

## Cambridge University Eton Fives Club Constitution

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### **1. NAME**

The name of the Club shall be “The Cambridge University Eton Fives Club” (CUEFC) hereafter referred to as “the Club”.

### **2. OBJECTS**

The aims and objects of the Club will be:

- (1) The advancement of amateur sport for the public benefit by encouraging and developing Eton fives within the University of Cambridge (“University”); and
- (2) The organisation or provision of facilities for the learning, teaching, coaching, practising and competing in Eton fives with the object of promoting health and wellbeing; and
- (3) The advancement of sports education by the provision of support, assistance and encouragement for Eton fives in order to enable members to develop their capabilities and fulfil their potential.

The aims and objects set out above will be directed primarily for the benefit of undergraduate and postgraduate student members (Student Members) of the University, but may additionally benefit other members of the University and/or residents of Cambridge and the surrounding area where the Executive Committee is satisfied that to do so would be conducive or incidental to the benefit of Student Members of the University.

### **3. MEMBERSHIP**

- (1) Membership of the Club shall be open to all Student Members of the University.
- (2) Membership shall consist of the following categories:
  - (a) Ordinary Membership
  - (b) Membership for Michaelmas Term only

- (3) There shall be fees for membership, which are reviewed and determined at the Annual General Meeting each year.
- (4) All members will be subject to the regulations of the constitution and by joining the Club will be deemed to accept these regulations, as well as any rules/codes of practice that the Club has adopted.
- (5) Membership of the Club is terminated if the member resigns by written notice to the Club or if any sum due from the member to the Club is not paid in full within three months of it falling due or if the member is expelled in accordance with clause 10.

#### **4. EQUALITY OF OPPORTUNITY**

- (1) The Club is committed, in its pursuit of sporting participation and enjoyment, to equality of opportunity and to a proactive and inclusive approach to equality, which supports and encourages all under-represented groups, promotes an inclusive culture, and values diversity.
- (2) The Club is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment, and abuse.
- (3) The Club has a responsibility to oppose discriminatory behaviour and promote equality of opportunity.
- (4) The Club will deal with any incidence of discriminatory behaviour seriously, according to club disciplinary procedures

#### **5. THE EXECUTIVE COMMITTEE**

- (1) The day-to-day management of the Club's affairs shall be conducted by the Executive Committee, which shall be elected annually at the Annual General Meeting (AGM), with the exception of the Senior Treasurer who shall be appointed by the Executive Committee, subject to the approval of the Sports Club Registration Sub-Committee.

- (2) The Executive Committee shall consist of:

<b>Position</b>	<b>Role</b>
Senior Treasurer	Ensures proper finance, administration and regulation of the Club
President	Ensures the survival of the Club
Vice-Presidents	Provide assistance to the President
Men's Captain and Safety Officer	Organises, leads and ensures growth of the Men's Team, and ensures safety of Club members
Ladies Captain	Organises, leads and ensures growth of the Ladies Team
Junior Treasurer	Controls the Club's accounts

Men's Secretary	Organises Men's and Mixed fixtures
Ladies Secretary	Organises Ladies and Mixed fixtures
Welfare Officer	Ensures welfare of Club members
Social Secretary	Organises social events for Club members
Webmaster	Maintains the club website

- (3) The Executive Committee shall have a Senior Treasurer, who shall be a member of the Regent House, or other person approved by the Sports Club Registration Sub-Committee. The Senior Treasurer shall ensure that there is in place proper finance, administration, and regulation of the Club.
- (4) All Executive Committee members (except the Senior Treasurer, President, and Vice-Presidents) must be members of the Club and shall be eligible for re-election each year. If the post of any member of the Executive Committee should fall vacant after election, the Executive Committee shall have the power to fill the vacancy until the next AGM, provided that any temporary replacement for the Senior Treasurer is a member of the Regent House, or other person approved by the Sports Club Registration Sub-Committee.
- (5) A majority of the members of the Executive Committee shall be full-time undergraduate or postgraduate students of the University.
- (6) Meetings of the Executive Committee shall be chaired by the President, or, in their absence, one of the Vice-Presidents. If neither the President nor any of the Vice-Presidents are present, the remaining members shall elect a chairperson for that meeting. The quorum for a meeting of the Executive Committee shall be three members and a written record of each meeting shall be kept. Meetings must be held at least once per academic year.
- (7) The Committee will be responsible for adopting new policy and codes of practice and making rules and bye-laws for the conduct of the Club's activities and management of its affairs and must adopt such means as they think sufficient to bring these to the notice of the members. Any such policies, codes, rules and bye-laws shall be binding on all members.
- (8) Only Executive Committee members will have the right to vote at committee meetings. Questions arising at a meeting of the Executive Committee shall be decided by a simple majority of votes. Except for the chairperson of the meeting, who in the case of an equality of votes has a second or casting vote, every member of the Executive Committee has one vote on each issue.
- (9) The Executive Committee will have powers to appoint any non-voting advisers to the Executive Committee as necessary to fulfil its business.

## **6. GENERAL MEETINGS**

- (1) The Club shall hold an Annual General Meeting (AGM) during each Academic year. The AGM shall be held in Cambridge (and/or remotely over video conferencing software) during Easter Term. All Members shall be entitled to attend and vote at any AGM. At least fourteen days' written notice

shall be given to members before the AGM, containing the date, time, and place of the meeting. If this is not practicable, notice must be given at the earliest possible opportunity.

- (2) The AGM shall be called to:
  - Receive and review reports from Committee members;
  - Review and agree membership fees;
  - Elect the Executive Committee for the year ahead;
  - Consider any proposed changes to the Club Constitution;
  - Conduct such other business as is necessary.
- (3) Candidates for election to office shall be proposed and seconded by two other members. Every motion at an AGM shall be proposed and seconded by two members. Except for changes to the Constitution referred to in clause 8 and Reserved Matters referred to in clause 11, voting shall be by a simple majority. The method shall be by a show of hands at the meeting, or by any other method agreed by the outgoing Executive Committee.
- (4) The President, or, in their absence, one of the Vice-Presidents shall take the Chair at any AGM. In the absence of the President and the Vice-Presidents the meeting shall elect a Chairperson for that meeting. The quorum for an AGM shall be five members, or 25% of the membership, whichever is fewer. A written record of every AGM shall be kept.
- (5) Only current, fully paid-up members, the President, Vice-Presidents, and Senior Treasurer are eligible to vote at an AGM.
- (6) An Extraordinary General Meeting (EGM) may be held at any time during Full Term. It shall be held in Cambridge and may be called by the Executive Committee or at the written request of at least ten members. Fourteen days' written notice shall be given to members before an EGM is held. All procedures shall follow those outlined above for AGMs.

## **7. FINANCIAL & LIABILITY MATTERS**

- (1) The Club shall maintain a banking account in the name of the Club with a suitable Bank or Building Society to hold the Club's funds.
- (2) It shall be the responsibility of the Junior Treasurer to ensure that monies received are properly accounted for and that the Club's financial records are kept in good order. In particular, the Junior Treasurer shall ensure continuity of Cambridge resident signatories for any bank accounts held by the Club.
- (3) The Senior Treasurer shall make arrangements for the Club's Accounts to be properly audited on an annual basis, either by themselves or by some other person approved under University Ordinances.
- (4) For so long as the Club shall be registered with the University Sports Service, it shall be the duty of the Executive Committee to ensure that the Club complies with the requirements for registration as a University Sports Club.

- (5) The Executive Committee (acting by its members) is authorised to enter into contractual arrangements with third parties for and on behalf of all members, but only to the extent reasonably necessary for the proper performance of its duties pursuant to the constitution and acting always in the best interests of the Club and its members. Non-Executive Committee members are not entitled to enter into contractual arrangements for and on behalf of other members unless expressly authorised in writing by the Executive Committee.
- (6) When entering into contractual arrangements pursuant to clause 7(5), the Executive Committee shall endeavour to agree a contractual limit on the members' liability which does not exceed the assets of the Club from time to time, or, if not possible, a reasonable limit of liability taking into account the nature of the contract and the circumstances.
- (7) All monies drawn against Club funds should be authorised by the Junior Treasurer.
- (8) The assets of the Club shall be held on trust by the members of the Executive Committee as trustees for the benefit of the Club and its members.
- (9) As an unincorporated association, all members are liable for any debts and obligations properly incurred by one or more members on behalf of the Club. In the event that members individually or collectively suffer a claim, penalty or other financial loss or liability on behalf of the Club (whether in negligence, contract or otherwise) which is not covered by insurance, then provided the relevant members have acted in good faith and in accordance with the constitution and have taken all reasonable steps to mitigate their loss, they shall be entitled to an indemnity from the Club's realisable assets up to the value of the assets from time to time, such indemnity to be administered by the Executive Committee, subject to the following exclusions: claims, penalties or other financial loss or liability incurred by a member or members: (i) as a result of criminal offences committed by such members; and/or (ii) in connection with the use of motor vehicles by such members; and/or (iii) which would have been covered by insurance but which due to the acts or omissions of such members (including but not limited to failure to obtain insurance required by law or failure to comply with the terms and conditions of insurance), is not so covered.
- (10) The Senior Treasurer shall not be held personally liable for any financial debt or other obligation unless they are either (i) also a member of the club or (ii) have acted otherwise than in accordance with the club constitution.

## **8. CHANGES TO THE CONSTITUTION**

Subject to clause 12 (Reserved Matters) the Constitution may be amended at a General Meeting, with approval of at least two thirds of those members present, or voting. Proposed changes must be circulated at least fourteen days prior to a General Meeting. Any amendments are subject to approval by the University Sports Service, and must be received by the Sports Service within fourteen days of the vote.

## **9. COMPLAINTS PROCESSES**

- (1) Prior to submitting a written complaint members should, where possible and appropriate, first discuss any concerns that they may have in relation to club activities with a member of the Executive Committee, Club Welfare Officer or relevant team captain so that a suitable informal resolution may be considered. If not possible or appropriate, or an informal resolution cannot be agreed, then the member should follow the complaints process identified in the remainder of this clause 9.
- (2) Prior to submitting a written complaint, members should refer to the University Sports Club Incident Pathway (Students/Adults) to determine the complaints procedure(s) that should be followed. Advice on the appropriate procedure(s) may be sought, in confidence, from the Club or Sports Service Welfare Officer(s) whose contact details can be found in the Club Welfare Policy.
- (3) Where a club level complaint is indicated, this must be submitted in writing to the Executive Committee in an expedient manner. Complaints should be treated confidentially and must not be distributed publicly.
  - (a) The Executive Committee will acknowledge receipt of any written complaint within 7 days.
  - (b) The Executive Committee will meet to review the complaint within 21 days of receipt to determine what information, response or action is required. The Executive Committee will also agree an appropriate timescale for the process to be completed. This will be communicated to the complainant within 7 days of the meeting taking place.
  - (c) Where indicated by the University Sports Club Incident Pathway (Students/Adults), or when agreed by the Executive Committee as the appropriate course of action following their meeting, the complaint will be referred to the Senior Treasurer who will conduct an investigation.
- (4) Complaints against a member(s) of the Executive Committee may be lodged with the Senior Treasurer, or, where a further conflict of interest arises, with the Sports Service who will advise on the appropriate procedures depending on the nature of the complaint.
- (5) The Executive Committee may also trigger the complaints process in the event of an observed or alleged breach of the Club Code of Conduct.

## **10. DISCIPLINARY PROCESSES**

- (1) Subject to the remainder of this clause 10, the Executive Committee, in consultation with the Senior Treasurer, shall have the authority to expel or to suspend a member or members whose actions are felt to be such as to bring

the Club into disrepute, or materially harm or present a risk of material harm to the interests of its members.

- (2) The Executive Committee, in consultation with the Senior Treasurer, may also take other disciplinary action in respect of a member of the Club, commensurate with the seriousness of the offence.
- (3) In line with clause 9, written notice of any investigation by the Senior Treasurer will be provided within 28 days of a complaint being received. In the case of serious misconduct, the Club Executive Committee, in consultation with the Senior Treasurer, may suspend a member pending the outcome of the investigation.
- (4) The member against whom a complaint has been made will be given an opportunity to make written or oral representations, following the conclusion of any investigation, before a decision is taken regarding expulsion. The expulsion of a member can only be effected following a majority vote of all Executive Committee members.
- (5) In the event of an expulsion, the excluded member is required to return all equipment, documents and finances belonging to the Club within 7 days. They will not be entitled to any full or partial refund of annual subscriptions.
- (6) If a member who has been excluded, suspended or subject to other disciplinary action pursuant to this clause wishes to appeal the decision, that appeal should be made to the Secretary of the University Sports Committee who will convene a Review Group from members of the Sports Committee/Sub-Committees. The Review Group will consider the investigation process and the facts of the case and their decision will be final.

## **11. DISSOLUTION**

- (1) A resolution to dissolve the Club can only be passed at a general meeting in accordance with clause 12.
- (2) In the event of dissolution, all debts shall be cleared with any remaining funds of the Club. Any assets remaining after all liabilities have been met shall become the property of the University and shall be transferred to the Sports Service.

## **12. RESERVED MATTERS**

The following matters (the "Reserved Matters") require approval by the Senior Treasurer and at least two thirds of the Members voting at any general meeting at which any of the following matters require approval:

- (1) Any amendment to the Constitution which materially affects the position of the Members or which materially alters the relationship between the Club and the University.


- (2) The dissolution of the Club.
- (3) Any proposal which has a material impact on the Club, its members, its assets, and/or its finances.
- (4) The application and/or use of Club/financial assets of the Club other than for the benefit of the Club.

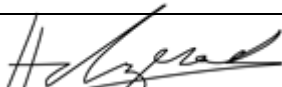
**13. PROVISION OF INFORMATION**

The Executive Committee must supply annual accounts of the Club to the University, together with such other information as the University may reasonably require from time to time, whether in connection with the Club's registration as a Sports Club of the University, or in relation to the need to ensure that the Club is being administered in accordance with paragraph 28(1)(a) of Schedule 3 to the Charities Act 2011 or otherwise.

**14. DECLARATION**

The Cambridge University Eton Fives Club hereby adopts and accepts this constitution as its current constitution regulating the actions of members and will also comply with all University and legal requirements.

Name	Riki Houlden	Position	President
Sign		Date	19/06/24

Name	Hugo Azerad	Position	Senior Treasurer
Sign		Date	19/06/24