

Constitution Guidelines

Your organisation should carefully consider what your constitution needs for your own circumstances and also the requirements stipulated by England Netball and the Code for Sports Governance

1. **Name of organisation:** State the name of the organisation and by any abbreviations or acronyms it shall be known by.
2. **Purpose and Role:** State the purpose and role of the organisation.
3. **Objects:** The objectives should clearly state the reasons the organisation exists.
4. **Jurisdiction and Membership:** Include here a definition of different categories of membership within the organisation.
5. **Sport equity:** This section should include what sports equity means to your organisation. It is vital that the constitution is open and non-discriminatory and that it reflects the sport's equity policy. A constitution is often a prerequisite for funding and applying for tax relief (if applicable).
6. **Committee:** The aim of this section should be to specify how this committee should be formed. Each organisation will be slightly different but it would be normal to specify which positions sit on the committee and the length of terms and maximum terms of committee members.
7. **Roles and Responsibilities of the Committee:** This section should detail the roles and responsibilities of the Committee
 - 7.1 The committee has the following roles and responsibilities:
 - 7.1.1 Make key decisions relating to strategy, policy, finance and business management so that the organisation objectives can be achieved
 - 7.1.2 Propose a levy on the annual membership fee for consideration by the members at the AGM
 - 7.1.3 Create an environment conducive to high achievements
 - 7.1.4 set the organisation values and standards, protecting the future of the organisation and ensuring it operates in a compliant and ethical way;

- 7.1.5 establish policy and oversee its implementation in a safe, equitable and inclusive manner;
 - 7.1.6 be responsible for the management of the affairs and for the success of the Organisation;
 - 7.1.7 implement an organised approach to succession planning for the Organisation Committee and each Technical Support Group/Working Group so as to ensure an appropriate level of stability and continuity of the Organisation;
 - 7.1.8 make, vary and revoke regulations, procedures, codes of behaviour, terms of reference, standing orders and byelaws for the better administration of the Organisation; and
 - 7.1.9 adopt those rules, regulations, policies and resolutions of England Netball as applicable to members of England Netball.
- 7.2 the members of the Organisation Committee shall, on a joint and several basis:
- 7.2.1 ensure that the Organisation complies with the terms of any contract with a third party; and
 - 7.2.2 indemnify any member of the Organisation Committee who enters into a contract under clause 6.2.1 in respect of any reasonable expenses and reasonable costs, losses or liabilities, judgments, fines and amounts paid in settlement, which she/he may reasonably incur or sustain because of entering into such contract.
- 7.3 The Organisation will provide direction, support and guidance to its recognised and approved county sporting partnerships, to ensure that the overall policies and strategies for the development of the game are communicated consistently and effectively to Organisation partners and that any additional funding opportunities within the County are identified, secured and used in line with county priorities.
- 7.4 The Organisation Committee has the power to make, amend or revoke bylaws and regulations of the Organisation and such bylaws and regulations, and all changes thereto, shall not be effective until the earlier of:
- 7.4.1 the date of approval at a General Meeting of the Organisation; or
 - 7.4.2 one month after the passing of an appropriate resolution by the Organisation Committee.

- 7.5 Any action that may be taken by the Organisation Committee at a meeting may also be taken by a resolution consented to in writing or email by a simple majority of the Organisation Committee members provided that a copy of the resolution is sent to all voting members of the Organisation Committee.
- 7.6 Where a resolution has been circulated to a Organisation Committee member pursuant to clause 6.5 above and has not been received back by the Organisation Committee secretariat within 21 days of being sent out, that Organisation Committee member will be deemed to have approved the resolution.
- 7.7 Members of the Organisation Committee must act in accordance with the powers set out in this constitution and must exercise independent judgement taking reasonable care, skill and diligence, whilst avoiding conflicts of interest and conflicts of loyalty.
8. **General Meetings:** Use this section to explain the protocols and procedures for your AGMs and EGMs.
9. **Notices:** describe the procedure in which notices will be given to organisation members
10. **Accounting Records:** It is prudent for every organisation to ensure that the handling of its financial affairs is done in an efficient manner and in a way which protects the individual committee members responsible for the handling of money. Use this section to explain how this will be achieved.
11. **Indemnity:** insert here a clause which indemnifies the members out of the assets of the organisation against all reasonable expenses and all reasonable costs, losses or liabilities, judgments, fines and amounts paid in settlement, which they may reasonably incur or sustain in relation to the proper and lawful execution of their duties, or by reason of any task properly performed for and with the authority of the organisation Committee.
12. **Dispute Resolutions:** detail here the process for how disputes will be resolved within the organisation.
13. **Disciplinary powers, procedures and appeals:** Outline the organisation's complaints and disciplinary procedure here.
14. **Amendments to the constitutions:** Explain in the section the procedures to make any changes to your constitution.
15. **Dissolution:** Procedures covering the dissolution of the organisation must be settled. In the event of funds remaining after debts have been settled members may wish to specify that such funds should be given to some associated organisation e.g. the

governing body of the sport or another local organisation. The wording must be considered to comply with funding conditions.

16. **Governing law and jurisdiction:** include a Governing Law clause as below:

This Agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.

17. **Declaration:** Even before your group holds its initial meeting (or at least at one of your early meetings) it would be advisable to draw up a draft constitution, so that the group can adapt and agree it at the earliest possible opportunity.