 November to 31 October. At least 28 days' notice of the AGM shall be given in writing to all club members accompanied by the agenda and papers signifying what items are to be discussed. The quorum at the AGM will be 20% of paying members.

At every AGM:

- 6.1.1 the members will elect a Committee including a Chair, Treasurer and Secretary ("the Officers") to serve until the next AGM.
- 6.1.2 the Treasurer will produce accounts of the Club for the latest financial year audited as the Committee shall decide;
- 6.1.3 the Chair will present a report on the Club's activities since the previous AGM;
- 6.1.4 the level of annual subscriptions will be decided;
- 6.1.5 any notified amendments to the Constitution will be discussed;
- 6.1.6 the members will appoint a suitable person to audit the accounts;
- 6.1.7 the members will discuss and vote on any resolution (whether about policy or to change the Rules) and deal with any other business put to the meeting;
- 6.1.8 all members of the Committee shall retire but shall be eligible for re-election. Any two members may propose any other candidate or candidates. All nominations can only be made in writing to the secretary at least 21 days before the date of the meeting so that they may be notified in writing to all members at least 14 days before the date of the meeting. If no nominations for a position are made in advance, then nominations for that position will be accepted at the meeting.

7. Extraordinary General Meetings (EGM)

An EGM shall be called by the Secretary within 14 days of a request to that effect from the Committee or on the written request of not less than 10 members signed by them. Such EGM shall be held on not less than 14 nor more than 21 days' notice at a place decided upon by the Committee or in default by the Chair. The quorum at the EGM will be 20% of paying members.

8. The Committee

8.1 Role

Subject to these Rules the Committee shall have responsibility for the management of the Club, its funds, property and affairs.

8.2 Property, etc.

8.2.1 The property and funds of the Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and all surplus income or profits are to be re-invested in the Club. No surpluses or assets will be distributed to members or third parties.

8.2.2 The Committee shall ensure that they take practical steps to comply with legislation relating to both The Equality Act 2010 and the safeguarding of children and vulnerable adults.

8.3 Composition, etc.

8.3.1 The Committee shall consist of at least six and not more than twelve members (including Officers and the Club Safeguarding Officer). The quorum at all meetings shall be no less than six people.

8.3.2 The Committee positions (apart from those referred to above) include all team Captains, Fixture Secretary, Colts Manager, Social Secretary and at least one other playing member.

8.3.3 The Committee shall appoint two of its members to represent the Club on the committee of the LBSC. The Committee will appoint a Bar Manager. If the appointee is not a member of the Committee, then he or she will be co-opted to the Committee.

8.3.4 The Committee will appoint the President, Vice Presidents and Honorary Vice Presidents of the Club.

8.3.5 At least three of the Committee must be unrelated to each other and not co-habiting.

8.3.6 The Committee shall be elected by the members at the Annual General Meeting as detailed in clause 6.

8.3.7 The Committee members shall consider skills needed and diversity on the Committee.

8.3.8 The Committee may co-opt Club members (up to the maximum permitted number) to fill a vacancy or as an additional Committee member to serve until the end of the next AGM.

8.3.9 Any Committee member may be re-elected without limit. The Committee may agree a process, for nominating and electing Committee members at the AGM.

8.3.10 A Committee member ceases to be such if they:

- (a) cease to be a member of the Club; or
- (b) resign by written notice to the Club; or
- (c) are removed by the Committee in accordance with clause 4.7 and 9.

8.4 Committee Meetings

8.4.1 Whenever a Committee member has a personal interest in a matter to be discussed he/she must declare it, withdraw from that part of the meeting (unless asked to stay), not be counted in the quorum for that agenda item and withdraw during the vote and have no vote on the matter concerned. Conflicts of Interest must be recorded and minuted.

8.4.2 The Committee shall meet at least four times each year. The Committee may decide its own way of operating. Unless it otherwise resolves the following rules apply:

- (a) at least six Committee members must be present for the meeting to be valid;
- (b) Committee meetings may be held either in person or by telephone, televisual or other electronic or virtual means agreed by the Committee in which all participants may communicate simultaneously with all other participants;
- (c) the Chair or whoever else those present choose shall chair meetings;
- (d) decisions shall be by simple majority of those voting;
- (e) a resolution in writing signed by every Committee member shall be valid without a meeting; and
- (f) the chair of the meeting shall not have a casting vote.

8.4.3 The Committee shall appoint a Club Safeguarding Officer to ensure compliance with safeguarding legislation and the ECB Safe Hands policy. The Club Safeguarding Officer shall be a Committee member and report to relevant Committee meetings and the reports, together with any action taken, must be minuted.

8.5 Bank Account

Any bank account in which any part of the Club's funds are deposited shall be operated by the Committee and shall be held in the name of the Club. Unless regulations state otherwise, all cheques and orders for payment of money from such accounts must be signed by at least two people authorised by the Committee, including at least one Committee member. Subject to the approval of the Committee, the Treasurer alone may make payments from the Club's account without the need for a second signatory.

8.6 Delegation, etc.

The Committee may delegate any of their functions to sub-committees but must specify the scope of its activity and powers; the extent to which it can commit the funds of the Club; its membership; its duty to report back to the Committee. The Committee may wind up any sub-committee at any time or change its mandate and operating terms.

8.7 Disclosure

Annual Club reports and statements of account must be made available for inspection by any member and all club records may be inspected by any Committee member.

9. Removal of Membership, Discipline and Appeals

9.1 Any complaints regarding the behaviour of members, guests or volunteers should be lodged in writing with the Secretary.

9.2 Any person that is the subject of a written complaint or appeal shall be notified of the procedures to be followed by the relevant committee in reasonable time to prepare for any hearing.

9.3 The Committee shall appoint a disciplinary sub-committee (Disciplinary Sub-Committee) who will meet to hear complaints within 21 days of a complaint being lodged. Any person requested to attend a Disciplinary Sub-Committee shall be entitled to be accompanied by a friend or other representative and to call witnesses. The Disciplinary Sub-Committee has the power to take appropriate disciplinary action on behalf of the Committee, including the termination of membership or exclusion from Club premises.

9.4 The outcome of the disciplinary hearing shall be put in writing to the person who lodged the complaint and the person against whom the complaint was made within 14 days following the hearing.

9.5 There shall be a right of appeal within 14 days of receipt of the disciplinary decision or decision to refuse membership:

9.5.1 against the Disciplinary Sub-Committee's findings or the sanction imposed or both; and

9.5.2 against the Committee's refusal to admit a new member

in either case, the Committee shall appoint an appeals committee ("Appeals Committee"). The Appeals Committee shall have a maximum of three members which shall not include members involved with the initial disciplinary hearing but may include non-members of the Club. The Appeals Committee shall consider the appeal within 21 days of the Secretary receiving the appeal. The individual who submitted the appeal shall be entitled to be accompanied by a friend or other representative and to call witnesses. The decision of the Appeals Committee shall be final and binding on all parties.

10. Club Regulations

The Committee may make Club Regulations consistent with these Rules and will publicise these to the members.

11. Notices

11.1 Notices to be sent out in accordance with these Rules may be sent by hand, by post or by suitable electronic means and will be treated as being received:

11.1.1 24 hours after being sent by electronic means or delivered by hand to the relevant address;

11.1.2 Two clear days after being sent by first class post; or

11.1.3 Three clear days after being sent by second class post.

11.2 Notice of all general meetings must also be put on the Club's notice board and website (if any).

11.3 A technical defect in the giving of notice of which the members or the Committee are unaware at the time does not invalidate decisions taken at a meeting.

12. Amendments

12.1 These Rules may be amended at a general meeting by resolution passed by two-thirds of the votes cast.

12.2 The Club Purposes may be changed to include another eligible sport if the Committee unanimously agree and the members also agreed the change by a 75% majority of votes cast.

13. Winding Up the Club

13.1 The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.

13.2 The Committee will then be responsible for the orderly winding up of the Club's affairs. After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining by dividing them equally between those members entitled to vote at general meetings of the Club on the date the resolution to wind up the Club was passed.

Adopted at an EGM meeting held online

on 01/03/2023

Signed

NameC Tuttlebee... (Chair).....

Agreed and adopted by Little Baddow CC's committee