



# Hatherleigh Youth Association Football Club

## Constitution and Rules (latest update, July 2023 at the AGM)

### 1. Name

The Club shall be called Hatherleigh Youth Association Football Club (*Hatherleigh Youth AFC*) (the “Club”).

### 2. Purpose of The Club

The purpose of the Club is to promote the game of football in Hatherleigh and to its outlying villages. To achieve this, the Club will provide football facilities and arrange football matches, training and social activities for its members, parents/guardians and the wider community.

### 3. Status of Rules

These Rules (the “Club Rules”) form a binding agreement between each member of the Club, their parents/guardians and club officials.

### 4. Affiliation

- (a) The Club and its Members shall abide by The Rules and Regulations of The Football Association (The FA) and Its local county organisation (Devon FA) to which The Club is affiliated.
- (b) The Club, its Youth Members and their Parents / Guardians will abide by The FA’s Safeguarding Children Policies and Procedures, Codes of Conduct, Equal Opportunities and Anti-Discrimination Policies as shall be in place from time to time and ensure Members are aware of these Codes.

### 5. Club Membership

- (a) Members of the club will be children under the age of 18 who have registered with the club and paid their subscriptions and whose parent or guardian (if over 18) has read and signed a copy of The Annual Registration Form.
- (b) Any person who wishes to be a member must fill out a Registration form. Membership shall be at the discretion of the Club Committee and granted in accordance with the anti-discrimination and equality policies which are in place from time to time. An appeal against refusal may be made to the Club Committee in accordance with the Complaints Procedure in place from time to time. Membership shall become effective upon an applicant’s name being entered in the Membership Register.
- (c) In the event of a member’s resignation or expulsion, his or her name shall be removed from the Membership Register.
- (d) The FA and Parent County Association shall be given access to the Membership Register on demand.

### 6. Annual Membership Fee

- (a) An annual fee payable by each member shall be determined from time to time by the Club Committee and set at a level that will not pose a significant obstacle to community participation. Any fee shall be payable on a

successful application for membership and annually by each member. Fees shall not be repayable, except for under exceptional circumstances and at the Committee's discretion.

- (b) The Club Committee shall have the authority to levy further subscriptions from the members as are reasonably necessary to fulfil the objects of the Club.

## **7. Resignation and Expulsion**

- (a) A member shall cease to be a member of the Club if, and from the date on which, he/she (or the parent/guardian) gives notice to the Club Committee of his/her resignation. A member whose annual membership fee or further subscription is more than two (2) months in arrears shall be deemed to have resigned.
- (b) The Club 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 Club Committee in accordance with the Complaints Procedure in force from time to time.
- (c) A member who resigns or is expelled shall not be entitled to claim any, or any share of, any, of the income and assets of the Club (the "Club Property").

## **8. Club Committee**

- (a) The Club Committee must consist of the following Club Officers: Chairperson, Treasurer, Secretary and Head Coach & Welfare Officer (the latter being a single, combined role).
- (b) The Club Committee may also appoint members as the following Club Officers: Minutes Secretary, Qualifications Officer, ID cards Officer(s), Registrations Secretary(s), Respect Officer, Fundraising Coordinator and Team Coaches of The Club.
- (c) In addition, the Club Committee can invite membership from amongst the parents or members of the local community. All members of The Club Committee are to be elected at an Annual General Meeting ("AGM").
- (d) Each Club Officer and Club Committee Member shall hold office from the date of appointment until the next AGM unless otherwise resolved at a Special General Meeting ("SGM"). The post of Chairman, Secretary and Treasurer must be held by three different persons. The Club Committee shall be responsible for the management of all the affairs of the Club. Decisions of the Club Committee shall be made by a simple majority of those attending the Club Committee meeting. The Chairperson of the Club Committee meeting shall have a casting vote in the event of a tie. Meetings of the Club Committee shall be chaired by the Chairman or in their absence the Secretary. The quorum for the transaction of club business of the Club shall be three (3).
- (e) Decisions of the Club Committee shall be entered into the Minutes in the Club's digital document storage facility to be maintained by the Minutes Secretary, or by another Committee member in the absence of a Minutes Secretary.
- (d) Any member of the Club Committee may call a meeting of the Club Committee by giving not less than seven days' notice to all members of the Club Committee. The Club Committee shall hold not less than four (4) meetings per year.
- (e) An outgoing member of the Club Committee may be re-elected. Any vacancy on the Club Committee which arises between AGMs shall be filled by a member proposed by one (1) and seconded by another one (1) of the remaining Club Committee members and approved by simple majority of the remaining Club Committee members.
- (f) Save as provided for in the Rules and Regulations of The FA, Devon FA and any applicable Competition, the Club Committee shall have the power to decide all questions and disputes arising in respect of any issue concerning the Club Rules.
- (g) The position of a Club Officer shall be vacated if such a person is subject to a decision of The FA that such person be suspended from holding office or from taking part in any football activity relating to the administration or management of a football club.

## 9. Annual and Special General Meetings

- (a) An AGM shall be held annually, aiming to be complete before the end of the season to:
- (i) receive a report of the activities of the Club over the previous year;
  - (ii) receive a report of the Club's finances over the previous year;
  - (iii) elect members of the Club Committee; and
  - (iv) consider any other business.
- (b) Nominations for election of parents or guardians of members and members of the local community as members of the Club Committee shall be made by a proposer and seconder, both of whom must be existing parents or guardians of members of the Club, to the Club Secretary not less than 21 days before the AGM. 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.
- (c) A Special General Meeting (SGM) may be called at any time by the Club 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 SEVEN parents or guardians of members, 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.
- (d) The Secretary shall send to each member of The Club Committee written notice of the date of a General Meeting (whether an AGM or an SGM) together with an Agenda and the resolutions to be proposed at least 14 days before the meeting.
- (e) The quorum for a General Meeting shall be five (5) persons who shall be committee members, coaches, parents or guardians of registered members
- (i) The Chairperson, or in their absence a member selected by the Club Committee, shall take the chair. Each member present shall have one vote and resolutions shall be passed by a simple majority. Voting rights may be exercised by one parent or guardian on behalf of each registered player. For the avoidance of doubt this shall mean that each member shall have one vote only and that parents or guardians may exercise two or more votes if they have two or more children only (aged 18 and below) in the club. In the event of an equality of votes, the Chairperson of the Meeting shall have a casting vote.
  - (ii) The Club Secretary, or in their absence a member of the Club Committee, shall record the Minutes of General Meetings into the Club's digital document storage facility.

## 10. Club Teams

The Club shall appoint a suitable adult, parent or guardian (preferably of a registered club member) to be The Coach for each of The Clubs' active teams. Additional coaching staff may be appointed at the discretion of the Club Committee. These appointed club officials shall be DBS checked and responsible to the Club Committee for the proper conduct of all members in their charge and for their adherence to the Rules & Regulations of the FA, County and Club. They may be dismissed at any time by the Club Committee. The Club and Coaching Staff shall look to invest their time in a relevant FA Coaching qualification to improve and develop the club.

## 11. Club Finances

- (a) A bank account shall be opened and maintained in the name of the Club (the "Club Account"). Designated account signatories should be limited to the Club Chairperson, the Club Secretary and the Club Treasurer. All monies payable to the Club shall be received by the Treasurer and deposited in the Club Account. Sums over £150 will be approved by the Committee prior to spending.
- (b) The Club Income and Property shall be applied only in furtherance of the objects of the Club. The distribution of profits or proceedings arising from the sale of Club Property to members is prohibited.

(c) The Club Committee shall have the power to authorise the payment of remuneration and expenses to any member of the Club or adult staff (although a Club shall not remunerate a member for playing) and to any other person or persons for services rendered to the Club.

(d) The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away match expenses, post-match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.

(e) The Club may also in connection with the sports purposes of the Club:

(i) sell and supply food, drink and related sports clothing and equipment;

(ii) employ members (although not for playing) and remunerate them for providing goods and services, on fair terms set by the Club Committee without the person concerned being present;

(iii) pay for reasonable hospitality for visiting teams and guests; and

(iv) The Club shall maintain both Personal Accident and Public Liability Insurance to protect both its youth members and the Coaches, Committee Members and other Adult Volunteers who assist in the running of The Club.

(f) The Club shall keep accounting records for recording the fact and nature of all payments and receipts so as to disclose, with reasonable accuracy, at any time, the financial position, including the assets and liabilities of the Club. The Club must retain its accounting records for a minimum of six (6) years.

(g) The Club shall prepare annually a "Financial Statement". The Financial Statement shall be verified by an independent, appropriately qualified person and shall be approved by members at a General Meeting. A copy of any Financial Statement shall, on demand, be forwarded to The FA.

(h) The Club Property, other than the Club Account, shall be managed by The Head Coach, who shall deal with the Club Property as directed by decisions of the Club Committee, and entry in the Minutes in the Club's digital document storage facility shall be conclusive evidence of such a decision.

## 12. Dissolution

A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be carried by the majority of at least three-quarters of the members present. The dissolution shall take effect from the date of the resolution and the members of the Club Committee shall be responsible for the winding up of the assets and liabilities of the Club.

Any surplus assets remaining after the discharge of the debts and liabilities of the Club shall be transferred to another Club, a Competition, the Parent County Association or The FA for use by them related to community sports.

This Constitution was agreed and signed at a Special General Meeting of The Club held on

Date: 5<sup>th</sup> July 2023

At: Hatherleigh Football Clubhouse

### Signatories

..... Chairperson  
Simon Lassam

..... Treasurer  
Michael White

..... Secretary  
Jonathan Finch

end