



# Derbyshire Netball Association

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## CONSTITUTION

### Contents

- 1 Name
- 2 Objectives
- 3 Vision & Mission Statement
- 4 Guiding Principles
- 5 Membership of the Association
- 6 County Management Board (CMB)
  - (6.1) Structure of Board & Board Meetings
  - (6.2) Role of the CMB
  - (6.3) Election to the CMB
- 7 Honorary Members
- 8 General Meetings
  - (8.1) AGM
  - (8.2) EGMs
  - (8.3) Voting at AGMs and EGMs
- 9 Finance
- 10 Amendments to the Constitution
- 11 Policies & Procedures
- 12 Interpretation
- 13 Arbitration and Matters Not Provided For
- 14 Dissolution
- 15 Acknowledgement
- 16 Governing Law & Jurisdiction

# **DERBYSHIRE NETBALL ASSOCIATION CONSTITUTION**

## **1 NAME**

- 1.1 The Association shall be called Derbyshire Netball Association. The County Association will use the approved England Netball (EN) logo and branding as determined by the Board of Directors of England Netball and/or the Derbyshire Netball logo and branding as determined by the County Management Board (CMB) from time to time.

## **2 OBJECTIVES**

- 2.1 The County endeavours to work closely with the East Midlands Regional Management Board, for the growth and development of the game in Derbyshire in line with plans and strategies
- 2.2 The County will serve as a forum to co-ordinate activities, organise competitions, arrange technical courses and elect representatives to serve on Regional Committees in line with plans and strategies approved by England Netball.
- 2.3 The County Association and its Members are committed to treating everyone equally and with respect; it shall not discriminate in any way against any other Member and will act in compliance with the Equality Act 2010.

## **3 VISION & MISSION STATEMENT**

- 3.1 The County Association supports and endorses the East Midlands Region's vision, mission and strategic goals.
- 3.2 The County Association's own mission statement is: To establish netball in the county as a high-profile sport in all disciplines with a financially sustainable governing body that promotes "Netball for Life" and develops athletes, coaches, officials and volunteers.

## **4 GUIDING PRINCIPLES**

- 4.1 The County Association endorses EN's Adventure Strategy, embracing the elements of the Moral Compass and will
  - 4.1.1 always place the participant at the heart of everything we do and provide the best quality service we can, but we will balance that with the need to grow and manage a sustainable County Association.
  - 4.1.2 value and respect the contribution and needs of our volunteers who are integral to our success.
  - 4.1.3 be innovative and progressive in our thinking, always connecting short-term actions to medium-term strategies and long-term goals striving to improve the quality and standard of what we do and how we do it, in line with ENs Adventure Strategy
  - 4.1.4 work in partnership and collaboration with East Midlands Region Netball Association where there is a mutual benefit in terms of operations effectiveness and efficiency, value for money and added value for participants in netball.

- 4.1.5 develop, enable and encourage programmes and activities that have a positive and beneficial impact on the lives of netball participants and delivery of the sport within Derbyshire.
- 4.1.6 recognise and celebrate individual and collective contributions and success.

## **5 MEMBERSHIP OF THE ASSOCIATION**

- 5.1 The members of Derbyshire Netball Association shall comprise:
- Each club registered to Derbyshire as their Primary County  
Members of the CMB  
Individual Members of the County
- 5.2 Voting members of Derbyshire Netball may make nominations and vote in the elections for the CMB.

## **6 CMB**

### 6.1 Structure of the CMB

- 6.1.1 The business of Derbyshire Netball shall be managed by the CMB.
- 6.1.2 The CMB shall comprise:

	Role	Status	EN Member	Voting Right
a.	Chair	Elected	Yes	Yes
b.	Vice-Chair	Elected	Yes	Yes
c.	Secretary	Elected	Yes	Yes
d.	Treasurer	Elected	Yes	Yes
e.	4 General Members	Elected	Yes	Yes
f.	Membership Secretary	Elected	Yes	Yes
g	Resolution Secretary	Elected	Yes	Yes
h	Safeguarding Officer	Elected	Yes	Yes
i	EDI Officer	Elected	Yes	Yes
j	Lead of each Technical Support Group (TSG)	Appointed	Yes	Yes
k	2 Appointed Members,	Appointed	Not required	No

- 6.1.3 An individual can hold more than one role but the risks should be considered in a Conflict of Interest Form
- 6.1.4 Members of the CMB should not be paid members of England Netball.
- 6.1.5 The England Netball Partnerships and Delivery Manager and Netball Development Officer are co-opted non-voting members and will be able to attend meetings.
- 6.1.6 Minutes of the meeting will be taken by the Secretary or, in their absence, another member of the Board.

- 6.1.7 The CMB may, from time to time, allocate certain areas of responsibility to members of the CMB.
- 6.1.8 The CMB may fill any vacancy that may occur during the year. If this involves filling an elected position then that person, if willing to stand, may offer themselves for election at the next Annual General Meeting (AGM) following their initial appointment without nomination
- 6.1.9 The CMB shall meet a minimum of 4 times a year.
- 6.1.10 Each member of the CMB as listed in 6.1.2 **a-j** will have one vote. In the event of a tie in votes cast on any item of business, the Chair of the meeting shall have a further casting vote.
- 6.1.11 **FIVE** members present and entitled to vote shall form a quorum.
- 6.1.12 A post on the CMB may be vacated if:
- (a) The Member concerned resigns their post by notice to the CMB
  - (b) They shall be absent for more than 2 meetings throughout the year without justifiable reason
  - (c) They are requested to resign by a vote of the CMB
- 6.1.13 The members of the CMB will be reimbursed by the County Association at Derbyshire Netball Association Travel and subsistence rates for travel, accommodation and other expenses incurred by them in connection with meetings of the Board or other approved business of the Board.
- 6.1.14 Skills of the Board Members should be recorded in the County Skills Matrix to ensure a broad mix of skills and diversity
- 6.1.15 Members of the CMB shall have limited liability and are covered by EN's insurance policy. No member of the CMB is to be held personally liable for any actions.
- 6.2 Role of the CMB
- 6.2.1 The principal role of the CMB is to plan, support and co-ordinate the development of the game within Derbyshire in a manner that supports regional plans and strategies determined by England Netball.
- 6.2.2 The CMB will work with England Netball, County and Regional Staff to deliver national targets according to the county needs
- 6.2.3 The CMB will provide direction, support and guidance to Clubs and sporting partnerships to ensure that the overall policies and strategies for the development of the game are communicated consistently and effectively
- 6.2.4 The CMB may at the request of England Netball or the Regional Management Board nominate appropriate individuals to serve on any national or regional working, standing or technical committees established by England Netball.
- 6.2.5 The CMB may establish Technical Support Groups (TSGs) as may be deemed necessary and determine their membership and terms of reference in line with the Bye-Laws.

- 6.2.6 The CMB shall have the power to make, alter add to and revoke Bye-Laws of the County Association, provided that such Bye-Laws or any alterations, or revocation shall not be effective until the earlier of:
- (a) Approval at the AGM or
  - (b) Three months after passing of an appropriate resolution by the Derbyshire CMB
- 6.2.7 The CMB will ensure that funds are used appropriately for the development of the game within Derbyshire.
- 6.3 Elections to the CMB
- 6.3.1 At the AGM Members of the County Association would consider and vote on the list of nominations received for all Elected Members
- 6.3.2 Officers standing for re-election do not require re-nomination. But, in the event that a vote is required for any position, details of any relevant experience should be made available to members.
- 6.3.3 Each nomination should be accompanied by a completed nomination form highlighting appropriate experience. Appointments would be by simple majority. Nomination forms must be returned to the Board 28 days before the AGM
- 6.3.4 Immediately after the AGM the CMB shall meet to ratify the TSG Leads and determine the Appointed Members

## **7 HONORARY MEMBERS**

- 7.1 Special service to Derbyshire Netball Association may be recognised by the appointment of Honorary Members, who for the purpose of the Constitution shall be deemed to be Members of England Netball, shall be eligible to attend all General Meetings of the County in a non-voting capacity and receive such rights and privileges as determined by the CMB.

Appointments are made by the CMB, and could include such roles as President and Vice-President(s).

## **8 GENERAL MEETINGS OF THE COUNTY (AGMs and EGMs)**

- 8.1 The Annual General Meeting (AGM):
- 8.1.1 The AGM shall be held annually on a date to be determined by the CMB.
- 8.1.2 The date of the AGM shall be fixed and reported not less than 56 days prior to the date of such meeting. Agenda and motions shall be circulated not less than twenty-one days prior to the meeting to each member of the County Association. The County Secretary will be responsible for circulating notices to each Member of the County Association and each member of the CMB. Each Member shall be responsible for notifying their nominated representatives.
- 8.1.3 The Chair or Vice-Chair of the County Association shall act as Chair of the AGM. If neither is present, a Chair shall be elected from among those members of the CMB present at the meeting.

- 8.1.4 **TEN** members present and entitled to vote shall form a quorum.
- 8.1.5 Business to be transacted at the AGM shall be:
- (a) To receive reports;
  - (b) To elect those members of the CMB who have been nominated in accordance with paragraph 6.3.3, each of whom shall hold office to the end of the General Meeting at which their successor is appointed;
  - (c) To consider any proposed resolution submitted in writing to the County Secretary not less than 21 days before the date of the AGM, which has been proposed by one County Member and seconded by another County Member;
  - (d) To receive the independently inspected accounts of Derbyshire Netball Association
  - (e) Appoint Auditors of the accounts for the next 12 months
- 8.2 Extra-Ordinary General Meeting
- 8.2.1 An Extra-Ordinary Meeting may be convened at any time provided that it is either:
- (a) by order of the CMB or
  - (b) upon receipt of a written request from SIX or more of the County Association Members entitled to vote at a General Meeting stating the purpose for which a meeting is required and setting out any resolution that it is desired to propose;
- 8.2.2 An Extra-Ordinary Meeting shall be convened within 28 days from receiving the request, giving no less than 10 days' notice.
- 8.2.3 **TEN** members present and entitled to vote shall form a quorum
- 8.3 Voting at General Meetings (AGMs and EGMs)
- 8.3.1 The following shall be entitled to attend, speak and vote at a General Meeting (AGM or EGM) of the County:
- (a) An appointed person from each club which are members of England Netball
  - (b) Eligible voting Members of the CMB
- 8.3.2 The following shall be entitled to attend and speak at a General Meeting (AGM or EGM) but shall not be entitled to vote:
- (a) Honorary Members of the County Association
  - (b) The Regional Chair or RMB Representative
  - (c) The England Netball Partnerships & Delivery Manager
  - (d) Directors of England Netball
  - (e) The County Netball Development Officer (NDO)
  - (f) Any member of England Netball whose primary county is Derbyshire
  - (g) A representative from Derbyshire Schools Association
- 8.3.3 Voting procedure at General Meetings (AGM or EGM) shall be as follows:
- (a) Each person entitled to attend and vote shall be permitted to cast one vote;
  - (b) No proxy voting will be allowed
  - (c) No postal voting will be allowed

- (d) A simple majority of those present and entitled to vote shall be required to pass any resolution. The Chair of the meeting shall have a casting vote in the case of an equality of votes.

## **9 FINANCE**

- 9.1 The financial year shall end on 31st July
- 9.2 Each Club shall pay an annual subscription to the County which shall be due on the 1st September
- 9.3 The membership fee shall be decided by the CMB

## **10 AMENDMENTS TO THE CONSTITUTION**

- 10.1 Proposals to alter the constitution shall be submitted in writing to the County Secretary no later than 28 days before the AGM, by a member of Derbyshire Netball Association, seconded by another member.
- 10.2 No alteration or addition to the constitution shall be made except by special resolution passed at a General Meeting (AGM or EGM) with not less than two-thirds of the votes cast being in favour.

## **11 POLICY & PROCEDURES**

Derbyshire Netball Association adopt England Netball current policies and procedures, including but not inclusive to:

- Anti-doping Policy
- Safeguarding Policy
- DBS Disclosure Information and Information Sharing Protocol
- Recruitment of Ex-Offenders Policy
- Data Protection and Privacy Policies
- Anti-bullying & Harassment Policy
- Complaints and Customer Charter Policy
- Equity, Diversity and Inclusion Policy
- Whistle Blowing Policy
- Codes of Conduct
- Social Media Policy
- GDPR

- 11.1 The CMB adopt England Netball current policies and procedures.  
Go to [www.englandnetball.co.uk](http://www.englandnetball.co.uk)  
Please note, over time the names and/or inclusion of these policies may change on ENs website, CMB are committed to aligning with all policies and procedures that are current.

## **12 INTERPRETATION**

- 12.1 For the avoidance of doubt, all policies adopted above shall, where applicable, be interpreted as if the County Association were the principal of the policy, by way of example only, if a policy states a complaint should be sent to England Netball's Office, it should be sent to the County Resolution Secretary. In the event of any confusion on processes please contact a member of the Derbyshire Netball Association CMB for further guidance.

**13 ARBITRATION AND MATTERS NOT PROVIDED FOR**

- 13.1 If any dispute shall arise on the interpretation of this Constitution or the need arises to deal with any matter not provided for in this Constitution, reference shall be made to the Chair of the County Association who shall refer the same to the East Midlands Regional Management Board whose decision shall be binding on all parties.

**14 DISSOLUTION**

- 14.1 In the event of dissolution, any assets remaining after the satisfaction of all debts and liabilities shall be dealt with in a manner to be determined by resolution of a general meeting so as to promote the objects of the County or of some organisation with kindred aims. In the event of there being a deficit, the general meeting shall decide how it should be met.

**15 ACKNOWLEDGEMENT**

- 15.1 Members acknowledge that these rules constitute a legally binding contract to regulate the relationship of the Members of the County Association.

**16 GOVERNING LAW & JURISDICTION**

- 16.1 This Agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.