



CONSTITUTION

as of 10th January 2021

Rule 1 Name

1.1 The name of the league shall be Micro League of the North West. Hereby after called the League

Rule 2 Definition

2.1 The League is available to all Swim England affiliated clubs within the North West Region of England around a 50-mile radius of County Hall Preston

Rule 3 Aims

3.1 The Aims of the League shall be to:-

- 3.1.1 Carry out the aims and objectives of Swim England, and Swim England North West Region associated with the delivery of team-based competition skills and experience eligible athletes from the clubs affiliated to the league.
- 3.1.2 Obey and enforce the laws, regulations, rules and rulings of Swim England, including Swim England North West Region.
- 3.1.3 Contribute to the development of competitive swimming within all clubs affiliated to the league.
- 3.1.4 Promote inter-club competitions for junior swimmers (9 - 12yrs), to encourage their progression in swimming and participation in sport.
- 3.1.5 Produce and implement policies to carry out other activities relevant to the League.
- 3.1.6 Raise public awareness of the sport and stimulate public opinion in favour of providing suitable accommodation and facilities.
- 3.1.7 Encourage competitive swimming for young swimmers between the ages of 9 and 12 years, and to determine which team will go forward to represent the League in the Junior Inter-League Competition during that year. This team will be awarded the "North West Micro League Trophy", which will be held for one year.

Rule 4 Objectives

4.1 In the furtherance of the aims of the League the following objectives shall be undertaken:

- 4.1.1. The League shall treat everyone equally within the context of its activity and with due respect to the differences between individuals. It shall not apply nor endorse unlawful or unjustified discrimination, and, shall act in compliance with the protections afforded by the Equality Act 2010.
- 4.1.2 The League shall implement the Swim England Equal Opportunities policy.
- 4.1.3 All persons and clubs affiliated to the League shall consent to be bound whilst engaged in any activity of the League by the Swim England Code of Ethics, the Swim England Laws and Regulations relating to Safeguarding Children and those parts of the Swim England Judicial Laws, Regulations, Rules and procedures necessary for their implementation.
- 4.1.4 All persons and clubs affiliated to the League whilst engaged in activities under the jurisdiction of the League shall be subject to all the constraints and privileges of the Swim England Judicial Laws and Regulations.

4.2 The League shall be affiliated to Swim England North West Region and shall adopt and conform to the rules of Swim England and to such other bodies as the League may determine from time to time

4.3 The business affairs of the League shall at all times be conducted in accordance with the Constitutional Laws, Rules and Regulations, the Judicial Laws and Regulations and the Technical Rules of the discipline as published from time to time by the Swim England, and in particular:

- 4.3.1 All participants in the League shall be members of a club affiliated to the League.

- 4.3.2 All clubs who are members of the League shall be affiliated to Swim England and to the Swim England North West Region.
- 4.3.3 All competing members shall be members of the club they represent.
- 4.3.4 All competing members shall be eligible competitors as defined in the Swim England Laws and Regulations
- 4.3.5 All competitors shall comply with the Competition conditions of the League and of Swim England.
- 4.4 To contribute to the promotion and development of the aquatic discipline through the implementation of:
 - 4.4.1 A League Development Plan if required.
 - 4.4.2 Partnership agreements, where appropriate with complementary leagues in other regions, training facilities and competition venues.
- 4.5 By virtue of the affiliation of the League to Swim England, all members of the League shall acknowledge that they are subject to the laws and rules of:
 - 4.5.1 Swim England North West Region.
 - 4.5.2 Swim England including the Swim England / Institute of Swimming Code of Ethics.
 - 4.5.3 The British Swimming Doping Control Rules and Protocols and the British Swimming Disciplinary Code.
 - 4.5.4 FINA the world governing body for the sport of swimming and all its disciplines, together with the Governing Body Rules.
- 4.6 In the event that there shall be a conflict between any rule or by-law of the League and any Governing Body Rules then the relevant Governing Body Rules shall prevail.

Rule 5 Powers and Responsibilities of the League

- 5.1 **In general the League shall:**
 - 5.1.1 Contribute to the management of the sport of swimming throughout the League, subject to the strategic direction of Swim England and the Swim England North West Region.
 - 5.1.2 Observe, obey and enforce the laws and the judicial and technical rules and regulations of Swim England and Swim England North West Region.
 - 5.1.3 Enforce the League Competition rules.
 - 5.1.4 Organise the Swim Off's and the Final to determine the winning team for that season. Inform the organizers of the National Competition when that result is known.
 - 5.1.5 Follow and implement the resolutions and rulings of the Swim England Council and the decisions of the Boards of Swim England, and of Swim England North West Region
 - 5.1.6 Be accountable to Swim England and Swim England North West Region for the proper discharge of its duties and functions.
 - 5.1.7 Produce, maintain and implement such plans based on the strategic criteria set by Swim England, and the Swim England North West Region in such a form as they may from time to time require.
 - 5.1.8 Make available to Swim England and the Swim England North West Region information and reports as they may require, at a time and in a format as specified by them.
 - 5.1.9 Elect the requisite number of delegates to the Council Meeting and any Special Council Meeting of Swim England North West Region, and any other body, organisation, or association to which the League is affiliated as required.
 - 5.1.10 Produce and issue, as required, Constitutional Rules for the operation and management of the League and operate on the basis of an appropriate constitution which shall:-
 - 5.1.10.1 Be reviewed from time to time by Swim England and the Swim England North West Region.
 - 5.1.10.2 Contain any mandatory provisions in respect of any parts of the governance and administration of the League received from Swim England and Swim England North West Region.
 - 5.1.10.3 Contain recommended provisions in respect of the other parts of the governance and administration of the League and any other matter appertaining to the League received from Swim England, and the Swim England North West Region.
- 5.2. In relation to its administration and finance, the League shall:
 - 5.2.1 Determine the uses to which its funds are allocated within the strategic criteria set by Swim England, and the Swim England North West Region and the League.
 - 5.2.2 As required, set up and implement a Business Plan including a budget indicating the source of the required funding and how it will be spent, based on the strategic criteria set by Swim England, the Swim England North West Region and the League.
 - 5.2.3 As required, set up and implement a Development Plan based on the strategic criteria set by Swim England, the Swim England North West Region, and the League.

- 5.2.4 Have the authority to set the League affiliation and membership fee due from each of the clubs affiliated to it.
- 5.2.5 Administer, as required, the operation and membership process and the collection and transfer, where applicable, of fees for the League.
- 5.3. In relation to its Accountability the League shall:
 - 5.3.1 As required, make its Business and Development Plans available to Swim England North West Region or its nominated agents as required for information and approval.
 - 5.3.2 Keep accounts and a balance sheet showing its income and expenditure.
 - 5.3.3 As required report to the Swim England North West Regional Management Board including:
 - 5.3.3.1 Activities and any issues arising there from
 - 5.3.3.2 Financial Statements
 - 5.3.3.3 Performance against its Development Plan

Rule 6 Affiliations and Membership

- 6.1. The total membership of the League shall not normally be limited to 27 teams across 3 divisions. However, if the Management Committee considers that there is good reason to from time to time impose any limit or expansion of either the teams or divisions, the Management Committee shall put forward appropriate proposals for consideration at an Annual, Interim or Special General meeting of the League. The members of the League shall have the right to recommend to the Management Committee that limits should be placed on or removed from the total membership, or any category of membership.
- 6.2. Membership of the League is open to any Club currently affiliated to Swim England, North West Region, whose current year's subscription, to that body, has been paid and is based within a 50-mile radius of County Hall Preston.
- 6.3. The membership of the League shall consist of:
 - 6.3.1 Clubs that are affiliated in accordance with Rule 6.2.
 - 6.3.2 Individual position holders consisting of League Officers and other designated position holders, as decided, from time to time by the Committee. All holders of individual positions shall be members of an affiliated club and shall not be less than eighteen years of age.
- 6.4. Any club wishing to become a member of the League must submit a written application to the League Secretary. Election to membership shall be proposed by one club and seconded by a second different club and determined by a majority of the members entitled to attend and vote at the interim meeting of the membership. Any other affiliated club or individual post holder may make a recommendation as to the applicant's acceptability.
- 6.5. The League shall be required to give reasons for the refusal of any application for membership. Any club refused membership may seek a review of this decision before a Review Panel appointed by the Management Committee comprised of not less than three members, who may or may not be members of the Committee. The Review Panel shall, wherever practicable include one member who is independent of the league and does not hold office in the league. The club refused membership shall be entitled to make representations to the Review Panel. The procedures for review shall be at the discretion of the Review Panel whose decision shall be final and binding.
- 6.6. In its consideration of applications for membership, the League shall not act in a discriminatory manner and in particular, shall adhere to the Equality Act 2010 (as may be amended). Accordingly, the League shall not refuse an application for membership on the basis of any protected characteristics detailed in this act or on the grounds of political persuasion.
- 6.7. The League may refuse membership only for good and sufficient cause, such as conduct, disharmony or character likely to bring the League or the sport into disrepute, or, in the case of a club, being unable to achieve the minimum entry standards as laid down and provided by the League to the applicant for membership.
- 6.8. All memberships shall be renewed on an annual basis through the process of agreement not later than annual date of the league's Interim Meeting.

Rule 7 Affiliation and Other Fees

- 7.1 The Management Committee shall, from time to time, have the power to propose to the Annual General meeting, the Interim Meeting or any Special General Meeting called for that purpose, the Annual affiliation, membership or other fees. The Management Committee shall in so doing make special provision for different classes of membership as the Annual General Meeting, Interim Meeting or Special General meeting shall decide.
- 7.2 The annual affiliation fee shall be due on joining the League and thereafter on the annual date of the leagues Interim Meeting each year.
- 7.3 The League Officers shall have the power in special circumstances to remit the whole or part of the fees to address issues of special need.

Rule 8 Suspensions and Resignation

- 8.1 Any club not having paid its return of club membership to Swim England nor paid its liabilities to it's Region, or to the League by the date of the Annual Interim Meeting each year shall be suspended with immediate effect, by Swim England or by the Management Committee, from all League activities, until such time as those liabilities are discharged. The Secretary of the League shall notify the club in writing or by electronic means of the date of the imposition of the suspension sanction and of the discharge of the sanction when the liabilities have been satisfied.
- 8.6 A club wishing to resign from the League shall give notice to that effect in writing before the date of the Annual Interim Meeting each year to the Secretary or it shall be held responsible for its League affiliation fee for the current year.

Rule 9 Expulsions and Other Disciplinary Action

- 9.1 If a complaint is made or is received by the League expressing dissatisfaction with the actions or behaviour of an individual person, member or club that is an alleged breach of Swim England Law or Regulation it shall be passed to Swim England for consideration under the Judicial Laws and Regulations of Swim England.
- 9.2 In the case of an internal dispute between any individual member or club affiliated to the League, when referred to the League for consideration, the League shall adopt and comply with the requirements and procedures of the Swim England Judicial Rules and Regulations for handling Internal Disputes as the same may be revised from time to time.
- 9.3 The Management Committee shall have the power to expel a member when, in its opinion, it would not be in the interests of the League for the club or individual(s) to remain a member. The League in exercising this power shall comply with the provisions of Rules 9.4 and 9.5 below.
- 9.4 Upon expulsion the former member shall not be entitled to have any part of the annual affiliation or membership fee to be refunded and must return any league trophy or trophies held forthwith.
- 9.5 A member may not be expelled or, subject to Rule 9.6 below, be made the subject of any other penalty unless the panel hearing the dispute shall by a two-thirds majority vote in favour of the expulsion of, or other penalty imposed upon, the member.
- 9.6 The Officers of the League, or any person to whom the Committee shall delegate this power, may temporarily suspend or exclude a member from particular sessions and/or wider league activities, when in their opinion, such action is in the interests of the league. Where such action is taken the incident or matter will thereafter be dealt with in accordance with the appropriate Swim England Judicial Rules and Regulations.
- 9.7 The Officials in charge of a particular event shall be responsible for the discipline at that event. If further action is required, this is to be referred to the Internal disputes procedures as laid down in Swim England Judicial Laws and Regulations and given as an appendix to these Constitutional Rules

Rule 10 Finance

- 10.1 All monies payable to the League shall be received by the Treasurer and deposited in a bank account in the name of the League. No sum shall be drawn from the account by cheque or by electronic means or online or by a bank transfer unless sanctioned by two of the following officials: the chairperson, the

secretary and the treasurer of the league. Any money not required for immediate use may be invested as the Committee in its discretion think fit.

- 10.2 The income and property of the League shall be applied only in furtherance of the aims and objectives of the League and no part thereof shall be paid by way of bonus, dividend or profit to any members of the League or to an external agency except as set out in Rule 23.3 Dissolution.
- 10.3 The Management Committee shall have the power to authorise the payment of remuneration and expenses to any Officer, member or employee of the League and to any other person or persons for services rendered to the League.
- 10.4 The Treasurer shall record the financial transactions of the League in such a manner, as the Management Committee think is appropriate.
- 10.5 The financial year of the League shall be the period commencing on the 1st October and ending on 30th September Any change to the financial year shall require the approval of the Annual General meeting.
- 10.6 The Management Committee shall not be allowed to borrow money on behalf of the League for any purpose of the league.

Rule 11 Governance

- 11.1 There shall be two levels of governance of the League
 - 11.1.1 The Annual General Meeting and Interim Meeting of the membership
 - 11.1.2 The Management Committee
- 11.2 A person who is not a member of a club affiliated to the League shall not be permitted to be nominated, elected or appointed as a delegate, Management Committee member, officer or to any other position which carries the right to vote at any level of governance of the League.
- 11.3 The Officers of the League shall be the Chair, the Treasurer, the General Secretary and the Registration Secretary.

Rule 12 Annual General Meeting

- 12.1 The Annual General Meeting of the Association shall be held in the month of January
- 12.2 The Management Committee shall fix the date, the time and the venue of the Annual General Meeting, which shall be notified to clubs with the notice convening the meeting.
- 12.3 Only in the event of exceptional circumstances shall an Annual General Meeting be postponed by the Management Committee once the date, time and venue has been fixed and advised to members. A postponed Annual General Meeting shall normally be reconvened on a date within one month of the original date and a minimum of 7 days advance notice given to the members of the rescheduled date, time and venue. At this meeting, the same agenda as originally issued shall be used.
- 12.4 In any event no more than 15 months shall elapse between any two consecutive Annual General Meetings.
- 12.5 **The membership of the Annual General Meeting of the League shall consist of**
 - 12.5.1 The Chairperson, casting vote.
 - 12.5.2 The Secretary.
 - 12.5.3 The Treasurer.
 - 12.5.4 The Registration Secretary.
 - 12.5.5 The Delegates of the affiliated clubs.
- 12.6 **Representation to the Annual General Meeting:**
 - 12.6.1 Each club affiliated to the League shall be entitled to representation at the Annual General Meeting by 1 voting delegate per club. Additional representatives of affiliated clubs are permitted to attend as observers.
 - 12.6.2 Delegates shall be the registered team manager of the associated club or their representative.
 - 12.6.3 The Secretary of the club, or other person authorised so to do, shall notify the Secretary of the League the name of the team manager for the league on or before the annual general meeting

and will inform the league secretary of any changes to the team manager during the course of the season.

- 12.6.4 The officers or other post holder of the league shall not be permitted to act as a delegate of an affiliated club.
- 12.6.5 A delegate shall only be permitted one vote, irrespective of the number of clubs, they may represent.
- 12.6.6 Proxy voting shall not be allowed at any Meeting of the League.

12.7 **Quorum at a General Meeting**

- 12.7.1 The quorum for the Annual General Meeting, the Interim Meeting or any Special General Meeting shall be not less than 8 of the members entitled to attend and vote at the meeting, which must contain not less than two Officers of the League.
- 12.7.2 Having called an Annual General Meeting, Interim Meeting or Special Meeting, it may only proceed to business if the correct quorum of members is present within 30 minutes after the time fixed for the meeting; otherwise, the meeting if convened at the requisition of the members shall be dissolved; if convened at the direction of a previous General Meeting or by the Management Committee it shall be adjourned to the same time in the following month save that the adjourned meeting may proceed to business whatever the number of members present.

12.8 **Responsibilities of the Annual General Meeting,**

The Annual General Meeting shall have responsibility to:

- 12.8.1 Deal with any matters of governance according to the rules of the League.
- 12.8.2 Oversee the work of the Management Committee and to receive its reports and accounts.
- 12.8.3 Abide by the rules for its conduct.
- 12.8.4 Consider and decide on any proposed additions or alterations to, or deletions from the constitutional rules.
- 12.8.5 Keep full and accurate minutes of its meetings.

12.9 **The purpose of the Annual General Meeting is to transact the following business:**

- 12.9.1 To receive and comment on the Annual Report of the activities of the League during the previous year as presented by the chairperson or their delegate that must be a league officer. The Annual Report shall include the report of:
 - 12.9.1.1 The Management Committee
 - 12.9.1.2 Any Standing, Technical or National Sub Committees and/or delegates to for example, the Junior Inter-league.
 - 12.9.1.3 Any other committee, as decided by the Interim Meeting or any General meeting of the membership or the Management Committee and responsible for the activities of the League during the previous year.
- 12.9.2 To receive and consider, the accounts of the League for the previous year, the report on the accounts by the independent Financial Examiner and the Treasurer's report as to the financial position of the League.
- 12.9.3 To elect the following who shall retire from office at the Annual General Meeting after a maximum of 2 years of service but shall be eligible for re-election, each of whom shall be a member of a club affiliated to the League and shall be not less than eighteen years of age:
 - 12.9.3.1 The Chairperson
 - 12.9.3.2 The Secretary
 - 12.9.3.3 The Treasurer
 - 12.9.3.4 The Registration Secretary
- 12.9.4 To appoint the Welfare Officer, as and when required, who shall be a member of a Club affiliated to the league who must be not less than 18 years of age, who should have an appropriate background and who is required to undertake appropriate training in accordance with Swim England Child Safeguarding courses. The Welfare Officer shall not be, if possible, an officer or a member of the Management Committee of the league or a member of the family of an officer or committee member of the league. The Welfare Officer shall not be a member of the committee but will have a right to attend Committee meetings without a power to vote and shall report to the Committee on all aspects of welfare concerning members of the league.
- 12.9.5 To decide on proposed changes to the Constitutional Rules
- 12.9.6 To decide on any other resolution that may be duly submitted in accordance with Rule 14.2.1.2.

12.10 **The Annual General Meeting may:**

- 12.10.1 Discuss any matters that are relevant and pass resolutions and orders concerning them
- 12.10.2 Appoint a special committee to consider and report upon any matter. The number of members of the committee and a quorum shall be determined by the meeting. The Officers of the League shall be ex-officio members of any such committee unless the meeting dictates otherwise.

- 12.10.3 If a majority of two thirds of those present and voting is in favour of a motion to the effect that a club affiliated to the League has rendered itself unworthy to continue to be affiliated to the League to expel the club from membership of the League. Notice of such a motion must have previously been included in the agenda for the meeting.
- 12.10.4 At an Annual General Meeting or at an Interim or Special General Meeting, delegate the whole, or any part of its powers, to the Management Committee.

Rule 13 Interim Meeting

13.1 Responsibilities of the Interim Meeting,

The Interim Meeting shall have responsibility to:

- 13.1.1 Review the leagues activities that have taken place since the last Annual General Meeting.
- 13.1.2 Approve any rule changes and / or other actions taken by the management committee under rule 9.3
- 13.1.3 Make decisions related to events and activities remaining for the active season and for the following season plus participation in inter-league or other national level competitions.
- 13.1.4 Pass resolutions for final consideration and approval by the next Annual General Meeting
- 13.1.5 Keep full and accurate minutes of its meetings.

13.2 The membership of the Annual General Meeting of the League shall consist of

- 13.2.1 The Chairperson casting vote.
- 13.2.2 The Secretary.
- 13.2.3 The Treasurer.
- 13.2.4 The Registration Secretary.
- 13.2.5 The Delegates of the affiliated clubs.

13.3 The purpose of the Interim Meeting is to transact the following business:

- 13.3.1 Core business
 - 13.3.1.1 Develop proposals for ratification at the AGM.
 - 13.3.1.2 Receive reports from any Standing, Technical, National Sub Committees.
 - 13.3.1.3 To agree new club participation and agreement for existing club participation or withdrawal for the next season and planning for fixtures.
- 13.3.2 In the case of officers reaching the end of their time in office, identify and assign officers for the next season and put in place shadowing until the next AGM.
- 13.3.3 To appoint an independent Financial Examiner, who shall not be a member of the Management Committee or a member of the family of a member of the Management Committee.
- 13.3.4 To appoint a delegate to the Swim England North West Region, and the associated National Inter-League and to other organisations to which the League is affiliated, as required.

Rule 14 Special General Meeting

14.1 The Management Committee shall call a Special General Meeting at any time in response to:

- 14.1.1 An order of the Management Committee.
- 14.1.2 A resolution to that effect passed at the Annual General meeting, Interim Meeting or at any other Special General meeting.
- 14.1.3 A requisition in writing or in electronic form, received by the Secretary, signed on behalf of not less than half of the affiliated clubs. The request is to be signed by an officer of the club. The request shall state the purpose for which the meeting is required and the resolutions sought.

14.2 The Management Committee shall notify the members of the arrangements for holding a Special Meeting within twenty-one days of receiving a written or electronic request for a Special Meeting to be held. The meeting shall be held within two months of the receipt of the request to hold the meeting. No business shall be discussed at such a meeting other than that prescribed by a previous Annual General meeting of the membership, by the Management Committee or that stated in the request, as the case may be.

14.3. Not less than fourteen days' notice of a Special General Meeting shall be given to all affiliated clubs, league officials and Management Committee Members. The notice shall specify the object of the meeting. The date, venue and time of such a meeting shall be at the discretion of the Management Committee.

14.4. No business shall be discussed at such a meeting other than that prescribed by the Annual General Meeting, the Management Committee or that stated in the request for the meeting as the case may be

14.5. Only in the event of exceptional circumstances shall a Special General Meeting be postponed by the Management Committee once the date, the time and the venue has been fixed and advised to the

members. A postponed Special General Meeting shall be reconvened on a date within one month of the original date and a minimum of seven days advance notice given to the members of the rescheduled date, time and venue. At this meeting, the same agenda as originally issued shall be used.

Rule 15 Procedures at Annual, Interim and Special General Meetings.

15.1 Chairperson

15.1.1 The Chairperson of the League shall be the Chairperson at all meetings of the League if he/she is present. If the Chairperson is absent, or unable to act or declines to act the most immediate Past Chairperson shall act as Chairperson. If a Chairperson is still not available, the meeting shall elect a Chairperson from the members present.

15.1.2 The Chairperson shall:

15.1.2.1 Have unlimited authority upon any question of order

15.1.2.2 Be, for the purpose of the meeting, the sole interpreter of the rules governing the meeting.

15.1.2.3 Have a casting vote in the case of a motion receiving equal votes.

15.1.3 To act as the representative of the League as required.

15.1.4 To present trophies at Swim off's and Finals to all attending teams.

15.2 Secretary

15.2.1 The Secretary shall be responsible for providing each affiliated club and each member of the Management Committee in writing or by electronic means:

15.2.1.1 A notice of the date, time and place of the Annual General Meeting or Interim Meeting not less than 28 days before the date of the meeting and not less than 15 days before the date of the meeting in the case of a Special General Meeting.

15.2.1.2 A copy of the agenda and the other supporting papers including any reports, the resolutions and motions to be considered and any proposals to change the Constitutional Rules of the League at least fourteen days before the date of the Annual General Meeting, Interim Meeting or Special General Meeting.

15.2.1.3 In the case of the Annual General Meeting a copy of the Annual Report, a list of the nominees for the Officers and the Management Committee posts and a copy of the examined accounts not less than fourteen days before the date of the meeting.

15.2.1.4 To receive applications for membership of the League.

15.2.1.5 To record all business carried out at any Executive, Council or General meeting. To conduct all correspondence.

15.2.2 The Secretary, or in the absence of the Secretary a member of, and selected by, the Management Committee shall take the minutes of the meeting.

15.3 Hon Treasurer

15.3.1 The duties of the Hon Treasurer shall be:

15.3.1.1 Receive all monies and credit to the League Bank Account.

15.3.1.2 Pay any outstanding accounts.

15.3.1.3. Prepare and issue a Financial Statement each year.

15.4 Registration Secretary

15.4.1 The duties of the Registration Secretary shall be:

15.4.1.1 To ensure that all Clubs register all teams correctly.

15.4.1.2. To receive and scrutinize completed results and team sheets where applicable.

15.4.1.3. To attend the swim off's and Final in order to discharge duties required on the day.

15.4.1.4. To prepare and issue a report of League activities each year.

15.5 Adjourned Annual General or Interim Meeting

If the Annual General or Interim Meeting commences but is adjourned for want of time (or other good reason); the adjourned meeting shall be held in a period not exceeding two months. The members present at the meeting will be notified there and then of the adjourned date if practicable. If not and the meeting is adjourned for not more than 28 days all members shall receive 7 days' notice in writing or by electronic means of the adjourned meeting; otherwise, all members shall receive not less than 15 days' notice in writing or by electronic means of the adjourned meeting.

15.6 Proposals, Resolutions and other Motions:

- 15.6.1 A proposal, motion or resolution for consideration at the Annual General Meeting or Interim Meeting which does not embody a proposal to change a Constitutional Rule of the Association, may be submitted:
 - 15.4.1.1 By the Management Committee
 - 15.4.1.2 By any member of the Annual General meeting
 - 15.4.1.3 By a club affiliated to the League.
- 15.6.2 In all cases where multiple nominations are received for the same office or for membership of the Management Committee and it is necessary to hold a ballot, the Secretary shall call for a Curriculum Vita for each person involved in the ballot. The Curriculum Vita to be circulated with the papers for the Annual General Meeting.
- 15.6.3 Proposals, motions and resolutions received in accordance with this section shall be submitted in writing or by electronic means to the Secretary not less than twenty-one days prior to the date of the Annual General or Interim Meeting and any Special General meeting.
- 15.6.4 Proposal, motions and resolutions received in accordance with this section shall be sent to clubs entitled to be represented at the Annual General Meeting, Interim Meeting or a Special General meeting not less than fourteen days before the date of the meeting
- 15.6.5 A motion of which due notice has not been given may not be discussed or voted upon unless sanctioned by the Chairperson and two thirds of the members present and voting and provided it does not involve a change to the Constitutional Rules of the League.
- 15.6.6 Approval of the Annual Report other than those items where due notice has been given to amend, add or reject, shall be proposed by the Chairperson and put to the vote without debate
- 15.6.7 All business for an Annual General Meeting, Interim Meeting or Special General Meeting shall be printed on the agenda and no other motion shall be discussed therein except:-
 - 15.4.7.1. To record the name of the Chairperson of the meeting, if other than the Chairperson
 - 15.4.7.2. To record the name of the Secretary of the meeting, if other than the Secretary.
 - 15.4.7.3. For adjournment
 - 15.4.7.4. For leave to withdraw a motion
 - 15.4.7.5. For a vote of thanks
 - 15.4.7.6. For persons other than Members of the meeting to withdraw
- 15.6.8 Every motion shall be proposed and seconded
- 15.6.9 Resolutions that emanate from:
 - 15.6.9.1 The Management Committee or from a standing order shall be proposed by a member of the Management Committee
 - 15.6.9.2 Any other committee shall be proposed by the Secretary of that committee. If the committee secretary is not a member of the Annual General Meeting or Interim Meeting the proposal shall be made formally from the Chair and immediately afterwards the committee Secretary, or a substitute, shall be allowed to speak in support of the resolution.
 - 15.6.9.3 a club affiliated to the league shall be proposed by the club delegate or by any other member of the club who is a member of the Annual General or Interim Meeting in another capacity. If the club making the submission is not represented at the Annual General meeting or Interim Meeting the resolution shall be withdrawn by the Chairperson
- 15.6.10 Any amendment shall be disposed of before another amendment is considered. The Chairperson may accept, without notice, verbal amendments that do not affect substantially the nature of the proposal under discussion.
- 15.6.11 With the exception to a change to the Constitutional Rules of the League as given in Rule 15.2 all other proposals, including amendments to proposals whether to change a Constitutional Rule of the League or otherwise, shall require a simple majority of those members present and voting.

15.7. **Voting at a General Meeting**

- 15.7.1 Unless the Chairperson directs otherwise, voting on all motions or amendments shall be by a show of hands or delegates cards.
- 15.7.2 Each member present and entitled to vote shall have one vote. A simple majority of votes shall pass any resolution
- 15.7.3 Voting on elections shall be by secret ballot and any ballot paper containing more votes than the number required shall be void.
- 15.7.4 Completed voting papers shall be collected by the tellers as directed by the Chairperson
- 15.7.5 The Chairperson shall appoint two tellers to count the votes from persons present at the meeting who shall not be members of the meeting
- 15.7.6 The result of each ballot shall be announced by the Chairperson during the meeting and the Chairperson shall indicate the number of votes cast for each candidate and the number of spoiled ballot papers.

- 15.7.7 Any discrepancy or irregularity found after the conclusion of the meeting shall be dealt with by the Management Committee which may disqualify votes with the validity of which it is not satisfied. The revised result and the reasons for the disqualification of any vote shall be published and circulated to affiliated clubs.

Rule 16 Changes to League Constitutional Rules

- 16.1 Any proposal to change a Constitutional Rule of the League shall only be considered at the Annual General Meeting, the Interim Meeting or at a Special General Meeting called for that purpose.
- 16.2 A proposal to change the Constitutional Rules of the League shall be carried only if at least two thirds of those present and voting are in favour.
- 16.3 The Management Committee shall submit the constitutional Rules and any changes to the Constitutional Rules where necessary to the Swim England North West Region for its consideration and approval.
- 16.4 Any changes to the Constitutional Rules of the League shall become effective upon approval by the Swim England North West Region Management Board or at a specific later date as determined by a General meeting.
- 16.5 A proposal to change a Constitutional Rule of the League shall only be considered at a General meeting of the membership if it has been:
- 16.5.1 Made by the Management Committee at a meeting held not less than 28 days before the general meeting and appears in the minutes of that meeting
 - 16.5.2 Made by a committee appointed by a General meeting or the Management Committee and appears in the minutes of that committee that have been approved by the Management Committee not less than 28 days before the General meeting.
 - 16.5.3 Made by a club affiliated to the Association and has reached the League Secretary by a date not less than twenty-one days prior to a General meeting.
 - 16.5.4 Made as a matter of urgency, approved by the Management Committee, sent to the clubs affiliated to the League at least fourteen days before a General Meeting and approved as a suitable matter for consideration by the meeting by at least two thirds of the delegates present and voting.
 - 16.5.5 Mandated by a change to either a Swim England Law or Regulation or by the Rules of the Swim England North West Region.
 - 16.5.6 Included in a resolution or request for a Special General Meeting of the membership.
 - 16.5.7 Referred to the Management Committee, unless emanating from it. The Management Committee shall indicate its support or opposition and may propose amendments, which shall be included on the agenda of the General Meeting.
 - 16.5.8 Included on the agenda of the General Meeting.
- 16.6 Every proposal to change a Constitutional Rule of the League and / or amend it shall be proposed and seconded separately and shall be open for discussion by any delegate with or without prior indication of intent.
- 16.7 An amendment to any proposal to change a Constitutional Rule of the League may be proposed by any member, supported by another member as a seconder, and shall reach the Secretary of the League not less than twenty-one days prior to a General meeting.
- 16.8 A schedule of all such amendments shall be sent to the clubs entitled to be represented at a General meeting at least fourteen days prior to the date of the meeting at which they are to be considered.
- 16.9 If any addition, alteration or deletion from either a Swim England Law or Regulation or a Rule of the Swim England North West Region causes a League Rule to conflict with it, the Management Committee shall be authorised to change the League Rule to conform to it. Any such changes shall be notified to the next Annual General Meeting following the change of Rule.

Rule 17 Management Committee

17.1 Committee Membership

- 17.1.1 The Membership of the Management Committee shall be:
- 17.1.1.1 The Chairperson
 - 17.1.1.2 The Secretary
 - 17.1.1.3 The Treasurer

17.1.1.4 The Registration Secretary

- 17.1.2 All members of the Management Committee must be members of an affiliated club, association, organisation or league and must be not less than eighteen years of age.
- 17.1.3 The members of the Management Committee shall be proposed, seconded and elected by ballot at the Annual General Meeting each year and shall remain in office for a two-year minimum term until their successors are elected at the next Annual General Meeting. The retiring members shall be eligible for re-election.
- 17.1.4 Each officer of the league with the exception of the Chairperson shall be from a different club.
- 17.1.5 In the case no volunteers come forward to fill vacancies arising, the League will default to the rota of Clubs expected to fill these roles.
- 17.1.6 Any vacancy occurring by resignation or otherwise in any position filled at the Annual General Meeting may be filled by the Committee.
- 17.1.7 In addition to the members so elected the Management Committee shall have the authority to co-opt up to two further members, who shall serve up to the next Annual General Meeting. Co-opted members shall not be allowed to vote at meetings of the Committee and shall not be counted in establishing whether a quorum is present. Co-opted members shall not be less than 18 years of age.
- 17.1.8 The Committee may invite such other persons as deemed necessary for any specific purpose to attend a meeting who may speak but not vote.

17.2 Meetings of the Committee

- 17.2.1 Meetings of the Management Committee shall be held not less than twice per year save where the Management Committee itself shall, by a simple majority, resolve not to meet but there shall be not less than one meetings of the Committee per year.
- 17.2.2 The Chairperson and the Secretary shall have discretion to call further meetings of the Management Committee if they consider it to be in the interests of the League.
- 17.2.3 The Secretary shall give all members of the Management Committee not less than seven days notice of a meeting in writing or by e-mail.
- 17.2.4 The Chairperson or in the absence of the Chairperson the members present at the meeting shall elect a Chairperson from their members and he shall act as Chairperson of that meeting of the Management Committee.
- 17.2.5 Decisions of the Management Committee shall be made by a simple majority of the votes cast. Each member present shall have one vote with the exception of the Chairperson, or the acting Chairperson for that meeting, who's vote will be final in the case of equal votes being cast
- 17.2.6 The Secretary, or in the absence of the Secretary a member of the Management Committee shall take the minutes of the meeting.

17.3 Quorum

- 17.3.1 The quorum for a Management Committee meeting shall be such number as shall represent not less than a simple majority of the Committee members entitled to attend and vote, to include not less than one Officer.
- 17.3.2 In the event that a quorum is not present within 30 minutes of the published start time, a meeting shall stand adjourned to the time and date falling seven days after the date of the meeting, or such other date and time as may be determined by the Chairperson but shall be reconvened on a date within one month of the original date and a minimum of seven days advance notice given to the members of the rescheduled date, time and venue. At this meeting, the same agenda as originally issued shall be used.
- 17.3.3 If a quorum is not present at the adjourned meeting then those Committee members attending may act for the purpose of calling a Special General Meeting of the members.

17.4 Powers and Responsibilities

- 17.4.1 The responsibilities of the Management Committee shall include but not be limited to:
 - 17.4.1.1 Determine the strategies of the League within the overall policies and plans agreed by the Annual General Meeting and published by Swim England, the Swim England North West Region.
 - 17.4.1.2 Carry out any other specific duty given to it by a General meeting of the membership.
 - 17.4.1.3 Have day to day management of the affairs of the League including but not being limited to, the oversight of the production of any plans of the League for the approval of the Annual General meeting and for submission to the Swim England, to the Swim England North West Region as required, together with their implementation, monitoring and evaluation.
 - 17.4.1.4 Appoint any officers, officials, coordinators and members of the Standing and other committees, not elected by the Council

- 17.4.1.5 Monitor and evaluate the work of the Standing and other committees and any other person appointed to a specific task within the League, including the production of full and accurate minutes of their meetings and reports of their activities.
- 17.4.1.6 Maintain appropriate channels of communication with the clubs, bodies, associations, organisations, leagues and individuals

17.4.2. The Management Committee shall:-

- 17.4.2.1 Determine any question arising as to the correct interpretation of any of these rules, or any other question not herein provided for.
- 17.4.2.2 Set the affiliation fee in line with the needs of the league each year.
- 17.4.2.3 Set the level of Competition, Swim-Off's and Finals fees in-line with the needs of the league each year.
- 17.4.2.4 Determine who shall be the authorised signatories of the accounts of the Association.
- 17.4.2.5 Ensure that full and accurate minutes of its meetings are kept.
- 17.4.2.6 At its first meeting after the Annual General Meeting appoint the members of any Standing or Technical Committees each of whom shall be a member of a club affiliated to the League and shall be not less than 18 years of age.
- 17.4.2.7 Have the power to authorise the payment of remuneration, expenses or grants for services to the League received from:
 - 17.4.2.7.1 Officer, Committee member or official of the League
 - 17.4.2.7.2 Other person or persons as decided by the Management Committee or by a General Meeting of the membership.
 - 17.4.2.7.3 External agents as part of partnership agreement
- 17.4.2.8 Draw up and implement with immediate effect a change of the Constitutional Rules of the League if they are in conflict with any addition, alteration to, or deletion from, Swim England Law or Regulation or a Rule of the Swim England North West Region.
- 17.4.2.9 Determine the terms of reference of any Standing, Technical or sub-committee or working group.
- 17.4.2.10 Be accountable to the Annual General Meeting of the League and report to it at such times and in such a form as it may require.

17.5 The Management Committee may

- 17.5.1 Fill any vacancy occurring on the Management Committee, in an elected position filled at the Annual General Meeting after due notice.
- 17.5.2 Contract and set up partnership agreements with outside agencies in support and furtherance of the aims and objectives of the League.
- 17.5.3 Appoint a special committee to consider and report on any matter, the number of and appointment of the members of the committee and a quorum to be determined by the Management Committee
- 17.5.4 Discharge, by a two thirds majority of those present and voting for any breach of, and under the provisions of, the Swim England Code of Conduct for Volunteers, any volunteer person from any elected or appointed office or position and replaces them.
- 17.5.5 At its discretion, discharge any Standing, Technical or other committee and elect a new one in its place.
- 17.5.6 From time to time appoint from among its members such other committees or working groups as it may consider necessary and may delegate to them such powers and duties as the Management Committee may determine.
- 17.5.7 In addition to the members elected at the Annual General Meeting co-opt not more than two further individuals to be members of the committee for special purposes. The co-opted members shall serve to the next Annual General Meeting.
- 17.5.8 Invite such other persons as deemed necessary for any specific purpose to attend a meeting of the Management Committee or any other committee who may speak but not vote.

17.6 The Management Committee shall be governed by the following rules:

- 17.6.1 If the Chairperson is unable or unwilling to act as Chairperson at a meeting the members present at the meeting shall elect a Chairperson from their members and he shall be entitled to act in all respects as if he were the Chairperson.
- 17.6.2 The Chairperson shall have unlimited authority upon every question of order at each meeting of the Management Committee and for the purpose of any meeting shall be the sole interpreter of the rules governing the Management Committee.
- 17.6.3 The minutes of the previous meeting as circulated shall be considered as the first substantive item on the agenda.
- 17.6.4 The minutes of any Standing, Technical or other committees and reports of officers or other individuals shall not be considered unless they have been circulated with the agenda, unless the

Chairperson and the members of the Management Committee agree by a two thirds majority that it will not prejudice the good governance of the League to do so.

- 17.6.5 Every motion shall be proposed and seconded
- 17.6.6 Any amendment shall be disposed of before another amendment is considered. The Chairperson may accept, without notice, verbal amendments that do not affect substantially the nature of a proposal under discussion.
- 17.6.7 All proposals, including amendments to proposals shall require a simple majority of those members present and voting unless otherwise specified in these rules
- 17.6.8 Unless the Chairperson decides otherwise, voting on all motions or amendments shall be by a show of hands.
- 17.6.9 Meetings of the Management Committee shall not be open to the public.
- 17.6.10 The minutes of the Management Committee shall be circulated to each member of the Management Committee only.
- 17.6.11 The members of the Management Committee shall be indemnified by the members of the League against all liabilities properly incurred by them in the management of the affairs of the League.

Rule 18 Independent Financial Examiner

- 18.1 One independent Financial Examiner shall be appointed at the Interim Meeting, who shall not be a member of the Management Committee nor related to any member of the Management Committee. The Independent Financial Examiner shall examine the annual statement of the accounts and the balance sheet and shall certify the same before they are circulated to the affiliated clubs.

Rule 19 Trophies

- 19.1 All trophies belonging to the League shall be perpetual
- 19.2 The winner of an individual championship trophy and the winners of a championship team trophy shall give a guarantee of safe keeping and return to the Secretary.

Rule 20 Competition Conditions

- 20.1 The competition conditions for all the League events shall not be considered part of the Constitutional Rules for the purpose of these rules. The competition conditions will be considered by the Interim Meeting. The Management Committee shall have full power to approve any changes agreed by this Meeting.
- 20.2 The Management Committee shall have power to make, repeal and amend such competition laws and rules as they may from time to time consider necessary for the well-being of the League which laws and rules, repeals and amendments shall have effect until set aside by the Management Committee or at either a Special General Meeting, Interim Meeting or the Annual General Meeting of the membership.

Rule 21 By-Laws

- 21.1 The Committee shall have the power to make, repeal and amend any such by-laws as they shall from time to time consider necessary for the well-being of the league, which by-laws, repeals and amendments shall have effect until set aside by the Committee or at an Interim or Annual General Meeting.

Rule 22 Interpretations of Rules

- 22.1 In the event of any question arising as to the correct interpretation of the Constitution or the Rules of the League or any other question not herein provided for, such question shall be referred to the Management committee, whose decision shall be final.

Rule 23 Dissolution

- 23.1 A resolution to dissolve the League shall only be considered at a Special or Annual General Meeting and shall be carried by a majority of at least three quarters of the members present and voting.
- 23.2 The dissolution shall have effect from the date of the resolution and members of the Management Committee shall be responsible for the winding up of the assets and liabilities of the League

23.3 Any property remaining after the discharge of the debts and liabilities of the League shall be given to member clubs.

Annex 1

CODE OF ETHICS

The Swim England. has recently revised its Code of Ethics. The previous version (Code of Ethics 2000 Revision) has now been superseded by the below version. The changes came into force 30 days from publishing on the A.S.A. website, which means from Saturday 20th February 2010.

The new Code of Ethics is a general “umbrella” code and is supplemented by other documents, including the Swim England Codes of Conduct for the following:

Swimmers;
Parents;
Coaches and teachers; and
Committee members, officials and volunteers who work directly with children.

These Codes of Conduct can be found in Wavepower 2009/11 under section 2. All documents referred to in the Code of Ethics are readily available on the A.S.A. website. (Please note that the A.S.A. adopts the anti doping rules of British Swimming; this document is also available on the website

Code of Ethics

All individuals within the SWIM ENGLAND aquatic disciplines will at all times:

- Respect the rights, dignity and worth of every person, be they adult or child, treating everyone equally within the context of the sport.
- Respect the spirit of the sport adhering to the rules and laws in and out of the pool, incorporating the concept of friendship and respect for others.
- Promote the positive aspects of the sport and never condone the use of inappropriate or abusive language, inappropriate relationships, bullying, harassment, discrimination or physical violence.
- Accept responsibility for their own behaviour and encourage and guide all SWIM ENGLAND members and parents of junior members to accept responsibility for their own behaviour and conduct.
- Ensure all concerns of a child safeguarding nature are referred in accordance with Wavepower (SWIM ENGLAND Child Safeguarding Policy and Procedures).
- Conduct themselves in a manner that takes all reasonable measures to protect their own safety and the safety of others.
- Promote the reputation of the sport and never behave or encourage or condone others to behave in a manner that is liable to bring the sport into disrepute.
- Adhere to Wavepower the SWIM ENGLAND Child Safeguarding Policy and Procedures.
- Adhere to the SWIM ENGLAND Anti-Doping Rules.
- Adhere to the SWIM ENGLAND Equity Policy.
- Adhere to the SWIM ENGLAND Laws and Regulations.
- Adhere to the SWIM ENGLAND Codes of Conduct.

Annex 2
SWIM ENGLAND LAWS and REGULATIONS
INTERNAL DISPUTES

1 LEAGUE RIGHTS and RESPONSIBILITIES

The rights and responsibilities of a club in terms of its discipline, its internal dispute procedures and the sanctions it can impose are given in SWIM ENGLAND Law 281 which specifies:-

SWIM ENGLAND Regulation 281 Discipline and internal dispute procedures

281.1 For a breach of its own rules, an affiliated club or body may:

281.1.1 apply sanctions to a member relating to activities wholly within its own jurisdiction up to and including suspension from any or all of them;

281.1.2 expel a member, provided that before doing so it informs the member of the alleged offence and gives him a reasonable opportunity to defend himself against the charge. If the alleged offence is also a breach of SWIM ENGLAND Law or Regulations the club or body shall not deal with it but may make a complaint under the Judicial Laws and Regulations.

281.2 A club or body may expel from membership and/or refuse to renew the membership of any member who has been suspended according to Regulation 109 or Regulation 241 provided that any such expulsion or initial refusal shall not be lawful after the twelve months immediately following the end of the suspension.

281.3 Each club shall include in its rules provisions specifying the procedures to be carried out to handle internal club disputes.

281.4 Any such provisions shall comply with the SWIM ENGLAND Recommended Club Constitution and the accompanying Guidance Notes.

2 COMPLAINT TO SWIM ENGLAND

Any dispute that involves an allegation of a breach of Swim England Law must be submitted to the Swim England and dealt with as a complaint under the condition of Swim England Regulation 150.4 and Swim England Regulation 281.1.2. Swim England Judicial Regulation 102 deals with the circumstance of a complaint made to the Swim England. It provides the necessary explanation that defines a complaint, the grounds on which a complaint can be made, who can make a complaint and the procedure to be used.

SWIM ENGLAND Judicial Regulation 102. Complaints

102.1 A complaint is a formal expression of dissatisfaction with the actions or behaviour of any person, including an individual or a club, or other body, or organisation or with alleged unfair practice in connection with the sport.

3 INTERNAL DISPUTES

When a dispute arises between two or more members of the same club, body or organisation it must be handled using the Internal Disputes procedure specified in the Club Constitutional Rules and the following Swim England Judicial Regulations 150 to 155.

SWIM ENGLAND Judicial Regulation 150 General

150.1 The primary objective of the Regulations in this section is to set out ways by which a just outcome of an internal dispute between the members of a club, organisation, association or body may be secured as expeditiously as possible.

150.2 An 'internal club dispute' is a dispute involving an alleged breach of the club's rules, between two or more club members, any or none of whom may be an officer of the club, or one or more club members and one or more employees of the club (the "parties").

- 150.3 If a dispute cannot be resolved fairly and amicably between the parties concerned, and does not involve a breach of Swim England Law, it may be dealt with under the relevant provisions of Regulation 281 which deal with club rights and responsibilities.
- 150.4 Any dispute which involves an allegation that there has been a breach of Swim England Law by a member must be dealt with as a Complaint under Regulation 102 and the other relevant Regulations.
- 150.5 If the dispute involves an allegation against a paid employee of the club the issue must be dealt with under the terms of his contract of employment.
- 150.6 A failure by a club or any of the parties to comply with these Regulations 150 to 155 inclusive shall be grounds for a complaint under Regulation 102.
- 150.7 Organisations, associations or bodies affiliated to the Swim England shall conform with such parts of Regulations 150 to 155 inclusive as may reasonably be applied to them, in all respects as if they were a club.

SWIM ENGLAND Judicial Regulation 151

Sequence of steps to deal with a dispute

- 151.1 The parties shall use any reasonable means to settle the issues between them informally and amicably.
- 151.2 If such a resolution cannot be achieved, the dispute shall be referred to the Chairperson of the club committee or, if he is a party to the dispute, to another officer of the club who is not a party who within seven days of the reference shall appoint an independent person to act as a mediator between the parties. The mediator may be a member of the club or a member of another club affiliated to the Swim England.
- 151.3 If the mediator is unable to bring about a satisfactory settlement within twenty one days, the club committee shall within a further fourteen days appoint a panel (the "panel") to determine the dispute.
- 151.3.1 The panel shall consist of three persons who have not been involved in the dispute, either from the members of the club or, if this is not possible or desirable, from the members of any other club affiliated to the Swim England.
- 151.3.2 The parties shall be given the opportunity to object to any of the members of the panel at least seven days before the scheduled date of any hearing. The club committee shall consider any such objections, decide whether they are justified and act accordingly.

SWIM ENGLAND Judicial Regulation 152

Procedure before a hearing

- 152.1 The panel members shall appoint one of their numbers to act as the Chairperson and either appoint another of their number, or alternatively appoint an additional person without any other powers, to act as the clerk of the hearing.
- 152.2 The Chairperson of the panel shall arrange the date of the hearing and notify the parties of the arrangements at least fourteen days in advance of the date set. The notified date shall not be changed unless one or more of the parties has a compelling reason for not being able to attend on the notified day or time.

SWIM ENGLAND Judicial Regulation 153

Procedure at a hearing

- 153.1 The procedure shall be flexible and it shall be the responsibility of the Chairperson of the panel to ensure the orderly and effective conduct of the hearing.

- 153.2 The panel shall not be bound by the judicial rules of the courts of England and Wales governing procedure or the admissibility of evidence provided that the hearing is conducted in a fair and orderly manner and that each party is given a reasonable opportunity to give and call evidence, address the panel and present his case. The Chairperson shall have the discretion to limit the number of witnesses that would otherwise have been called.
- 153.3 Witnesses shall normally be provided with an area outside the hearing room and not take any part in the hearing other than giving evidence and responding to questions
- 153.4 The parties shall be informed of their right to make a complaint under Regulation 102 if they are dissatisfied with the conduct of the hearing or the grounds upon which the decision was made or if they consider any sanction imposed to be disproportionate.

SWIM ENGLAND Judicial Regulation 154 Procedure after a hearing

- 154.1 The panel shall come to a decision as soon as reasonably practicable after the hearing and if possible announce its findings and decisions orally to the parties.
- 154.2 Notwithstanding anything in Regulation 154.1 the Chairperson shall notify the parties and, if the club was not a party to the dispute, the club secretary in writing of its findings and decisions within five days of the hearing.

SWIM ENGLAND Judicial Regulation 155 Considerations regarding children

- 155.1 Any person under the age of eighteen (a "child") who is a party to a dispute or who has been called as a witness shall normally be accompanied by a parent, a person with parental responsibility or a suitable adult. The Chairperson shall have the sole discretion as to whether a child is permitted to present or defend a case or be questioned as a witness and may order that the child be assisted or represented by an adult.
- 155.2 The Chairperson shall give due consideration to any child attending a hearing as a party to a dispute or to give evidence and in particular:
- 155.2.1 No child aged fourteen or under shall normally be expected to attend a hearing to give evidence in person. His evidence shall normally be given as a written statement with the assistance of a club welfare officer or other person acceptable to the child and parent. Questions and responses may be relayed by a panel member
If the child appears distressed the panel shall rely only on the written evidence:
- 155.2.2 A child over the age of fourteen shall only attend a hearing as a party to the dispute or to give evidence in person provided he wishes to, and the Chairperson has consulted with the parent and child and is satisfied that they both understand the nature of the hearing and what will happen and that the child is competent to attend:
- 155.2.3 If there is a disagreement between parent and/or child and the Chairperson on any of the considerations above, the Chairperson shall consider requesting advice from the Independent Child Protection Officer via the Swim England Legal Department.
- 155.3 During the hearing, a child who is expected to give evidence in person and his accompanying adult(s) shall be required to attend only those parts of the hearing which are necessary for him to give his evidence and shall be provided with a separate waiting area with no contact with any of the [other] parties.
- 155.4 After the hearing the Chairperson shall inform the parent of the panel's findings and decisions and shall discuss whether he or the parent shall inform the child.