

BUCKINGHAMSHIRE COUNTY BADMINTON ASSOCIATION

(Affiliated to the Badminton Association of England Limited)

CONSTITUTION

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1. NAME

The organisation shall be called the Buckinghamshire County Badminton Association (abbreviated for convenience only to “BCBA” or “the Association” in the body of this constitution) trading as “Badminton Bucks”

Badminton England (BE) is the trading name for the Badminton Association of England.

2. MISSION

The mission of BCBA is to:

- 1) promote Badminton and work with partners to provide an inclusive pathway for all to have the opportunity to reach the standard they aspire to
- 2) work with and support the vision of BE for the development of badminton throughout the country
- 3) ensure the long-term survival of BCBA through sound finances and sustainable administration as a public benefit.

3. OBJECTIVES

BCBA’s objectives are to:

- 1) encourage more people to play badminton more often throughout Buckinghamshire
- 2) ensure badminton will be recognised as a sport that is attractive and accessible to all
- 3) develop pathways to enable all players to realise their potential. To work with, but not limited to, BE, performance centres, academies, district leagues, clubs and independent coaches
- 4) work with and support its existing network of district leagues and clubs to enable them to develop and grow badminton participation
- 5) work with BE and local partnerships to obtain greater access to facilities
- 6) encourage more people to coach more often throughout Buckinghamshire
- 7) develop coaching education pathways to improve our network of high-quality coaches to work with, but not limited to, BE, performance centres, district leagues, clubs and members
- 8) support and develop a competitive structure of leagues, tournaments and representative teams to provide opportunities for players of all levels to develop to their full potential
- 9) raise the profile and general awareness of badminton and opportunities within Buckinghamshire to inspire and motivate more people to get involved
- 10) demonstrate BCBA is an exemplar for equality and diversity within its sphere of influence and to promote good practice throughout the county

- 11) develop BCBA values, share with the BCBA community and reinforce through all communications and interactions
- 12) operate a fair disciplinary regime which encourages exemplary conduct from all who represent the county at all levels as player, coach, official or volunteer
- 13) operate with sound financial management not seeking to profit or incur debt and utilising funds effectively for the development of badminton in Buckinghamshire

4. MEMBERSHIP AND FEES

Membership of BCBA shall be open to:

- 1) Any Badminton Club having its hall within the County of Buckinghamshire.
- 2) Associate Members, any body of clubs including district associations, leagues, committees, or individual BE members with a shared purpose of promoting the interests and development of the game of badminton within the County of Buckinghamshire. .

All prospective members of BCBA must apply to BE for Club Affiliation or Individual Membership. The BE Membership and Affiliation Terms and Conditions will apply to all clubs and individuals. The BE Membership Fee includes the BCBA County Fee portion. Any Affiliated Club or Individual Member of BE and meeting the criteria above will automatically be a member of BCBA.

The annual subscription for each Affiliated Club or Individual Member shall be the amount specified by BE, plus the amount specified by the BCBA committee, per playing member, for the current year. The BCBA Management Committee will set the BCBA Affiliation and Individual Member Fee annually in line with the date of publication of the BE Affiliation and Individual Member fees.

The annual subscription for each Junior club shall be the amount specified by BE, plus the amount specified by the BCBA for the current year.

Payment is due immediately upon joining the Association, or each year by the date specified in the BE Club Affiliation Terms and Conditions. BE membership season runs from 1st November to 31st October and all payments for a season must be made by 31st December. All Affiliated Clubs must ensure their club details, including contact details are both maintained with BE and shared with the BCBA Secretary for update on the BCBA website.

Each District Association and League will be required to submit a list of all its member clubs and club secretaries to the BCBA Secretary, on or before 1st September each year. Each District Association, or League shall lodge with the BCBA Secretary a copy of its constitution.

An Affiliated Club or Associated Member wishing to withdraw from the BCBA shall give written notice, on or before 1st September in any year. The rules on fee refunds are detailed in the BE Club Affiliation Terms and Conditions.

BCBA will receive a payment from BE that covers all County Fees that it has received for Senior and Junior Clubs and Individual Members. BCBA will transfer the proportion received from BE for Junior Clubs to the Buckinghamshire Schools Badminton Association.

5. AFFILIATION TO BADMINTON ENGLAND

BCBA shall be affiliated to BE and shall conform in every respect to the rules and regulations of BE.

All affiliates of BCBA must also be affiliated to BE.

6. FINANCIAL YEAR AND PREPARATION OF ACCOUNTS AND BUDGETS

The BCBA financial year shall run from May 1st to April 30th.

The BCBA treasurer will prepare accounts for the financial year by May 31st of the following financial year.

The treasurer will also produce the budget for the current financial year for review by the BCBA Chairman and BCBA Secretary by the same date.

Prior to presentation to the AGM, the accounts will be audited by an auditor who is independent of the Committee. The auditor will, ideally, be identified and appointed at the prior AGM. If this is not possible, then the BCBA Chairman and Secretary and at least two other committee members may appoint an auditor prior to the end of the financial year. The auditor will either confirm that the accounts as presented are a true and fair record of the financial position of the BCBA, or he/she may qualify their opinion by stating any concerns, inaccuracies or misrepresentations.

7. ANNUAL GENERAL MEETING

The Annual General Meeting (AGM) shall be held no later than June 30th after the end of the BCBA financial year.

1) The purposes of the AGM shall be to –

Approve the minutes of the prior AGM and of any EGMs that took place during the year.

Receive reports on activities during the prior year and plans for the current year from:

The BCBA Chairman

The County Captain

The Masters' Coordinator

The Buckinghamshire Schools Badminton Association

Receive and approve (if appropriate) the accounts and the auditor's report for the prior year.

Review/approve the plans for the current BCBA year and approve both the budget and the fees to be charged to affiliated Clubs.

Appoint the auditor for the BCBA accounts for the current financial year.

Elect or appoint officers and committee members to serve for the period to the next AGM.

2) Calling Notices

At least 28 days prior to the AGM, the BCBA Secretary will issue a notice to the Secretaries of all affiliated Association Clubs convening the AGM, and specifying its date, time and location.

At least 14 days prior to the AGM, the BCBA Secretary will issue to the Secretaries of all affiliated clubs –

The agenda

A copy of the accounts for the past BCBA year

A copy of the budget for the current year

Copies of minutes of the prior AGM and of any EGMs held during the year

A list of nominations for BCBA officers and members of the Management Committee

3) Chairing the meeting

The BCBA Chairman will normally chair the AGM. If he/she is unable to attend then he/she will nominate another BCBA Committee member to act as Chairman for the AGM only.

4) Voting at the AGM

Each BCBA officer and Management Committee member shall have one vote at the AGM.

Each affiliated club shall be entitled to send one representative, who must be a Club member, to the AGM. Each such representative will have one vote.

Each attendee at the meeting will have only one vote, even if attending in multiple capacities.

At least three voting Management Committee members or affiliated club representatives must be present to constitute a quorum and for any votes to be binding.

In the event of a tie, the Chairman of the AGM will hold the casting vote.

8. EXTRAORDINARY GENERAL MEETING

The BCBA Secretary shall call an Extraordinary General Meeting either –

at the request of at least two members of the Management Committee, or

upon receipt of a written request signed by the Secretaries of not less than five of the affiliated clubs.

In either case, those requesting the EGM must state the reason(s) for the request.

The BCBA Secretary shall notify the Secretaries of all affiliated Clubs and each member of the Management Committee that an EGM has been called, giving at least fourteen days' notice, and shall specify the date, time and location of the meeting, and the agenda item(s) to be discussed.

The EGM will be chaired by the BCBA Chairman or, if he/she is unable to attend, then the BCBA Chairman may delegate this task to another BCBA Committee member.

Voting procedures at an EGM will be the same as at the AGM.

The business of an EGM shall be strictly confined to the purpose(s) stated in the notice.

9. MANAGEMENT AND ADMINISTRATION

BCBA's affairs shall be managed by a Management Committee consisting of -

- President
- Chairman *
- not more than ten Life Vice-Presidents
- Secretary *
- Treasurer *
- Development Officer
- BSBA Representative
- Masters' Co-ordinator
- Welfare officer
- not more than sixteen members in total. Other members will usually include
 - a representative from each of the affiliated District Associations.
 - The Captain of the County Teams
 - Tournament secretary

"Required" positions. Positions marked * are required for the Committee, and BCBA, to continue to operate.

Three members shall form a quorum for any ordinary BCBA Committee meeting.

All Management Committee members, except Life Vice Presidents, shall be elected at the AGM, and serve a term of office until the next AGM, at which time they will retire, but will be eligible for re-election.

Retiring BCBA members will be assumed to submit their names for re-election unless they notify the BCBA Secretary, at least 21 days prior to the AGM, that they wish to formally stand down.

Nominations for election to the Committee, duly proposed by *{the Secretary of}* an affiliated club, and seconded by a member of an affiliated club, or proposed and seconded by existing members of the Management Committee, shall be sent in writing to the BCBA Secretary at least twenty-one days before the Annual General Meeting. All Nominees must be members of a BE Affiliated Club or an Individual Member of BE.

If BCBA officer or committee posts remain vacant, the Management Committee shall have power to co-opt members at their discretion.

If more than one candidate is nominated or submits their name for a specific position, then the attendees at the AGM will select from the prospective candidates on a public vote by show of hands. In the event of a tie, the Chairman of the meeting shall have a casting vote.

Remuneration and expenses. All Management Committee positions are to be voluntary and unpaid. Expenses incurred in fulfilling BCBA duties will not usually be reimbursed. In exceptional circumstances, the BCBA Chairman and Treasurer may jointly authorize the reimbursement of reasonable expenses.

10. SUB-COMMITTEES

The Management Committee may at any time appoint and delegate powers to a Sub-Committee for any purpose that it may deem desirable. The Chairman and Secretary shall be non-voting ex-officio members of all Sub-Committees appointed.

11. DISCIPLINE

1) The Association shall have the power, subject to compliance with Rule 11(2) to :-

(i) Expel any person or affiliate defined in Rule 4 from membership of the Association.

(ii) Suspend any such affiliate or person from participating in any competitive play organised by the Association or by any District Association, Federation or League and to remove such suspension.

2) Before taking any action under 11(1) above, the BCBA Secretary or other duly authorised officer of the Association shall send to the affiliate or person, through its Secretary or other authorised officer or person against whom the allegation of misconduct has been made, details of the complaint or accusation. Such notice shall be in writing and shall give the affiliate or person concerned the right to make written representations to the BCBA Committee within twenty-eight days of the date of the notice and to appear in person before a meeting of the BCBA Committee to make oral representations. Such meeting to take place not earlier than twenty-eight days from the date of such notice. An affiliate appearing before the BCBA Committee shall be represented by not more than four members of the affiliate at least one of whom shall be an official of the affiliate. An individual shall be entitled to be accompanied by a friend. Should the affiliate or person specified in the notice not make any written representations within the said

period of twenty-eight days or not appear, by representation or in person before the BCBA Committee on the date stated in the notice, the BCBA Committee shall have the power to determine the issue without such representations. An affiliate or person shall only be found guilty of any offence should a two thirds majority of members of the BCBA Committee there present so find.

- 3) Any affiliate or person found guilty by the BCBA Committee of any offence and expelled or suspended from the Association shall have the right, to be exercised within twenty eight days of being notified in writing of the decision of the Management Committee and of the penalty imposed, to apply to the Chief Executive or other principal officer for the time being of BE for the appointment, by him/her of an independent tribunal to hear the appeal of such affiliate or person against the decision of the BCBA Committee and/or the penalty imposed. Any penalty imposed by the BCBA Committee shall be suspended during the course of the appeal. The decision of such tribunal shall be final and binding upon the parties. Expenses for such an appeal shall be met by the member or persons making the appeal.
- 4) Nothing in this Rule shall apply to the deprivation of affiliation of clubs in accordance with the provisions of Rule 4.
- 5) Any disciplinary BCBA Committee meeting is not a court of law and as such any disciplinary meeting may admit evidence as it sees fit and accord such weight to the evidence as it deems appropriate in the circumstances. However, the disciplinary BCBA Committee meeting must at all times observe the rules of natural justice and ensure proceedings are fair to all parties including the Individual Concerned, Complainant and BCBA.
- 6) The standard of proof is the Balance of Probabilities and not, as in a criminal court, beyond reasonable doubt. The Balance of Probabilities means that, having heard all the evidence and using their knowledge and experience, the disciplinary BCBA Committee believes that it is more likely than not that the Allegations are proved (or not).

12. COMPLAINTS/GRIEVANCE

BCBA adopts the approach detailed in BE Volunteer Grievance Procedure.

13. EQUALITY, DIVERSITY, AND INCLUSION

BCBA adopts the BE Equality Policy. Sports Equality is about fairness in and equality of access to sport and taking steps to address any shortcomings.

14. SAFEGUARDING AND PROTECTING YOUNG PEOPLE POLICY

- 1) BCBA adopts the BE Safeguarding and Protecting Young People Policy (Policy), Implementation Procedures and their Code of Ethics and Conduct (Code).
- 2) All people involved in any capacity in BCBA must abide by The Policy and Code and any participants in events organised by BCBA, are deemed to have assented to them and agree to be bound by them.

- 3) Every constituent member of BCBA including, without limitation all clubs and leagues, shall be responsible for the implementation of the Policy in Badminton in relation to their individual members.
- 4) Any failure to observe the Policy or Code shall constitute misconduct which may be dealt with under the Disciplinary Procedures.

15. CHANGES TO THE CONSTITUTION

These rules may from time to time be amended by a majority vote at an AGM, or EGM called for the purpose. Any BCBA Committee member or affiliated Club representative wishing to propose an alteration to these rules shall submit such alteration in writing to the BCBA Secretary before 31st March in each year.

16. DISSOLUTION

A decision to dissolve BCBA can be taken –

If no candidates can be found to act as Chairman, Secretary and Treasurer of the Association

By majority vote at an AGM

By *{unanimous}* vote at an EGM called for the purpose.

If such a decision is taken, then any monies remaining as assets, after the settling of all creditor and debtors, will be distributed in equal shares to the then current affiliated clubs, (each such Club receiving the same amount) except that any remaining funds from BE will be returned to BE or distributed to a charitable organisation.

Buckinghamshire County Badminton Association Constitution



Date of adoption: 28th September 2022

Authorised

Mark Lawrence

David Constantine

BCBA Chairman

BCBA Secretary