



**Adopted on the 30<sup>th</sup> day of March 2011**

## **1. NAME**

The name of the organisation will be Mitcham Park Juniors Football Club; and will hereafter be the Club within this document referred to as 'The Club'. Within Mitcham Park Juniors Football Club, there will also be an Executive Committee. All decisions reached by the Management Committee to do with the day- to- day running of the Club will be final following the approval of The Executive Committee.

## **2. ADMINISTRATION**

Subject to the matters set out below the Club and its property shall be administered and managed in accordance with this constitution by the members of the Management Committee, constituted by clause (14) of this Constitution ("STRUCTURE OF THE MANAGEMENT COMMITTEE").

## **3. AIMS/OBJECTIVES**

The Club's aims/objectives are:

To provide all sections in the community with facilities for recreation or other leisure time occupation in the interest of social welfare with the objective of improving the lives of such persons within our community.

## **4. AREA**

The geographical catchment area of the Club shall be the London Borough of Merton, and its surrounding areas.

## **5. POWERS**

In furtherance of the aims/objectives the club shall form a Management Committee, which will be responsible for the overall management of the Club. The Management Committee may exercise the following powers:

- Power to raise funds and to invite and receive contributions provided that in raising funds the Management Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law.
- To promote the game of amateur football.
- Power to buy, take on lease or in exchange any property necessary for the achievement of the objectives and to maintain and equip it for use.
- Power subject to any consent required by law to sell, lease or dispose of all or any part of the property of the Club;
- Power subject to any consents required by law to borrow money and to charge all or any part of the property of the Club with repayment of the money so borrowed;
- Power to employ such staff (who shall not be members of the Management Committee) as are necessary for the proper pursuit of the aims/objectives and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependants;
- Power to co-operate with other clubs, voluntary bodies and statutory authorities operating in furtherance of the objectives or of similar purposes and to exchange information and advice with them;
- Power to establish or support any other clubs formed for all or any of the objectives.
- Power to appoint and constitute such advisory committees as the Management Committee may think fit;
- Power to do all such other lawful things as is necessary for the achievement of the Club's objectives.

## 6. STATUS OF RULES

These rules (the Club's rules) form a binding agreement between each member of the Club.

## 7. RULES & REGULATIONS

The Club shall have the status of an Affiliated Member Club of The Football Association by virtue of its affiliation to membership of The Football Association. 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's rules.

- 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. The club shall have clear policies on all of the above.

## 8. EQUAL OPPORTUNITIES POLICY

### General

The Club is committed to a policy of equal treatment of all members and requires all members of whatever level or authority, to abide and adhere to this general principle and the requirements of the Codes of Practice issued by the Equal Opportunities Commission and Commission for Racial Equality.

All members are expected to abide by the requirements of the Race Relations Act 1976, Sex Discrimination Act 1986 and Disability Discrimination Act 1995. Specifically discrimination is prohibited by:

- Treating any individual on grounds of gender, colour, marital status, race, nationality or ethnic or national origin, religion, sexual orientation or disability less favourably than others.
- Expecting an individual solely on the grounds stated above to comply with requirement(s) for any reason whatsoever related to their membership, which is different from the requirements for others.
- Imposing on individual requirements, which are in effect more onerous on that individual than they are on others. For example, this would include applying a condition, which makes it more difficult for members of a particular race or sex to comply than others not of that race or sex.
- Victimisation of an individual.
- Harassment of an individual, by virtue of discrimination.
- Any other act or omission of an act, which has as its effect the disadvantaging of a member against another, or others, purely on the above grounds.

Thus, in the entire club's recruitment, selection, promotion and training processes, as well as disciplinary matters, it is essential that merit, experience, skills and temperament be considered as objectively as possible.

The Club commits itself to the immediate investigation of any claims of discrimination on the above grounds and where such is found to be the case, a requirement that the practice cease forthwith, restitution of damage or loss (if necessary) and to the investigation of any member accused of discrimination.

Any member found guilty of discrimination will be instructed to desist forthwith. Since discrimination in its many forms is against the clubs policy, any members offending will be dealt with under the disciplinary procedure.

The Club commits itself to the disabled person whenever possible and will treat such members, in aspects of their recruitment and membership, in exactly the same manner as other members. The difficulties of their disablement permitting assistance will be given, wherever possible to ensure that disabled members are helped in gaining access. Appropriate training will be made to such members who request it.

## 9. ANTI DISCRIMINATION POLICY

The Club is responsible for setting standards and values to apply throughout the club at every level. Football belongs to and should be enjoyed by everyone, equally. Our commitment is to confront and eliminate discrimination whether by reason of sex, sexual orientation, race, nationality, ethnic origin, colour, religion or disability.

Equality of opportunity at the Club means that in all our activities we will not discriminate or in any way treat anyone less favourably, on grounds of sex, sexual orientation, race, nationality, ethnic origin, colour, religion or disability. This includes:

- The advertisement for volunteers.
- The selection of candidates for volunteers courses.
- External coaching and education activities and awards.
- Football development activities.
- Selection for teams.
- Appointments to honorary positions.

The Club will not tolerate sexual or racially based harassment or other discriminatory behaviour, whether physical or verbal, and will work to ensure that such behaviour is met with appropriate action in whatever context it occurs.

The Club is committed to the development of the programme of on-going training and awareness raising events and activities, in order to promote the eradication of discrimination within its own organisation, and within football as a whole.

## 10. MEETINGS AND PROCEEDINGS OF THE MANAGEMENT COMMITTEE

The Management Committee shall provide, annually, financial reports, which will be available at Annual General Meetings.

All ordinary meetings of the Management Committee will be closed; special Management Committee meetings may be called by the Chair with reasonable notice.

The Management Committee shall hold no less than 5 ordinary meetings in each calendar year of which one shall be the A.G.M. to be held not more than 18 months after the last A.G.M.

## 11. MEMBERSHIP OF THE CLUB

Is obtained by and consists of:

- Players' legal guardian fills in memberships form.
- Players and guardian both sign membership form.
- Players and guardians are then deemed club members.
- Volunteers/coaches/managers/committee members fill in application form providing references and F.A. personal disclosure form for CRB clearance.
- Managers/coaches holding Level 1 coaching certificate.
- Any person interested in furthering the works of the club.
- An up-to-date record of membership shall be kept.
- Every member over the age of 18 shall have one vote.

## **12. EXPULSIONS FROM THE CLUB**

A member shall cease to be a member of the Club if, a member whose annual membership fee or further subscription is more than 2 months in arrears

The Management Committee 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 appeal procedures.

A member who resigns or is expelled shall not be entitled to claim any, or a share of any, of the Club's Property.

## **13. ANNUAL MEMBERSHIP FEE**

The Management Committee shall determine an annual fee payable by each playing member from time to time. Any fee shall be payable on a successful application for membership and annually by each playing member. Fees shall not be repayable.

## **14. STRUCTURE OF THE MANAGEMENT COMMITTEE**

The Management Committee shall be responsible for the management of all the affairs of the Club, with the approval of the Executive Committee.

Individuals directly nominated by and from the Club's membership and elected at the Annual General Meeting to form a Management Committee shall manage the Club.

Each Club Officer or Club Committee Member shall hold office from the date of appointment until the next Annual General Meeting unless otherwise resolved at a Special General Meeting.

One person can and may hold up to four positions on the Management Committee.

The Management Committee shall comprise of at least the following posts: Club Chairperson, Club General Secretary, Club Treasurer; Child Welfare Officers, Club Disciplinary Officers.

The Management Committee shall appoint additional officers to form sub committees from their own members as and when required who in turn will report directly to the Management Committee.

The Management Committee requires a majority to pass any and all matters in relation to the running of the club.

The Club's Executive Committee have final say on all matters relating to the day to day running of the club as per point 1.

### **Voting Co-optees**

Up to 4 members can be co-opted by the Management Committee at any ordinary meeting of the Management Committee to ensure that the representatives of the Committee reflect the parental views and cultural diversity of the membership (in line with the organisations Equal Opportunities Policy). These members will not have voting rights unless agreed by the full core committee to give them such rights.

### **Dissolution**

(a) A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be carried by a majority of at least three-quarters of the members present.

(b) The dissolution shall take effect from the date of the resolution and the members of the Management Committee 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 another Club, Surrey County Association or The FA for use by them for related community sports.

**15. MANAGEMENT COMMITTEE MEMBERS NOT TO BE PERSONALLY INTERESTED**

No member of the Management Committee shall acquire any interest in property belonging to the Club or receive remuneration or be interested (otherwise than as a member of the Management Committee) in any contract entered into by Management Committee.

Any member of the Management Committee for the time being who is a solicitor, accountant or other person engaged in a profession may charge and be paid all the usual professional charges for business done by him or her or his or her firm when instructed by the other members of the Management Committee to act in a professional capacity on behalf of the Club: Provided that at no time shall a majority of the members of the Management Committee benefit under this provision and that a member of the Management Committee shall withdraw from any meeting at which his or her own instruction or remuneration, or that of his or her firm is under discussion.

**16. TERMINATION OF MEMBERS TO THE MANAGEMENT COMMITTEE**

A member of the Management Committee shall cease to hold office if he or she:

- Becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs.
- Is absent without the permission of the Management Committee from all their meetings held within a period of six months and the Management Committee resolve that his or her office be vacated.

Or:

Upon receipt by the Chairperson of the Management Committee of their written resignation; which will require 1 months' notice?

The Management Committee meeting may remove any member of the Management Committee on a vote with a majority of two-thirds or more of the members of the Management Committee present at the meeting. Any former member that has been asked to leave the Management Committee may not stand again at any future date.

Any outgoing member of the Management Committee may be re-elected.

A member proposed by one and seconded by another of the remaining Committee members and approved by a simple majority of the remaining Committee members shall fill any vacancy on the Management Committee, which arises between Annual General Meetings.

Except as provided for in the Rules and Regulations of The Football Association and the County Association to which the Club is affiliated, the Committee shall have the power to decide all questions and disputes arising in respect of any issue concerning the Rules.

## **17. ANNUAL AND SPECIAL GENERAL MEETING**

There shall be an Annual General Meeting of the Club, which shall be held at an interval of no more than 18 months from the date of the last Annual General meeting for the purpose of:

- Reporting to its members the Club's activities for the year
- Receipt and approval by the members of the Club's accounts
- Electing a new Management Committee
- Resolving any other proposals that members have submitted.
- Receive a report of the Club's finances over the previous year

Before any other business is transacted at the first Annual General Meeting, the persons present shall appoint a Chair of the meeting. The Chair shall be the Chair of subsequent Annual General Meetings, but if he or she is not present, before any other business is transacted, the persons present shall appoint a Chair of the meeting.

Nominations for election of members as Club Officers or as members of the Management Committee.

Shall be made in writing by the proposer and seconded, both of whom must be existing members of the Club, to the Club Secretary not less than 21 days before the AGM. Should nominations exceed vacancies, election shall be by ballot.

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.

The Management Committee shall present at each annual general meeting the report and accounts of the Club for the preceding year.

A Special General Meeting (SGM) may be called at any time by the Committee and shall be called within 21 days of the receipt by the Club Secretary of a requisition in writing signed by not less than 150 members eligible to vote 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.

The Secretary shall send to each member at their last known address written notice of the date of a S.G.M. together with the resolutions to be proposed at least 14 days before the Meeting.

The quorum for a General Meeting shall be 10 % of the current membership at that date.

Only members over the age of 18 are entitled to one vote.

A member selected by the Committee, shall take the chair until the chairperson has been appointed. Each member present shall have one vote and a simple majority shall pass resolutions. In the event of an equality of votes the Chairperson of the Meeting shall have a casting vote.

## **18. NOTICE OF MEETINGS**

The Chairperson must convene meetings of the Management Committee within seven days of the written request of not less than 3 members of the Management Committee being served upon the Chairperson.

With the consent of half of the members of the Management Committee a meeting of the Management Committee may be convened upon shorter notice.

The notice shall specify the nature of the business to be discussed.

## 19. PROCEEDINGS OF THE MANAGEMENT COMMITTEE

The Management Committee shall hold at least (7) ordinary meetings each year.

There shall be a quorum when at least one third of the number of members of the Management Committee or there being three members of the Management Committee present, whichever is the greater, and are present at a meeting.

The Chairperson shall act as Chairperson at meetings of the Management Committee. If the chairperson is absent from any meeting, the members of the Management Committee present shall choose one of their number to be Chairperson of the meeting before any other business is transacted.

The Secretary (or other person appointed by the Management Committee) shall keep minutes of the proceedings at meetings of the Management Committee and any sub-committee.

Every member shall have one vote.

Every matter shall be determined by a majority of votes of the members of the Management Committee present and voting on the question but in the case of equality of votes the chairman of the meeting shall have a second or casting vote.

The Management Committee may from time to time appoint one or more sub-committees and such composition and powers and terms of reference and for such duration as the Management Committee may think fit.

The Management Committee shall have the power at their discretion to reimburse members of the Management Committee or of any sub-committees in respect of their reasonable expenses incurred in connection with the business of the Club as long as receipts are supplied.

The Management Committee will produce a three-yearly development plan to be updated each year.

The Management Committee may from time to time make and alter rules for the conduct of their business, the summoning and conduct of their meetings and custody of documents. No rule may be made which is inconsistent with this constitution.

The Management Committee may appoint one or more sub-committees consisting of two or more members of the Management Committee for the purpose of making any inquiry or supervising or performing any function or duty which in the opinion of the Management Committee would be more conveniently undertaken or carried out by a sub-committee, provided that all acts and proceeding of any such sub- committees shall be fully and promptly reported to the Management Committee.

All matters arising from Management Committee meetings will be decided by the majority. In the event of there being a tie, the Chairman has the casting vote. However, if the matter is in relation to a new manager/committee member joining Mitcham Park F C and an existing Committee member objects, then that person cannot join. It does not come to a majority decision.

## **20. THE COMPLAINTS PROCEDURE**

In the event that any member feels that he or she has suffered discrimination in any way, or that the Club's Policies, Rules or Code of Conduct have been broken, should follow the procedures below.

They should report the matter to the clubs General Secretary in writing or another member of the Committee.

There report should include:

- Details of what, when, and where the occurrence took place.
- Any witness statement and names.
- Names of any others who have been treated in a similar way.
- Details of any former complaints made about the incident, date, when and to whom made.
- A preference for a solution to the incident.

The Management Committee will sit for any hearings that they deem necessary.

The Management Committee will have the power to:

- Warn as to future conduct
- Suspend from membership
- Remove from membership
- Any person found to have broken any of the clubs Rules or Codes of Conduct. All decisions will be final there will be no appeals.

## **21. CLUB TEAMS**

At its first meeting following each AGM, the Management Committee shall appoint officers to be responsible for each of the football teams. The appointed members shall be responsible for managing the team and answerable to the Management Committee.

## **22. ACCOUNTS/FINANCE**

The funds of the Club, including all donations, subscriptions, grants and bequests, shall be used solely to further the objectives of the Club. A banking relationship will be maintained with Barclay's Bank Plc in accordance with the Mandate associated with the type of bank account that is opened for 'The Club'.

A bank account shall be opened and maintained in the name of the Club (the Club's Account). Designated account signatories shall be the Chairperson and The General Secretary. No sum shall be drawn from the Account except by cheque which must be signed by the two designated signatories. All monies payable to the club shall be received by the Treasurer and deposited in the Club Account.

The Management Committee shall cause proper books of accounts to be kept with respect to:

- The preparation of annual statements of accounts.
- The auditing or independent examination of the statements of account of the Club.
- All sales and purchases of goods by the club.

The books of accounts will be kept by the Treasurer and shall be open to inspection at any meeting of the Management Committee.

The Management Committee shall have 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.

At every A.G.M., the Management Committee shall present an Income and Expenditure in respect of the past financial year a Balance Sheet as at the end of that year and a report by the Auditor on the books and accounts of the club.

The income and property of the Club shall be applied solely towards the promotion of the purposes set forth in this constitution and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise.

The Club's Property, other than the clubs Account, shall be the responsibility of the Management Committee, who shall deal with the clubs Property as directed by decisions of the Management Committee, and entry in the Minutes shall be conclusive evidence of such a decisions.

On the removal or resignation of a Management Committee member, the remaining Management Committee members shall appoint a suitable replacement by majority vote.

## **23. AUDIT**

The Management Committee shall appoint a qualified and independent Auditor by the third week of April before the A.G.M., which should be held on the last Wednesday of June each year.

Once at least in every financial year the books and accounts of the club shall have an independent examination and a report thereon in writing to the Management Committee before the A.G.M. in June.

## **24. ALTERATION OF THE CONSTITUTION**

Subject to the following provisions of this clause the Constitution may be altered by a resolution passed by not less than two thirds of the members present and voting at a general meeting. The notice of the general meeting must include notice of the resolution, setting out the terms of the alteration proposed.

## 25. PROPERTY

Subject to the provisions of sub-clause 2 of this clause, the Management Committee shall cause the title to:

- all land held by or in trust for the club which is not vested in the Official Custodian for Club and
- all investments held by or on behalf of the club to be vested either in a corporation entitled to act as custodian trustee or in not less than two individuals appointed by them as holding trustees. Holding trustees may be removed by the Management Committee at their pleasure and shall act in accordance with the lawful directions of the Management Committee. Provided they act only in accordance with the lawful directions of the Management Committee, the holding trustees shall not be liable for the acts and defaults of its members.
- If a corporation entitled to act as custodian trustee has not been appointed to hold the property of the club, the Management Committee may permit any investments held by or in trust for the club to be held in the name of a clearing bank, trust corporation or any stock broking company which is a member of the International Stock Exchange (or any subsidiary of any such stock broking company) as nominee for the Management Committee, and may pay such a nominee reasonable and proper remuneration for acting as such

## 26. TRUSTEES OF MITCHAM PARK F C

- The Trustees of Mitcham Park F C are entrusted with the responsibility of ensuring that the Club remains a football club for the foreseeable future; unless the Trustees are unanimously in agreement, no changes can be made to the Constitution.
- The Management Committee are responsible for the day-to-day running of Mitcham Park F C. The Management Committee cannot change the Constitution unless the Trustees are in agreement to this.
- The Trustees hold overall responsibility for the safeguarding of Mitcham Park F C.
- A Trustee, once elected, is a life held position; this can be passed on hereditary in the event of death or ill health which prevents them from carrying out their duties as a Trustee.
- The Trustees/founding members of Mitcham Park F C hold their own set of rules, guidelines and obligations to Mitcham Park F C which only they are privy to.
- Trustees can only elect trustees; they have to be 100% unanimous in everything before it becomes legal and binding.

## 27. ARRANGEMENTS UNTIL FIRST ANNUAL GENERAL MEETING

Until the first Annual General Meeting takes place, this Constitution shall take effect as references in it to the Management Committee were references to the persons whose signatures appear at the bottom of this document.

This Constitution was adopted on the date mentioned above by the persons whose signatures appear at the bottom of this document.

**Signed**

**Printed**

**Club Chairperson**

**Mark Rogers .....**

**Club General Secretary**

**Helen Gilhooly.....**

**Club Treasurer**

**Mark Rogers.....**

**Kit & Equipment Secretary**

**Mark Rogers.....**

**Club Welfare Officer / CRB Responsible Officer**

**Helen Gilhooly**.....

**Club Disciplinary Secretaries**

**Sue Thomas & Helen Gilhooly** .....

**Club Social & Fund Raising Secretary**

**Marc Greasby** .....

**Fixtures & Registrations Secretary**

**Sue Thomas** .....