



Sudbury and District Cricket Club C.I.C

CONSTITUTION

This Constitution is supplementary to the Articles of Association of the C.I.C

In all matters relating to affiliations, codes of conduct, discipline, licensing and other day to day matters the company (“Club”) shall refer to this Constitution in as far as it does not conflict with the company’s Articles of Association. Such Articles will take precedence where any conflict arises.

For convenience the numbering of the Clauses in this Constitution remain as per the Constitution (2018) under which the Club solely functioned prior to the formation of the C.I.C.

The Articles of Association are referenced by this Constitution where applicable.

1. Name

The Club shall be called the Sudbury (Suffolk) and District Cricket Club C.I.C.

The C.I.C identifies the Club as a Community Interest Company Limited by Guarantee,

2. Objects

The objects of the Club (**Articles - Clause 5**) shall be to promote, play and encourage participation in the sport of cricket and to provide for the members, a cricket ground and clubhouse, to supply refreshment and all things incidental to the game of cricket and to provide for the social intercourse of members.

The Club shall operate as a not-for-profit organisation covered by an Asset Lock (**Articles - Clause 3**).

Members of the Club shall not be entitled to any remuneration for playing for the Club apart from legitimate expenses, unless the relevant League permits such remuneration.

3. Colours

The colours of the Club shall be maroon, olive green and gold.

4. Membership

The liability of each member is limited to £1 (**Articles - Clause 7**)

Membership shall be open to anyone interested in the sport on application, regardless of sex, age, ethnicity, nationality, sexual orientation religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.

The Club shall have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.

All members will be subject to the regulations of the constitution, the Club's Code of Conduct and the Club's Cricket Equality Policy. By joining the Club members will be deemed to have accepted these regulations and the codes of conduct which the Club has adopted.

Members will be enrolled in the following categories (**Articles - Clause 27.1**)

- Senior member (over 18 yrs. old)
- Non-voting Junior member (under 18 yrs. old)
- Non-voting parent/carer/guardian of junior member
- Honorary member
- Honorary Life member
- The Honorary President
- Vice Presidents

5. Employees

According to need, the Club shall secure the services of the following employees who may be paid for their services, according to the regulations of this constitution and HM Revenue and Customs.

- Qualified Professional Coach(es)
- Qualified Groundsman and Assistant Groundsmen
- Professional Player(s)
- Qualified Coaches who are Club Members
- Bar Manager and Bar Staff
- Cleaner(s)
- Clerical Administrators including Bookkeeping, Payroll and IT

6. Membership fees

Membership subscription fees will be set annually and be determined at the Annual General Meeting.

Membership will be granted on condition that an annual membership subscription fee is paid according to the rate set at the Annual General Meeting. The committee reserves the right to waive this fee from time to time in appropriate circumstances.

The Club's membership year will run from January 1st to December 31st. Existing members will pay their full subscription fee by May 31st each year, or by ongoing monthly instalments from January 1st.

7. Match Fees

Match fees are payable by all players playing in Senior Men's or Ladies Teams. The level of match fees will be set annually at the Annual General Meeting. Match fees will be collected from players by the Match Manager at the end of each game.

If a player is unable to pay at the end of the game, they have one week in which to arrange payment to their captain of the day. If payment is not forthcoming, the Selection Committee reserve the right not to pick the player in question for the next and subsequent games, until the match fee is paid.

8. Officers and Directors of the Club

The Officers of the Club have been replaced by the Directors of the Company (**Articles - Clauses 8 - 26**) and the Directors will hold quarterly Board Meetings. The Directors will also call General Meetings of the Club which the Club's members will be invited to attend (refer to Constitution Clause 14)

The Directors of the Company are appointed according to the Articles of Association - (**Articles - Clauses 23 and 24**) and the appointment and removal of Directors may be made at a General Meeting.

9. Management Committee

The Company's Directors delegate the powers for Managing the business of the Club to a Management Committee - **(Articles - Clause 12)** - according to the rules of the Constitution.

The Management Committee will meet on a monthly basis and shall consist of the following:

- Chairman
- Vice Chairman (to be appointed by and from the members of the Committee at its first meeting)
- Honorary Treasurer (appointed by the Committee in August)
- Honorary Secretary
- Club Captain (who does not have to be a Team Captain)
- Marketing and Social Officer
- Junior Committee Representative (nominated by the Junior Section Committee and subsequently appointed by the Management Committee)
- Welfare Officer (appointed by the Management Committee)
- Vice Presidents Liaison Officer (appointed by the Management Committee)

In addition the Management Committee shall have the power to co-opt :

- Appointed Groundsman
- Appointed Fixture Secretary
- Appointed Data Protection Officer
- Chair of any sub-committee

10. Players' Committee

The Players' Committee is responsible for all playing and coaching aspects of the Senior Section of the Club, apart from Players / Coaches Contracts and Expenses which are the responsibility of the Management Committee, and shall consist of the following:

- Chairman (to be appointed by and from the members of the Committee at its first meeting)
- Chairman of Selectors
- Head Senior Coach
- Club Captain
- Saturday First XI Captain
- Saturday Second XI Captain
- Saturday Third XI Captain
- Saturday Fourth XI Captain
- Sunday XI Captain
- Senior T20 Captain
- Ladies Captain

In addition the Players' Committee shall have the power to co-opt :

- Appointed Groundsman
- Appointed Fixture Secretary

The Players' Committee will meet on a monthly basis during the playing season and as necessary during the closed season and report to the Management Committee.

11. Elections & Appointments

Any Club members who wish to stand for election to any of the Club's Management or Players Committees at the AGM, must declare their intention to stand for election fourteen days before the AGM, by sending their declaration in writing to the Chairman. They must be proposed and seconded by existing Club members and their declaration will be notified to Club members at the AGM. No nominations for election may be made from the floor at the AGM. All elections will be decided by a simple majority of votes at each AGM and in the event of a position for election be contested the vote will be conducted by secret ballot.

The elected members of the Management Committee and Players' Committee, shall hold their position until the next Annual General Meeting, when they shall retire, but shall be automatically eligible for re-election.

In addition at the AGM the following **appointments** will be made :

- Honorary Treasurer (see paragraph 9)
- Fixture Secretary
- Groundsman
- Welfare Officer
- Vice Presidents Liaison Officer
- Data Protection Officer
- External firm of Accountants to prepare, for approval by the Club, the Unaudited Financial Statements from accounting records. These will be prepared from information and explanations provided by the Club's Honorary Treasurer at the end of the month of September (the Club's financial year end).

12. Secretary

The Secretary shall conduct the correspondence of the Club and will keep full and correct minutes of all proceedings of the Club which shall be produced at every meeting. The Secretary shall receive all complaints, which must be in writing and if unable to deal with them shall submit them to the appropriate committee at their next meeting.

13. Treasurer and Accounts

The appointed Treasurer shall control and be responsible for all the financial activities of the Club including Bookkeeping, Budgets, Invoicing, Payroll, Pension Scheme, Banking Arrangements, Employee Contracts and shall liaise with all relevant sections of the Club to ensure that their individual financial records are accurate and reconcile to those held by the Treasurer. The Treasurer shall lay before the Annual General Meeting a statement of the financial position of the Club as at the end of the month of September preceding. Such statement of accounts shall be agreed and checked by the person appointed at the previous Annual General Meeting. The Club may offer a Salary to the appointed Treasurer and / or may also employ additional personnel or contract relevant companies to undertake certain of the required activities.

14. General Meetings

The Annual General Meeting shall be held in November and all Club members shall be entitled to attend.

The organisation of the Annual General Meetings and any other General Meeting, including Length of Notice, Attendance, Quorum, Chairing, Adjournment, Voting Procedures (including Poll and Proxy Votes) shall be in accordance with the Articles of Association - (**Articles - Clauses 30 - 45**)

Notices will be published on the Club's website and will also be sent to each member using such relevant electronic or postal facilities as the Directors shall at their absolute discretion decide from time to time.

15. Junior Section

The Club shall have a junior section which shall be run by a separate Junior Committee approved by the Management Committee. The Junior Committee shall provide the Management Committee with a representative who shall be responsible for appraising the Management Committee of all junior section activities. The representative will also be responsible for liaising between the Management Committee and the Junior Committee.

16. Child Welfare

The Club shall adopt and practice the ECB's (England and Wales Cricket Board) Safe Hands – Welfare of Young People in Cricket, including the Welfare of Young People Policy and/or such similar or replacement policies the ECB may issue from time to time.

17. Club Welfare Officer

The Club shall appoint a Club Welfare Officer in accordance with the regulations laid down by the ECB. The Club Welfare Officer shall attend approved child protection training events and through the Club's committees, be responsible for ensuring that the Club's child protection policy is operated and implemented. The Club Welfare Officer shall have an up-to-date Disclosure and Barring Service (DBS) certificate.

18. Clubmark

The Club shall achieve and maintain ECB Clubmark status and comply with the regulations and requirements relating to its award from time to time. The responsibility for ensuring Clubmark status is maintained shall be with the Chairman, the Club Welfare Officer, the Junior Coach and the Club Coach.

19. New members

The Club shall operate an open membership. Application packs will be available on the Club's website www.sudburycricket.co.uk. They will also be available on request from the Club's Treasurer/Membership Secretary. Enrolment of new members shall be ratified at the next committee meeting after their details have been so notified to the Secretary. In an appropriate case the Committee shall have the authority to refuse ratification.

20. Code of Conduct (Appendix I)

The Club will operate the ECB's code of conduct which will be upheld by all players and members. On paying their annual membership subscription fee, members will receive a copy of the Code of Conduct. Any member contravening the code of conduct will be subject to the Club's disciplinary procedure.

21. Disciplinary Procedure

Any Club member who has allegedly contravened the ECB's Code of Conduct as operated by the Club, or who has in any way allegedly brought the Club into disrepute, will be subject to the Club's disciplinary procedure (Appendix II) which shall be administered by the Club's Disciplinary Committee.

22. Expulsion of members

The Disciplinary Committee may in its discretion recommend to the Directors that a member be expelled - (Articles - Clause 29.1.4)

23. President

The members of the Club shall elect a President annually at the Annual General Meeting. This position shall be entirely honorary.

24. Vice Presidents

The Management Committee may in its absolute discretion recommend that supporters of the Club be awarded the status of Vice President. Vice Presidents shall be elected en bloc at the Annual General Meeting. Additional Vice Presidents may be elected from time to time at any Management Committee meeting. Vice Presidents will make an annual contribution to the Club either in kind or cash. The names of Vice Presidents will appear in the Club's annual handbook.

25. Life Members/Honorary Members

The Management Committee may propose that someone be appointed a life member or honorary member of the Club at any time and from time to time.

26. Rules of the game

The playing rules of the Club shall be the official laws of cricket as revised from time to time.

27. Opening the Club's Bar

The hours during which alcoholic liquors may be supplied to members and their guests in the Club, shall be the same as those identified in the Club Premises Certificate issued by the Licensing Authority.

Visitors from other sporting clubs shall be entitled to purchase intoxicating liquor.

28. Equal Opportunities

The Club shall adopt the ECB's Cricket Equality Policy.

29. Alteration of the rules

No rules of the Club shall be repealed or altered and no new rules shall be made save by a majority of the members at a general meeting, provided that the Management Committee and Directors shall have the power to make any changes at any time and from time to time which will benefit the Club and which may be required by H.M Revenue and Customs or the Licensing Authority or any Cricketing Authority.

All Changes must be adopted and agreed by the Directors before they become effective and will be reported to the next Annual General Meeting of the Club.

Changes to the Constitution that require changes to the Articles of Association will be subject to such legal advice and verification as the Directors may reasonably decide is necessary from time to time before they can be adopted.

30. Meaning of the Rules

All questions as to the meaning of these rules shall be referred in the first instance to the Management Committee, who may in turn seek reference and guidance from the Directors whose decision shall be final.

31. Dissolution

Articles - Clause 3.4 refers :

If the Company is wound up and all its liabilities have been satisfied, any residual assets shall be given to an asset-locked body having similar objects to the Club's objects as determined by resolution of the Voting Members in consultation with the Regulator.

Appendix I Code of Conduct

ECB Player's and Member's Code of Conduct as operated by Sudbury Cricket Club

As a player and member of Sudbury and District Cricket Club, you will be expected to uphold the principles of the code of conduct detailed below. Breach of these may result in disciplinary action being taken against you, which could result in you being expelled from the Club.

All players and members of Sudbury and District Cricket Club will:

- Follow the ECB "Code of Conduct and Spirit of Cricket", copies of which are displayed on the notice board and in the changing rooms.
- Be aware at all times, that you represent Sudbury and District Cricket Club and as such, you will be judged on your behaviour, attitude and standards of play.
- Respect the rights, dignity and worth of every person within the context of Cricket
- Treat everyone equally and not discriminate on the grounds of age, gender, disability, race, ethnic origin, nationality, colour, parental or marital status, religious belief, class or social background, sexual preference or political belief
- Not condone, or allow to go unchallenged, any form of discrimination if witnessed
- Display high standards of behaviour
- Promote the positive aspects of Cricket e.g. fair play
- Encourage all participants to learn the Laws and rules and play within them, respecting the decisions of match officials
- Actively discourage unfair play, rule violations and arguing with match officials
- Recognise good performance not just match results
- Place the well-being and safety of Young People above the development of performance
- Ensure that activities are appropriate for the age, maturity, experience and ability of the individual
- Respect Young People's opinions when making decisions about their participation in Cricket
- Not smoke, drink or use banned substances whilst actively working with Young People in the Club
- Not provide Young People with alcohol when they are under the care of the Club
- Follow ECB guidelines set out in the "Safe Hands – Cricket's Policy for Safeguarding Children" and any other relevant guidelines issued
- Report any concerns in relation to a Young Person, following reporting procedures laid down by the ECB

Members and guests include all members and officers of the cricket Club and all guests of those members and officers, as well as all individuals who watch / attend / participate / officiate in matches hosted by the Club in whatever capacity.

In addition to the above, all Club Officers and Appointed Volunteers will:

- Have been appropriately vetted, if required
- Hold relevant qualifications and be covered by appropriate insurance
- Always work in an open environment (i.e. avoid private, or unobserved, situations and encourage an open environment). NB - This includes the online world - Club officers and volunteers are actively discouraged from online or other electronic communication with children - any such communication shall be via parents.
- Inform Players and Parents of the requirements of Cricket
- Know and understand the ECB's 'Safe Hands – Cricket's Policy for Safeguarding Children'
- Develop an appropriate working relationship with young players, based on mutual trust
- Ensure physical contact is appropriate and necessary and is carried out within recommended guidelines with the young player's full consent and approval.
- Not engage in any form of sexually related contact with a young player. This is strictly forbidden, as is sexual innuendo, flirting or inappropriate gestures and terms. The ECB adopts the Home Office guidelines. These recommend "people in positions of trust and authority do not have sexual relationships with 16 - 17 year olds in their care".
- Attend appropriate training to keep up to date within their role, especially with respect to the safeguarding of children.

Appendix II Disciplinary Procedure

- The Chairman or Vice Chairman will be notified of any alleged breach of discipline either in writing / email or by telephone backed up by letter, as soon as possible after the alleged breach has occurred.
- The member accused of causing the alleged breach of discipline shall be advised in writing by the Chairman / Vice Chairman within two days of the Club receiving such written notification, and the member will be required to acknowledge the receipt of such letter to the Chairman / Vice Chairman either in writing / email or by telephone. The letter will advise the member that he / she will be required to attend a disciplinary hearing which will be conducted by the Disciplinary Committee and which will consist of the Chairman / Vice Chairman and two members of the Management Committee, such meeting to be held within two weeks of the member receiving the letter or as soon as is practicable. The member accused of causing the breach of discipline will be immediately suspended from playing for the Club, effective from the date of the letter being written by the Chairman / Vice Chairman. The member may also be suspended from entering the Club's premises and from engaging in any Club activities, effective from the date of the letter being written, and in such case, the letter will notify accordingly.
- At the hearing the accused member will be entitled to hear the nature of the alleged breach and any circumstances surrounding it. They will also be entitled to have one or such other number of other Club members as the Disciplinary Committee shall reasonably allow to attend in their support.
- During the hearing, the member accused of causing the alleged breach of discipline, will be asked to explain the circumstance surrounding it and to offer any mitigating circumstances.
- No legal representation of the accused Club member shall be allowed at the disciplinary hearing.
- If the accused member fails to attend promptly at the disciplinary hearing without any prior and reasonable excuse having been communicated to the Chairman or Vice Chairman, the Disciplinary Committee shall be entitled to proceed to deal with the matter and reach a decision in the member's absence and, subject to the member's right to appeal as set out below, such decisions shall be deemed binding upon the member.
- After the hearing, the Disciplinary Committee will retire to consider its verdict which will be one of the following:
 - No further action.
 - A written reprimand with notice that any re-occurrence will lead to a temporary or a permanent ban from playing for the Club and/or engaging in Club activities or expulsion from the Club;
 - The imposition of an immediate temporary ban from playing for the Club, and / or engaging in Club activities. Any suspension that has already been served by the member will be taken into consideration.
 - The imposition of a fine.
 - Immediate expulsion from the Club.
- The decision of the Disciplinary Committee will be communicated in writing to the accused member as soon as is practicable after the hearing.
- If found guilty of a breach of conduct, the accused member shall have the right to appeal against the decision of the Disciplinary Committee by giving notice in writing to the Club Secretary, within seven days of the Disciplinary Committee communicating their verdict to the member at the disciplinary hearing or by communication in writing as referred to above, whichever is the earlier.
- If the guilty member does not submit an appeal, or comply with the ruling of the Disciplinary Committee within seven days of receipt of the said decision either verbally at the disciplinary hearing or by communication in writing following the hearing, whichever is the earlier, they will by default, be deemed to have resigned from the Club.
- Any appeal will be heard by the Management Committee according to the rules regarding expulsion of members of the Club from time to time.