



## **Kinross Radio Model Flying Club**

### **Club Constitution**

Clause 1 – The name of the Club will be 'Kinross Radio Model Flying Club'.

#### **Aims**

Clause 2 – The aim of the club will be to promote the welfare of its members by organising facilities for full and active participation in the sport.

2.1 - The Club seeks to promote the sport of model flying without prejudice to age, gender, race, religion or ability.

2.2 – The Club expects all members to promote an ethos of encouragement and the sharing of knowledge and experience in the sport of model flying among and between members through mutually supportive relationships.

#### **Members**

Clause 3 – Membership of the Club will be open to persons fulfilling the following conditions:

3.1 – Have current insurance with the Scottish Aeromodellers' Association or BMFA.

3.2 – Has had his/her application form (Adult, Junior or Vulnerable Adult) approved by the Committee. N.B see appendix 2: Care and Welfare of Junior members and Vulnerable Adult members.

The Committee has the right to decline an application for membership or renewal of membership where the member a) has had a previous complaint against them upheld whereby they were expelled from membership of KRMFC or other Club, b) has had flying privileges withdrawn by the Committee, or c) has acted in a manner that may be considered disruptive of the ethos of the club d) has had SAA/BMFA Insurance withdrawn or declined. Appeal against a Committee decision to decline an application may be lodged in writing to the Secretary within 14 days of receipt of notification. Due process of "Natural Justice" as set out in the Complaints Procedure of this Constitution must be applied to any decision not to renew membership.

3.3 - The Committee may take up references for those applying for membership of the club.

3.4 - All new members will serve a six-month probationary period from date of joining during which membership may be terminated if they a) have a complaint against them upheld, or b) have flying privileges withdrawn by the Committee or c) act in a manner considered to be disruptive of the ethos of the Club or d) have SAA/BMFA Insurance withdrawn or declined.

3.5 – Is willing to obey all the Club Flying Rules as they are, or may be agreed by the Committee or AGM.

3.6 – Is willing to accept and abide by the terms of the Constitution herein or as shall be agreed by decision of an AGM.

3.7 - Tendered, upon approval of their application, the current membership fee plus the current joining fee.

3.8 – All members have the right, at any time, to withdraw from the Club. Decision to withdraw from membership should be given in writing to the Secretary. A person may only be re-admitted to the Club on reapplication to the Committee. No refund of membership or joining fees will be given.

3.9 - Any member whose membership lapses for 12 months or more will be considered as a new member and will be required to tender the current membership fee plus joining fee.

3.10 – Any member failing to pay his subscription by the 30<sup>th</sup> April unless considered by the Committee to have reasonable cause, will cease to be a member and have to re-apply for membership and will be required to tender the current membership fee plus joining fee.

3.11 – The club considers all members to be active safety officers highlighting any safety concerns with a committee member.

### **Non Members**

Clause 4 – Activities of the Club will be open to all members. Non-members may participate in these activities at the discretion of the Committee, but persons who are not members may not obtain expenditure benefit afforded by the club.

### **The Committee**

Clause 5 – The affairs of the Club will be administered by a Committee (THE COMMITTEE) whose meetings shall normally be held in private.

5.1 – The Committee will consist of three elected officers (Chairman, Treasurer, Secretary) and three ordinary members.

5.2 – The Committee will be elected/re-elected annually by members at the Annual General Meeting.

5.3 - Committee members must be 18 years or over at the time of their election.

5.4 – The Committee will have the power to co-opt a member of the Club to fill a vacancy on the committee, their term of office to begin from the preceding AGM.

5.5 – The quorum for an official Committee meeting will be two officers plus any other two Committee members.

5.6 – Decisions of the Committee will be by simple majority vote of those Committee Members present at an official Committee meeting.

5.7 – Every member of the committee has a single vote and a majority vote is required to carry a motion.

5.8 – As a general rule Committee meetings should be held as circumstances dictate and will be notified by the Secretary.

5.9 – If the Chairman is not present another officer will act in that capacity.

5.10 - The Secretary shall take a record of attendance at committee meetings and create a proper minute of all proceedings, which will be agreed and approved by the committee via electronic means, and confirmed at a subsequent meeting.

5.11 - The Secretary shall deal with all correspondence relating to club activities or as directed by the Committee. All correspondence must be in writing to the Secretary.

5.12 – The Committee will have the power to take whatever action it deems necessary to promote the aim of clause 2. A member of the Committee may also take action until verified or rescinded by a quorum of the Committee.

5.13 – Where a conflict of interest occurs (personal or business) between a committee member and committee business the member should declare that conflict of interest. The member may remove him/herself from discussion of that business or be asked by the Committee to remove themselves. Where the member concerned is the Chairman or Secretary the Committee will elect another Officer to take their place pro temp, which will be recorded in the minutes of the meeting. The Committee must remain quorate.

## **Discipline and Complaints**

Clause 6 – The Committee exercises its duty of care through all members at the field. Current Flying Rules will be available at the field to all members, visitors and



novice pilots. The Committee will enforce Flying Rules with discretion recognising that there are differing levels of skill and experience amongst pilots. A committee member may issue verbal warnings to those who breach Flying Rules and / or endanger the safety of others. Three repeated verbal warnings in any 12-month period may give rise to a first written warning and a further transgression will instigate a second written warning. Further transgressions still may give rise to suspension of flying privileges or a period of supervision / training, which will be notified to the member in writing by the committee.

6.1 – The Committee will at all times follow the Complaints Procedure as set out in this Constitution where a complaint is made against an individual.

### **General Meetings**

Clause 7 – The Annual General Meeting (AGM) of the Club will be before the middle of December each year and will normally be held in public. Any club member may request individual items of business to be held in private, at the discretion of the committee.

7.1 – The Committee may arrange at any time an Ordinary General Meeting (OGM) of the Club. An OGM will normally be held in private.

7.2 – An Extraordinary General Meeting (EGM) may be requested, in writing, to the Secretary, by a quorum of 51% of the current members (excluding Juniors) of the Club. An EGM will normally be held in private.

7.3 – The Secretary must provide at least fourteen days written notice to each individual Club member of any General Meeting (Ordinary, Annual or Extraordinary, unless special circumstances prevail). Notice shall be delivered via club notice board and relevant electronic distribution methods. The information provided must include adequate notice of the place, date and time of meeting and any documentation relevant to that meeting. The quorum for any General Meeting will be 51% of the current members of whom at least eight must not be Committee members and of whom twelve must be adult members.

7.4 – The Chairman will control each General Meeting impartially. Every member of the club has a single vote and a majority vote is required to carry a motion. In the absence of the Chairman, the other officers present will arrange for those present at the meeting to elect from their number someone to chair that meeting, prior to any item on the Agenda.

### **Finances**

Clause 8 – The Club financial year will be from 1st April to 31<sup>st</sup> March each year.

8.1 – The subscriptions and joining fee of the Club will be decided by the Club at the AGM.

8.2 – The Committee will have the power to spend such moneys as may be required for the administration of the Club but shall not spend more than is available in club funds.

8.3 - Signatories to Club accounts will be the Treasurer and Chairman. All accounts will require at least two signatures to operate.

8.4 – The Treasurer will produce an interim financial balance sheet up to the date of the AGM to be presented at the AGM and a year-end balance sheet to 31<sup>st</sup> March to be published for the 1<sup>st</sup> quarter Committee meeting.

8.5 – All financial records will remain within the possession and control of the Treasurer and Committee at all times. The Treasurer shall make accounts available for viewing to members within 28 days of a request being made in writing to the Secretary.

8.6 - The Balance Sheet will comply with the Club's standard format of accounts as set out in the Accounts Policy Appendix, which forms part of this Constitution.

8.7 – Payment of membership fees can either be by cash, personal cheque, annual direct debit or online bank transfer. If payment of membership fees is by personal cheque, then that person shall not be deemed a member of the club until the cheque has cleared and the funds are recorded in the club accounts.

### **The Constitution (Amendments)**

Clause 9 – Amendments or additions to the Constitution will be decided by a simple majority vote at any General meeting.

### **Trustees (Appointment and Function)**

Clause 10 – In the event the club ceases to exist, the existing committee act as Trustees for the Club.

10.1 – Trustees will ensure any moneys remaining, after payment of outstanding accounts, will be distributed equally amongst current membership (pro-rata to annual membership fee).

10.2 – Acting on the instructions of the members of the Club the Trustees will be allowed, on behalf of the Club, to sell or otherwise dispose of the whole or any part of the business or property of the Club, either together or in portions, for such considerations as the Trustees may think fit.

10.3 – Regardless of when the property of the Club is disposed of or for whatever reason it will not be disposed of by the Trustees without prior recourse to an AGM or EGM which must carry a 2/3 majority to instigate any action.

## Complaints Procedure

### Complaint against an individual

#### Natural Justice

*Aspects of Law concerning Natural Justice are rarely fully known to the individual when operating in a more social situation such as a club. The principle is:*

*Procedures must be absolutely fair to both sides.*

*This overriding principle particularly concerns the following areas:*

*Any accusation must be explored before any further procedure is taken. This means fully checking the details of the event of the complaint, particularly with any witnesses.*

*The 'accused' must be fully informed of all the details of the complaint and no further details should be submitted at a later stage.*

*The accused must be given the opportunity to present his/her version and a defence. This entails allowing evidence from witnesses and documents etc to be reviewed.*

*All proceedings must be entirely even handed. It is at this point that many organisations fail. In general, a club must ensure that any members involved in part of the decision-making process at an early stage should not be involved later on (i.e. the principle is that someone who has sat in judgement at one stage should not sit in judgement at a further stage, including appeals, for that individual will be automatically tainted with a suspicion of bias).*

*No complainer can sit in judgement at any stage.*

#### THE PROCEDURE

It is best to limit the number of stages of the machinery to deal with errant members to a bare minimum. It is also dangerous to make the first stage a request for resignation. The number of members involved in each stage should also be minimised, as they have to disbar themselves from further stages. It is recommended that the following matters are included in the club constitution:



1. The Committee will use its powers to appoint a Complaints Officer. This person will not be a Committee Member and will be appointed to investigate the complaint should it be deemed necessary.
2. Any complaint should remain directed to the Committee who will remit the details to the Complaints Officer to investigate.
3. The Complaints Officer will interview the complainer and witnesses as well as the person complained of and their witnesses. Accurate notes should be kept. The Officer will prepare a report for submission to the Committee indicating whether the complaint is valid or not. The Complaints Officer will not be involved at any stage in the complaints or expulsion procedure.
4. The Committee will form a sub-committee to deal with the complaint. The sub-committee will consist of three (3) people who are club members but who are not members of the Committee and selected to ensure no bias for or against either the complainer or the member complained of.
5. The Sub-committee should review the Complaints Officer's report and interview that officer for clarification if need be. They should then either i) dismiss the complaint or, ii) undertake further procedures if they feel the complaint to be valid.
6. If option ii) is taken the Sub-committee should call the member complained of before it, with reasonable notice given in writing along with FULL details of the events and circumstances alleged against him/her. That member will also be given the opportunity of being accompanied by another member. The accompanier may provide support and consult with the person, but may not speak on their behalf.
7. In the meeting called by the Sub-committee a full and thorough exploration of the circumstances should be made in an even-handed fashion using the witness's accounts as well as those of the errant member and complainant.
8. The Sub-committee will then let its findings be known to errant member and complainant and will report to the Committee. The Committee can decide whether to publish the proceedings for the club as a whole. The Committee will act in one of the following ways: i) dismiss the complaint ii) admonish the member & require him/her not to transgress in the future iii) suspend the member for a period of time iv) expulsion. The Sub-committees' work has been completed.
9. There will be a right to appeal. The member will have a 14-day period in which to notify the Committee (in writing) whether they wish to appeal. The Committee will then be required to call an Ordinary General meeting of the club within a further 28 days where appropriate, in which to hear the appeal. During this process the member complained of will no longer be able to use the club facilities until the appeal has been heard and a ruling from the sub-committee has been delivered.
10. At the Ordinary General Meeting where the appeal is heard the members of the Sub-committee and the Complaints Officer are disbarred from voting although their

presence may be required for information. No new 'charges' should be brought forward. Lawfully, previous 'convictions' cannot be taken into account, although complaints closely linked in time may be regarded as being relevant.

11. The chair of the Sub-committee should give a report and the errant member should then be able to air his/her position. A debate and questions should then follow and a vote taken to finally close the matter.

12. Finally, the member should be able to scrutinise any ballot (particularly if written).

## Appendix 1

### Accounts Policy

The annual accounts to 30th November will be made available by the Treasurer showing the opening balance, all income and expenditure, followed by the closing balance.

## Appendix 2

### KRMFC Policy

## Care and Welfare of Junior members and Vulnerable Adult members

- All members, parents, guardians and carers are to comply with BMFA and club policies and guidelines for the promotion of welfare and care of children and vulnerable adults.
- A vulnerable adult can also be a temporary designation covering persons who may, for instance, be recovering from illness or medical treatment.
- Junior members must be supervised at all times by a responsible adult. The level of supervision is to be commensurate with the junior member's age, maturity, capability and level of experience.
- No child or vulnerable adult shall undertake any activity which might place him or her at risk. In any event, prior consultation with their parent, guardian or carer must take place if there is any doubt on the member's abilities to undertake a specific activity.
- No adult member is to be expected to assume responsibility for a child or a vulnerable adult unless he/she has been specifically requested to do so by the parent, guardian or carer. If required to do so, he/she is to assume complete



and total responsibility for the child or vulnerable adult whilst he/she is in their charge and written evidence of this must be obtained before total responsibility is undertaken.

- Notwithstanding the requirements of the previous paragraph, should a member discover a child or vulnerable adult that is unsupervised then he/she must assume responsibility for that person's safety in the first instance. The situation should then be rectified as soon as possible by seeking out the parent, guardian, carer or nominated supervisor. Any instance of such an occurrence is to be reported to the club committee as soon as possible and a record made of the occurrence.
- Whilst supervising children or vulnerable adults, members should avoid placing themselves in a position that could be open to misinterpretation or question in accordance with BMFA policy. Remember, the policy is there to protect you as well as children and vulnerable adults.
- Should any member, parent, guardian, carer or the person themselves have concerns about the welfare of children or vulnerable adults then he or she is to contact the Club Welfare Officer, Neil Gourlay or the following helplines.

**Contacts:**

*NSPCC Child Protection in Sport Unit - Scotland: 0141 419 1156*

*Social Services – Scotland: [www.safecic.co.uk/cpc-scotland](http://www.safecic.co.uk/cpc-scotland)*

*BMFA Safeguarding Team 0116 244 0028 or [safeguarding@bmfa.org](mailto:safeguarding@bmfa.org)*

## **Role of the Club Welfare Officer**

In accordance with the following guidelines issued by the BMFA Safeguarding Team, the role of the Club Welfare Officer is to:

- help the club follow the guidelines laid down in this document;
- ensure that new initiatives and information from the BMFA are communicated to the club and its members;
- ensure that welfare and care of children and vulnerable adults is an item on the club committee meeting agendas;
- ensure that all club members working with children or vulnerable adults are suitable to do so;

- assist club members with their initial application to work with children or vulnerable adults;
- liaise with the BMFA Safeguarding Team on children and vulnerable adult issues.

The role of the Club Welfare Officer does not require him/her to be the recipient and 'solver' of club problems relating to children or vulnerable adults. Junior members will talk to those with whom they feel most confident and not necessarily to the Club Welfare Officer.

