

CONSTITUTION

ENGLISH CURLING ASSOCIATION



Amended and Ratified on 28th June 2020

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THE ECA CONSTITUTION

1. NAME AND OBJECTIVES

The Association's formal title is the "English Curling Association" (hereinafter referred to as the 'ECA').

The objectives of the ECA are to unite English curlers throughout the World in the brotherhood of curling, to foster and promote the game of curling in England, to regulate the affairs of its Members and to ensure that English curling is represented in International competitions and on International Sporting Federations.

The ECA is an affiliated association of the Royal Caledonian Curling Club (RCCC) and a full member of the World Curling Federation (WCF). The Secretary will forward a list of the ECA's office bearers to the RCCC for publication in the Annual of that club by the 1st July in each year or as soon as possible after the AGM of the ECA.

2. AMENDMENTS AND ADOPTION OF CHANGES TO THE ECA CONSTITUTION

Proposed changes to the constitution may be made, in writing, to the ECA Council at any time and will be discussed at the next Council meeting but they can only be adopted into the constitution at the next general meeting of the ECA's Members. Any changes made during the year at an interim EGM will be reported at the AGM.

3. CLUB APPLICATIONS TO THE ECA

Any curling club with 8 or more members may apply to join the ECA at any time during the year and each application will be decided by the ECA Council at their next meeting or through a shared exchange of emails or by other means.

The club must be formed and governed by members and office bearers appointed in accordance with a constitution agreed by the ECA.

The President and Vice President of the ECA shall not be involved in discussing the initial application from the club as they will sit on any appeals made if an application is unsuccessful. Also any ECA Council Member with a vested interest or potential conflict of interest must declare this and will abstain from any vote.

An appeal against a refusal of membership must be submitted to the ECA Secretary within 14 days of the notification of a failed application. The ECA's President and Vice President will initially hear any appeal and will present their findings within 7 days to the applicant and the ECA Council at the same time. Their decision will be binding on all parties.

A club's application must include the following information before their application is considered by the ECA Council:

- the name of the club;

- a list of the current members of the club and any positions that they hold in the club (e.g President, Secretary, Treasurer etc.);
- contact details for the club's office-bearers;
- evidence that the club has a bank account and is currently solvent;
- a copy of the club's Constitution and Rules which should include:

objectives of the club;

type and definition of membership available;

the rules under which it operates;

how the club is managed (committees etc.);

how the members control the club (type and frequency of meetings (committee, AGM etc.));

the policies and procedures in place to cover the following, or a statement that they will agree to follow and be bound by the policies of the ECA. If incorporating their own policies, these should not be less restrictive than the same policies of the ECA but may be more restrictive:

Equality; Child and Adult Protection; Ethics; Fair Play; Health and Safety; Complaints, Discipline and Appeals, and Data Privacy.

4. TYPES OF MEMBERSHIP

Every member of a club which is an affiliated member of the ECA shall also be a Member of the ECA and shall pay an annual subscription to the ECA.

There will be 4 classes of Membership of the ECA as follows. The subscription level for each class will be set at the Annual General Meeting

1. A Full Member will have one vote at the Annual General Meeting or an Extraordinary General Meeting and may participate in ECA Championships, if eligible under the criteria in ECA Policy 11 (International Team Selection Policy).
2. An Associate Member will not have a vote at the Annual General Meeting or an Extraordinary General Meeting and may not participate in ECA Championships but may represent England at the 4 Nations or in other friendly international matches or National competitions.
3. A Junior (Full or Associate) Member, under the age of 21 on the 30th June before the start of a season, will pay 50% of the appropriate subscription.
4. School Members – Full and Associate Members under the age of 18 on the 30th June before the start of a season, and in full time education, will pay a School Member subscription as set by the Annual General Meeting unless they wish to participate in an ECA Championship (except the ECA Schools Championship) in which case they will be

regarded as Junior Full Members and therefore required to pay the appropriate subscription.

A curler may be a Member of more than one ECA club, but must nominate one club as their "Mother" club, which is the only club they may represent in ECA competitions, and their ECA subscription will be collected through that club. Each Member is only liable to pay one subscription per season to the ECA.

The secretary of each club shall send a list of Members of the club for the current season to the ECA Secretary by the 31st March in each year and shall also send a list of the office bearers of the club for the following season to the ECA Secretary as soon as possible after the club's AGM.

The list of Members shall be divided into Full and Associate Members and shall identify those in each class who are defined as Junior Members and School Members.

5. FINANCIAL

- a. Any application fee payable by a club to join the ECA will be set at the Annual General Meeting.
- b. The annual subscription of the ECA will be set at the Annual General Meeting.
- c. The annual subscription shall be paid to the Treasurer of the ECA by the 30 November in each year.
- d. The ECA Secretary shall request the treasurer of each member club for a total subscription based on the number of that club's Members of all classes as defined in this constitution.
- e. At the discretion of Council any club falling two years into arrears in payment of its annual subscriptions will be suspended from the ECA until its arrears are paid. If the arrears are not repaid within 12 months of its initial suspension the club will be excluded from the ECA. A club may apply to rejoin the ECA but not until at least 12 months after its exclusion.

6. ADMINISTRATION OF THE ECA - ANNUAL GENERAL MEETING (AGM)

The affairs of the ECA shall be controlled by the Annual General Meeting:

- a. The date and place, or region, of the Annual General Meeting shall be decided at the previous Annual General Meeting.
- b. The Annual General Meeting will have regard to the geographical location of the member clubs in determining the place of the Annual General Meeting: if appropriate a geographical rotation of places for meetings will be adopted.
- c. Where the constitution refers to 'in writing' or 'written' this shall include email communication. Where it refers to 'attendance' at meetings this shall include at a virtual meeting via an Internet conferencing programme.

Notices relating to Annual General Meeting agendas.

The ECA Secretary will send out nomination forms for ECA Office Bearer positions and a request for any proposed changes to the constitution or policies to all club secretaries a minimum of 70 days in advance of the AGM.

Notice by a member must be in writing and reach the Secretary of the ECA by the time stated below, being the number of days before the Annual General Meeting:

- a. Fifty days for matters of general business of interest to members, nominations for Office Bearer positions and motions to modify any rule in the constitution or policies of the ECA.
- b. Five days on a club's application for membership.

Notice of the Annual General Meeting

- a. The Secretary of the ECA shall give club secretaries 35 days' written notice of the Annual General Meeting. Club secretaries should distribute these to their members within 5 days of their receipt.
- b. The Secretary of the ECA will send with this notice, a full copy of the minutes of the previous AGM, a full agenda for the meeting including proposals received to change the constitution, nominations received for Office Bearers, a copy of the Annual Accounts and minutes of any Special Meetings or EGMs.

The Annual General Meeting

- a. The President or in their absence, the Vice President or in their absence, a member of the Council shall take the Chair.
- b. The agenda for the Annual General Meeting will include the following:
 - i. Apologies for absence.
 - ii. Report of new clubs and clubs that have been suspended, excluded or voluntarily ceased to be a member.
 - iii. Minutes of the previous Annual General Meeting and any subsequent special meetings.
 - iv. Matters arising from the minutes referred to at iii. A resolution to adopt the said minutes which are to be signed by the President, or Chair, and the Secretary.
 - v. President's Report
 - vi. Treasurer's report including presentation of accounts and proposal regarding subscription.
 - vii. Approval of accounts, and if approved, signing of same by President, or Chair, and Secretary
 - viii. Setting of subscription
 - ix. World and British Curling Representatives' Reports
 - x. Report on Wheelchair Curling
 - xi. Report on Junior Curling
 - xii. Reports from Area Representatives
 - xiii. Report on competitions and related matters
 - xiv. Proposals to modify the constitution
 - xv. Election of Office Bearers
 1. President
 2. Vice President
 3. Secretary
 4. Treasurer
 5. Wheelchair Representative
 6. WCF Representatives

- 7. British Curling Representatives
- 8. Area members (2 members from each area)
- 9. Competitions' Convenor
- 10. Junior Convenor

- xvi. Election of Honorary Vice Presidents and Honorary Life Members
- xvii. Nomination of other convenors
- xviii. Matters of general business notified beforehand
- xix. Any other competent business
- xx. Date and place of next Annual General Meeting.

Reports from representatives and convenors may be circulated beforehand and not read out at the AGM at the discretion of the Council.

7. VOTING AND PROXIES

Annual General Meeting Regulation and Voting

a. Voting procedure

- i. A proposition shall be voted on after it has been proposed and seconded by members present and entitled to vote at the Annual General Meeting whose names are recorded by the Secretary (a recorded proposition)
- ii. If appropriate an amendment to a recorded proposition may be taken if proposed and seconded by members present and entitled to vote whose names are recorded by the Secretary (a recorded amendment).
- iii. If appropriate a further amendment to both a recorded proposition with a recorded amendment may be taken if proposed and seconded by members present and entitled to vote whose names are recorded by the Secretary (a recorded further amendment).
- iv. There shall be no further amendments accepted by the meeting.
- v. Voting will be taken in the order

If this fails – 1. The recorded further amendment

If this fails – 2. The recorded amendment

If this fails – 3. The recorded proposition

If this fails, no further proposition may be put to the Meeting on the same point; notice may be given by appropriate procedure for a subsequent meeting.

On all matters of business transacted at the Annual General Meeting, including changes to the constitution, propositions duly proposed and seconded, and amendments so proposed and seconded, may be taken from the floor without prior notice if the meeting is quorate and there is unanimous consent among those present that this can happen. The voting rules below shall apply.

b. Voting rights.

The following only may vote at any Annual General Meeting.

- i. Each Full Member of the Association

- ii. The President or, if they are not in attendance, the Chair of the meeting shall have a casting vote.
- c. Voting
- i. A simple majority of votes cast shall decide all matters save for propositions to modify the constitution which will require 75% of the votes cast to be in favour.
 - ii. Votes will be taken by count and the result declared by the Chair which will be taken as final unless a Full Member challenges the result within five minutes whereupon the proposition will be restated by the Secretary and a vote taken by secret ballot. The result of the ballot shall be final and binding.
- d. Proxies and Quorum
- i. Full Members may carry a proxy vote for one other Full Member at an AGM (or EGM) provided intention to do so is notified in writing to the Secretary 14 days prior to the meeting.
 - ii. A quorum shall be not less than 20 Full members attending in person or 15% of the persons entitled to attend and vote, whichever is the lesser.
 - iii. The Secretary shall record the name and club of all members attending and entitled to vote.

8. EXTRAORDINARY GENERAL MEETING (EGM)

An Extraordinary General Meeting of the members of the Association may be called by a decision of the Council or at the request of 20 Full members or 15% of the total membership of the Association, whichever is the lesser. All rules which apply to the Annual General Meeting shall apply to an Extraordinary General Meeting.

9. OFFICE BEARERS' TERM AND RESPONSIBILITIES

- a. Office Bearers shall ideally serve for terms of three consecutive years, for the sake of continuity.
- b. A retiring Office Bearer will be eligible for re-election.

The Secretary (or nominated deputy) will:

- c. Convene meetings of the ECA, ECA Council and any other committees by due notice.
- d. Attend all meetings of the ECA and ECA Council and take minutes of the meetings.
- e. Conduct the clerical duties of the ECA at the direction of the Council.

The Treasurer will:

- f. Keep the financial records of the ECA in accordance with good accountancy practice.
- g. Be custodian of the funds of the ECA which will be lodged with a joint stock Bank or Building Society; the account shall be operated by two signatures from among the President, the Secretary and the Treasurer for amounts over £500. Amounts below may be signed by one signature only.
- h. Collect all subscriptions and funds due to the ECA.

- i. Prepare annually after the 31 March, an income and expenditure analysis and balance sheet of the affairs of the ECA and submit the same to the Reporting Accountant for certification, providing the Reporting Accountant with all information reasonably requested.
- j. Prepare an abstract of the accounts which shall be printed and issued to all Members of the ECA together with the notice convening the Annual General Meeting.
- k. Permit inspection of the books and financial records of the ECA by any Member of the ECA.

10. ADMINISTRATION CONTROL AND MANAGEMENT OF THE ECA BY COUNCIL

- a. The daily affairs of the ECA shall be conducted by the Council of Management (hereinafter called the Council).
- b. The Council shall consist of
 - 1. The President
 - 2. The Vice President
 - 3. The Immediate Past President (for one year immediately after standing down)
 - 4. The Secretary
 - 5. The Treasurer
 - 6. The Wheelchair Representative
 - 7. The WCF Representatives
 - 8. The British Curling Representatives
 - 9. The nominated Members of each area (2 per area).
 - 10. The Competitions' Convenor
 - 11. The Junior Convenor
- c. The Council has administrative and executive control and management of the affairs of the ECA with power to delegate to sub-committees and individuals and to co-opt additional Members to Council as required.
- d. Finance - Finance Committee - the Council may if required elect a Finance Committee comprising of the President, the Treasurer and three Council Members.
- e. The Council may make standing orders for the conduct of its and sub-committee meetings.
- f. The Council may convene a meeting via online communications systems if a physical meeting of a quorum cannot be achieved.
- g. Quorum:
 - i. A quorum of the council shall consist of 50% of the office bearing positions plus 1.
 - ii. A Council Member may carry a Proxy vote for another Council Member at a Council meeting. An Area Council Member may carry a Proxy vote for the other Area Council member from the same area at a Council meeting, If both are unable to attend they may nominate 1 or 2 other members of the ECA from the same Area to act as a proxy for that Meeting. In all cases the Secretary should be informed, in writing, of this intention at least 14 days before the Meeting.
- h. Council meetings.
 - i. Special council meetings shall be convened with a minimum 21-days' notice
 - 1. When the President deems necessary, or
 - 2. By notice requisitioned and signed by three Members of the Council and sent to the Secretary who will give fourteen days' notice to the Council save in an emergency, or
 - 3. By order of the Annual General Meeting, or
 - 4. By any Member of the Council on emergency matters.

- ii. Ordinary Council meetings shall be convened at such time and place as fixed by the previous Council meeting.
- i. Business of Council meetings
 - i. Special meetings shall only dispose of business detailed in the Notice convening the meeting.
 - ii. Ordinary meetings will deal with any matter raised by a Member of the ECA with due notice and any matter pertinent to the operation of the ECA.
 - iii. Voting procedures and requirements shall be as for the Annual General Meeting with all Members present entitled to vote.
 - iv. Minutes of Council meetings and meetings of sub-committees will be taken by the Secretary or deputy and circulated to all Members of the Council as soon as possible. All minutes will be presented for ratification at the next Council Meeting.
 - v. All other convenors officially appointed will be invited to attend the Council meetings but their attendance will not count towards the quorum of the meeting and they will not be entitled to vote.

11. COUNCIL REPRESENTATION

All member clubs of the ECA will be allocated to an Area which will represent them on the ECA Council through 2 Area Representatives nominated by the constituent clubs of the Area. The Areas will be defined by County Boundaries as follows:

- (i) North West: Cumbria, Lancashire, Cheshire, Staffordshire, Shropshire, Derbyshire and the former counties of Greater Manchester, Merseyside, South Yorkshire and West Yorkshire.
- (ii) North East and Scotland: Northumberland, North Yorkshire, Lincolnshire, Nottinghamshire, and the former counties of Tyne and Wear, Cleveland, and Humberside and Scotland.
- (iii) South: Rest of England.

Any Club may nominate a Full Member of that Club to be an Area Representative by Notice to the Secretary of the ECA.

Area boundaries may be varied as required by Council in Special Meeting.

12. RECOGNISED ORGANISATIONS

- a. The ECA Council is empowered to recognise organisations which accept and adhere to the terms as laid out here:
 - i. to provide any such recognised organisation with a specific written remit;
 - ii. to delegate, where appropriate, the responsibility of controlling specific aspects of the sport in England, and;
 - iii. to establish such lines of communication and representation within the ECA as the Council may deem appropriate from time to time.

- b. To be recognised under the following paragraphs an organisation is required to apply for such recognition which shall be granted on such terms as the Council may from time to time determine. The recognition period may be indefinite in length or for a specified period, but all such agreements will be reviewed annually by the Council and reported to the Members at the AGM.
- c. The minimum requirements for any organisation to be recognised are:
 - (i) its objectives and constitution (whether a limited company or not) are acceptable to the Council;
 - (ii) it accepts the remit given to it by the Council;
 - (iii) its membership is deemed appropriate by the Council as is the method of election of members;
 - (iv) its governance is accepted as being appropriately democratic, and
 - (v) its finances are conducted and reported subject to standard accounting procedures and are subject to audit or certification as the Council may determine

13. ECA POLICIES

The ECA has adopted the following policies, all of which are set out in the Appendix to this Constitution which will be made available to view on the ECA website and to members upon request.

The ECA Council is responsible for the policies and will amend them as they see fit and necessary.

- 1 EQUALITY POLICY
- 2 CHILD PROTECTION POLICY and ADULT PROTECTION POLICY
- 3 ETHICAL PRACTICE, CONDUCT AND FAIR PLAY
- 4 HEALTH AND SAFETY POLICY
- 5 COMPLAINTS POLICY
- 6 DISCIPLINARY POLICY
- 7 APPEALS PROCEDURE
- 8 COMPETITION & GAME RULES
- 9 NATIONAL AND INTERNATIONAL MATCHES
- 10 DOPING POLICY
- 11 INTERNATIONAL TEAM SELECTION POLICY
- 12 DATA PRIVACY POLICY
- 13 ENGLAND TEAM CLOTHING AND EQUIPMENT POLICY