

# Is a Swim England affiliated club required to have a written constitution?

The short answer to this is, yes, all affiliated clubs are required to have in place a written constitution.

The reason for this is that the constitution plays an important part in regulating club affairs. The content of the constitution depends to some extent upon the way in which the club is formed – for example, as a members club, charity or a company – and depending upon that form, it may need to comply with certain prescribed legal requirements.

However, the vast majority of Swim England affiliated clubs are formed as “members clubs” as this is suitable for their circumstances. These are clubs held together by members entering into a contract with each other as to how they are going to behave and how the club is going to be run.

For members clubs, the constitution is essentially a rule book upon which the members agree to abide by, and to organise the club in that way. It perhaps goes without saying that a well-drawn constitution is critical to the well-being and proper functioning of any club and therefore great thought should be given to the content.

As a very basic overview, the constitution must cover:

- The name of the club;
- The object and purpose of the club;
- The election and admission of members;
- The payment of membership fees;
- The resignation of members;
- The suspension and expulsion of members;
- Management of club affairs;
- General meetings of the members;
- Alteration of the rules; and
- Dissolution of the club.

Swim England has a basic model constitution which is available on its website. The document covers all the points set out above and is of generic use for all types of club wishing to be constituted as a members club. Before applying for membership of Swim

England through the Region in which their Headquarters is located, new clubs are recommended to download the document and the Committee then decide, in the places where there are options, which of them they wish to have in the club's document and then agree as a Committee the final proposed document. Regions will be able to assist and first contact can be made with the Region's Membership Officer or Director for guidance and an application pack to apply for affiliation to the Region.

In addition to the model constitution, there are guidance notes to assist clubs when considering their constitutions as a members club. It is also available on the website.