



Proposed KCASA Constitution with key changes in red

The current Constitution is available: <https://www.kentswimming.org/sslink-about-handbook10-constitution53.html>

The word 'Club' in the following Rules shall be held to include all bodies and leagues affiliated to the Association. The words 'Swim England' mean the Amateur Swimming Association (Swim England) Ltd. Where any reference is made to 'Regions' it shall be deemed to include a reference to both London Swimming and Swim England South East regions. Words imparting the masculine gender shall include the feminine. Words of the plural number shall include the singular, and words of the singular number shall include the plural. The term 'swimmer' shall include artistic swimmer, diver and water polo player unless the context indicates to the contrary.

1. Name

The Association shall be called the **Kent County Amateur Swimming Association** ('the Association') and this formal name shall appear on all official correspondence, although the KCASA Management Committee may approve a different 'trading' name or names.

2. Composition

- 2.1 The Association shall consist of two Sub-Associations, Kent London Swimming Association (KLSA) and Kent Rural Swimming Association (KRSA).
- 2.2 KLSA shall be comprised of all affiliated clubs promoting swimming, diving, open water, artistic swimming and water polo with their headquarters in the London Boroughs of Bexley, Bromley, Lewisham and the Royal Borough of Greenwich.
- 2.3 KRSA shall be comprised of all affiliated clubs promoting swimming, diving, open water, artistic swimming and water polo with their headquarters in the area covered by Kent County Council and the Unitary Authority of Medway.
- 2.4 The Association may have Honorary Life Members, who shall be members of an affiliated club.

3. Aims, Objects and Responsibilities

- 3.1 The aims of the Association shall be to:
 - 3.1.1 Promote and manage the development of swimming, diving, open water, artistic swimming and water polo.
 - 3.1.2 Carry out the aims and objects of the Regions as required, within its jurisdiction.
 - 3.1.3 Obey and enforce the laws, rules, resolutions and rulings of Swim England and the Regions.
 - 3.1.4 Produce, develop and implement policies to carry out other activities relevant to the Association.
 - 3.1.5 Raise public awareness of the sport and stimulate public opinion in favour of providing suitable facilities and accommodation.
- 3.2 In furtherance of the aims of the Association the following points shall be observed:
 - 3.2.1 The Association is committed to treat everyone equally within the context of its activity. This shall be, for example, regardless of age, gender, sexual orientation, ethnic origin, religion, disability or political persuasion, or on any grounds as set out in the Swim England Equal Opportunities Policy
 - 3.2.2 All competing members shall be eligible competitors as defined in Swim England Law and Technical Rules, shall be members of the Association and shall have paid the relevant Swim England membership fee.
 - 3.2.3 All persons, clubs, associations, organisations and leagues allocated to the Association shall consent to be bound by the Swim England Laws relating to child safeguarding procedures, the policies and procedures in Wavepower. and those parts of the Swim England Judicial Regulations and procedures necessary for their implementation and shall, when engaged in activities under the jurisdiction of the Association, be subject to the constraints and privileges of the Swim England Judicial Regulations
- 3.3 Kent London SA shall be affiliated to London Swimming Region and Kent Rural SA shall be affiliated to Swim England South East Region, and shall adopt and conform to the Rules of the Regions and to such other bodies

as the Association may determine from time to time.

- 3.4 The business and affairs of the Association shall at all times be conducted in accordance with the Laws, Regulations, Guidelines and Rules of Swim England and in particular to promote the aquatic disciplines of swimming, diving, open water, artistic swimming and water polo through the implementation of a County Development Plan
- 3.5 By virtue of the affiliation of the Association to the Regions, all members of the Association acknowledge that its clubs are subject to the laws, rules and constitutions of:
 - 3.5.1 The relevant Region
 - 3.5.2 Swim England (to include the Swim England Code of Ethics)
 - 3.5.3 British Swimming (to include in particular its doping control rules and protocols, and disciplinary code)
 - 3.5.4 Fédération Internationale de Natation (FINA), the world governing body for the sport of swimming in all its disciplines... together 'the Governing Body Rules'
- 3.6 In the event that there shall be any conflict between any rule or byelaw of the Association and any of the Governing Body Rules then the relevant Governing Body Rule shall prevail
- 3.7 The Association shall:
 - 3.7.1 Be responsible for managing the aquatic disciplines within its boundaries subject to the strategic direction of the Regions
 - 3.7.2 Observe, obey and enforce the Laws, Regulations, Guidelines and Rules of Swim England and the Regions within its jurisdiction; follow and implement the resolutions and rulings of Swim England Boards, Swim England Council, the Regional Councils and the Regional Management Boards
 - 3.7.3 Be accountable to Regions for the proper discharge of its duties and functions
 - 3.7.4 Produce, maintain and implement such plans based on strategic criteria set by the Regions and in such form as Swim England and the Regions may from time to time require
 - 3.7.5 Make available to the Regions such information and reports as they may require and in a format specified by the Regions
 - 3.7.6 Elect the required number of delegates to the Swim England Regional Council Meetings and any Special Council Meetings
 - 3.7.7 Produce Constitutional Rules for the Association and operate on the basis of a standard constitution appropriate for a County Association which may be issued and reviewed from time to time by Swim England and the Regions.

4. Affiliations

Clubs shall affiliate/re-affiliate to the Region in which their headquarters (main training venue) are located. No club shall be entitled to membership of more than one County Association.

5. Council of Kent County ASA

- 5.1 The composition of the Council shall be: **President, Vice President, Past Presidents, Honorary Life Members, Executive Management Committee (Executive) members (as in Rule 7.1.1) other members of the Management Committee (as in Rules 7.1.2), other appointed persons (as in Rule 7.6.3)** and delegates from affiliated clubs on the following basis:
 - 1 delegate from clubs with up to 50 members
 - 2 delegates from clubs with between 51 and 200 members
 - 3 delegates from clubs with over 200 members
 - 1 delegate from other affiliated bodies

A delegate is entitled to one vote only, no matter how many clubs he may represent. Honorary Secretaries of

affiliated clubs are responsible for distributing Agendas and Attendance/Voting Papers to the duly elected delegates representing their club.

- 5.2 The Officers of the Association shall be the Chairman, the Treasurer and Trustee, and the General Secretary.
- 5.3 The Annual Meeting of the Council (ACM) shall be held between 15 September and 20 October each year at such time and place as the Executive shall decide. Those listed in Rule 5.1 and Clubs shall be given, in writing, 28 days' clear notice of the date, time and venue of the meeting. An Agenda, copies of the Annual Report, a Statement of Accounts, a list of nominees for the Executive (as in Rule 7.2 and 7.3) for the following year, and any other business shall be published 10 clear days prior to the meeting.
- 5.4 The business of the ACM shall be:
 - 5.4.1 To consider and, if approved, adopt the Annual Report and the Statement of Accounts
 - 5.4.2 To consider and, if approved, adopt proposals for the alteration, addition to or deletion from the Rules of the Association
 - 5.4.3 To appoint the President who may not hold office for more than one consecutive year (or if longer such period as ends with the next ACM), the Vice President, any additional Honorary Life Members, and additional Executive members as required in Rule 7
 - 5.4.4 To appoint an independent examiner, who shall not be a member of the Management Committee
 - 5.4.5 To consider any motions of which due notice has been given.
- 5.5 The President and Vice President for the subsequent year shall be nominated by the Executive on the advice of Past Presidents, which shall be obtained before the ACM each year. The Vice President shall, wherever possible substitute for the President at functions, etc if the President is not available.
- 5.6 Additional Honorary Life members may be nominated by the Executive on the advice of the Past Presidents.
- 5.7 Nominations for Officers and other elected members of the Executive shall be made in writing on the form provided for the purpose, which shall be signed by the proposer and seconder, and counter-signed by the nominee, all of whom shall be members of clubs affiliated to the Association. Nominations shall reach the General Secretary not later than midnight on 14 days immediately prior to the meeting.
- 5.8 Notices of motions for changes to, additions to or deletions from the Rules of the Association and of any other motions to be considered at the Annual General Meeting shall be made, in writing, to reach the General Secretary by midnight 14 days immediately prior to the meeting. A notice of motion may be made by and in the names of members of the Council, who shall propose and second it, or in the name of the Executive or any of the standing committees by the secretary of the proposing committee, in which case it shall be proposed and seconded by members of the committee.
- 5.9 The election of the Officers and members of the Executive shall be by ballot. In the event of equality of votes between two or more candidates, the President shall have one or more casting votes. A ballot paper bearing votes for more than the number of candidates to be voted for shall be invalid and excluded from the ballot. Any member of the Council who is unable to attend the meeting shall have the right to vote. His ballot paper, together with the Attendance/Voting paper shall reach the General Secretary at least 2 days before the date of the meeting.
- 5.10 Voting on Notices of Motions shall be by show of order papers. A proposal to change, add to or delete from the Rules of the Association shall require approval by at least two-thirds of those voting.
- 5.11 A Special Meeting of the Council (SCM) shall be called:
 - 5.11.1 By resolution of the Executive
 - 5.11.2 Upon receipt by the General Secretary of a written request signed by not less than six delegates representing six different clubs. The resolution or requisition shall state the business for which the meeting is to be called and no other business shall be transacted. The meeting shall be called within six weeks of the date of the resolution or receipt of the requisition. Those listed in Rule 5.1 and Clubs shall be given, in writing, 28 days' clear notice of the date, time and venue of the meeting. An agenda and

any other business shall be published 10 clear days prior to the meeting.

5.12 Procedure at Council Meetings shall be in accordance with Rule 5 and thereafter in accordance with Swim England Law governing procedure at Swim England Council Meetings.

5.13 The quorum at an ACM or SCM called under Rule 5.10 shall be 15 members of the Association as identified in Rule 5.1.

6. Rules

- 6.1 The Rules of the Association may only be changed, added to or deleted at an ACM or at an SCM called for the purpose except that where these Rules are affected by changes in the Laws, Regulations, Guidelines and Rules of Swim England. It shall be the duty of the Executive to make them conform to these changes at the earliest possible opportunity.
- 6.2 The conditions for the County Championships and the procedure for claiming records may only be altered by a majority of those present and voting following receipt by the Executive of a properly minuted and detailed proposal from the relevant Technical Committee. The General Secretary shall maintain an up-to-date copy of the General Championship Conditions. Technical Managers shall maintain an up-to-date copy of the Championship Conditions relevant to their discipline. The Conditions shall be made available upon request by a club or by a member of a club affiliated through the Regions to the Association. The conditions for Championships and Records as at 1 January each year shall be those published for that year.

7. Management Committee

- 7.1 The management of the Association shall be vested in a Management Committee consisting of:
- 7.1.1 An Executive: Chairman, President, Vice President, Treasurer and Trustee, General Secretary, and one elected representative from a KLSA club and one from a KRSA club who shall also act as a liaison with their respective Region. The County Welfare Officer shall be a member of the Executive with the power to speak but not to vote.
 - 7.1.2 Appointees: The Development Co-ordinator and the Discipline Managers listed in Rule 9.1, who shall have the power to speak and vote. From time to time, the Executive may appoint additional members as required with the power to speak but not to vote.
- 7.2 The Treasurer and Trustee, General Secretary and elected representatives shall each have a term of office of three years with one third of them, as nearly as possible, retiring each year. Retiring members shall be eligible for re-election. The process for new members and those seeking re-election is provided for in Rule 5.6.
- 7.3 Any Executive vacancy that occurs shall be filled by a majority decision of the remaining members of the Executive for the remainder of the term, subject to the agreement of Council at its next meeting.
- 7.4 Meetings:
- 7.4.1 The Management Committee, shall meet not less than 4 times per year.
 - 7.4.2 The Chairman, or whoever else is selected by the Executive in his absence, shall take the chair.
 - 7.4.3 A majority of the members of the Executive in Rule 7.1.1 shall form a quorum.
 - 7.4.4 The chairman shall be entitled to vote in the first instance and in the case of equality of votes may give a second or casting vote.
 - 7.4.5 Notice of meetings with an agenda stating the venue and time for the meeting shall be sent to all members to be received at least 10 days prior to the meeting.
 - 7.4.6 The Executive shall keep full and accurate minutes of its proceedings and shall furnish to Swim England and the Regions such information as they may from time to time require. Minutes shall be retained for a minimum of 7 years plus the current year.
 - 7.4.7 The Executive may declare that one of its number who has been absent from three consecutive Management Committee meetings has vacated his office or seat. Provided that the person concerned has been notified that such a proposal is to be put before the Executive, it may then exercise its

authority under Rule 7.3 to fill the vacancy.

7.6 Roles and Responsibilities:

- 7.6.1 The Executive shall exercise control over the funds of the Association. It shall prepare an Annual Report and Statement of Accounts of each year's activities and submit them to the ACM. Copies of the examined accounts shall be retained for a minimum of 7 years plus the current year.
- 7.6.2 The Executive shall enforce the observance of Laws, Regulations, Guidelines and Rules of the Swim England and the rules of the Regions (as appropriate) and of the Association.
- 7.6.3 The Executive shall appoint, and subsequently discharge, such persons as are in its opinion necessary to deliver the sport and shall determine their terms of reference and methods of operation.
- 7.6.4 The Executive shall oversee the proceedings of the committees referred to in Rule 9 and such other committees set up from time to time, issuing such directions as it thinks fit and shall approve or refer their minutes.
- 7.6.5 At the ACM, the Executive shall nominate to the Council the President and Vice President for the ensuing year and any additional Honorary Life members. This shall be on the advice of Past Presidents as provided for in Rules 5.4 and 5.5.
- 7.6.6 The Executive shall decide any matter not provided for in Laws, Regulations, Guidelines and Rules of Swim England, the Rules of the Regions (as appropriate) or the Rules of the Association, subject to confirmation at the next Council meeting.

8. Chairman

- 8.1 The Chairman shall be selected by the Executive on an open recruitment basis for a term of 3 years and shall not be appointed for more than two consecutive terms.
- 8.2 The Chairman may be subject to a secret vote of confidence at any time from the remaining members of the Executive. If a majority of all the remaining members of the Executive vote 'no confidence', then the Chairman will be required to resign with immediate effect.

9. Appointed Committees

- 9.1 Each discipline Technical Committee: Diving, Disability/Para Swimming, Masters Swimming, Open Water Swimming, Swimming, Artistic Swimming, Water Polo, shall consist of the Discipline Manager and additional members as necessary to fulfil its duties.
- 9.2 Technical Committee powers and duties will be to:
 - 9.2.1 Advise the General Secretary the names of those appointed to each committee on request
 - 9.2.2 Submit an annual budget. **Every item of expenditure by a committee shall be submitted to the Executive for approval via their budget.**
 - 9.2.3 Submit a development plan including recommendations concerning the development of athletes, coaches, volunteers, facilities and equipment.
 - 9.2.4 Make arrangements for the holding of Kent County Championships and/or Kent County Competitions for their discipline and to advise the Executive of the date(s), venue(s) and timing(s) on request.
 - 9.2.5 Conduct training courses and examinations for officials and compile the Kent County List of officials for their discipline
 - 9.2.6 Advise the Executive on the selection of athletes to represent the County at National/Regional level
 - 9.2.7 **Send minutes of meetings promptly to the General Secretary for submission to the Executive for approval at its next meeting. Meetings of technical committees shall be private, and no report of the proceedings shall be open to the press.**
 - 9.2.8 Deal with any other matters concerning their discipline, which may be referred to them by the Executive
 - 9.2.9 Members of the Executive may attend meetings with the power to speak but not to vote.
 - 9.2.10 The Executive may, at its discretion, discharge a committee and appoint a new committee in its place.
- 9.3 The Swimming Officials Committee shall consist of the Swimming Officials Manager, the Swimming Officials Examinations Co-ordinator, the Swimming Officials Appointments Co-ordinators for Kent London and for Kent

Rural, and additional members as necessary to fulfil its duties:

9.3.1 Advise the General Secretary the names of those appointed to the committee on request.

9.3.2 Be responsible for the arrangements and conduct of all examinations for persons wishing to be appointed to the Kent County List of Swimming Officials.

9.3.3 Appoint officials for Swimming Championships and competitions.

9.3.4 Be responsible for the maintenance of the Kent County List of Swimming Officials, including non-technical officials.

10. Finance

10.1 The financial year of the Association shall end on 31 March, up to which date all accounts should be completed.

10.2 The Executive shall each year nominate two of its members who may sign cheques (a single signatory up to £500 and two signatories over £500), in the absence of the Treasurer.

10.3 The funds of the Association shall not be paid to nor distributed among the members of the Association, except in reimbursement of expenses incurred in connection with the Association's business. In the event of the dissolution of the Association, the funds remaining shall be devoted to objects similar to those of the Association, or to any charitable purpose.

10.4 The Association shall have the right to charge affiliation fees at a level to be agreed by the Executive and to collect fees on behalf of Swim England London Region and Swim England South East Region if required to do so.

10.5 All monies in the Association bank accounts shall only be used for purposes as agreed by the Executive.

11. Handbook

A handbook shall be published annually by the Executive which will be available to view and download from the Association's website.

12. County Colours

County colours shall be awarded to swimmers of all disciplines on the first occasion they represent the County of Kent in any Inter-County contest or other contest of similar standard as approved by the Executive.

13. Special Awards for Exceptional Performance by Members of Affiliated Clubs

13.1 The Executive may grant special awards to members of affiliated clubs for performances of exceptional merit.

13.2 The awards shall be made sparingly for performances which are not part of the competitive programme of the County.

13.3 The performances shall be exceptional in the sense that they require one or more of the following qualities: extreme dedication to the sport; overcoming marked disadvantage, such as physical disability, or unusual practical difficulties in training; extraordinary endurance, speed, skill or courage.

13.4 Nominations for special awards may be made at any time by the Officers and members of the Management and Elected/Appointed Committees, and by affiliated clubs. They shall be considered by the Executive.

13.5 The Executive shall determine from time to time the form the award shall take.

14. Eligibility to Vote

Any person voting at any meeting of the Association, Committee or sub-committee shall be a member of a club affiliated to Swim England London Region or Swim England South East Region and thereby a member of Swim England. Clubs shall have a responsibility, in accordance with their constitution, to ensure that all persons helping in any way with the club's activities are members of Swim England.

15. Interpretation of Rules

In the event of any question arising as to the correct interpretation of these Rules, or any question not herein provided for, such questions shall be referred to the Executive for decision.