

England Netball – East Midlands Regional Association - Constitution

Contents

1	Name & Logo
2	Objectives
3	Vision & Mission Statement
4	Guiding Principles
5	Membership of the Regional Association
6	Structure of the Regional Association
7	Regional Management Board
8	Honorary Members
9	General Meetings
10	Finance subscriptions and other fees
11	Amendments to the Constitution
12	Disciplinary Procedure
13	Anti-Doping Policy
14	Safeguarding Young People in Netball Policy
15	DBS Disclosure Information and Information Sharing Protocol
16	Recruitment of Ex-Offenders Policy
17	Data Protection and Privacy Policies
18	Anti-Bullying & Harassment Policy
19	Complaints and Customer Charter Policy
20	Equality Policy
21	Whistle Blowing Policy
22	Codes of Conduct
23	Social Media Policy
24	GDPR
25	Interpretation
26	Arbitration & Matters Not Provided For
27	Dissolution
28	Acknowledgement
29	Governing Law & Jurisdiction

1 NAME & LOGO

- 1.1 The association shall be called England Netball East Midlands Region otherwise known and referred to as Regional Association or East Midlands Netball.
- 1.2 The Regional Association will use the current England Netball logo as approved by the Board of Directors (meaning the Board of Directors at England Netball), until such time as this is deemed necessary to comply with any change to the England Netball logo.

2 OBJECTIVES

- 2.1 The Regional Association is a member of England Netball and will be bound by and conform to the rules, strategies, plans, policies and procedures of and be accountable to the Board of Directors for the participation, regulation, growth and development of the game in the East Midlands Region.
- 2.2 The Regional Association will serve as a forum to co-ordinate activities, organise regional competitions, arrange technical courses and elect representatives to serve on National Committees in line with plans and strategies approved by the Board of Directors.
- 2.3 The Regional Association will seek to develop the game of netball within the East Midlands Region in line with plans and strategies approved by the Board of Directors.
- 2.4 The Regional 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 Regional Association supports and endorses England Netball's vision, mission, and strategic goals.
- 3.2 The Regional Association's own mission statement is:

To establish Netball in the East Midlands Region as a top performing sport in all disciplines with a financially sustainable governing body that promotes "Netball for Life" and develops more world class athletes, coaches, officials and volunteers.

4. GUIDING PRINCIPLES

4.1 The Regional Association will:

- 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 Regional Association.
- 2) value and respect the contribution and needs of our volunteers who are integral to our success.
- 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.
- 4) work together with England Netball as 'one team aligned to one dream' for the benefit of Netball within the region and as such we will succeed or fail together.
- 5) work in partnership and collaboration with England Netball where there is a mutual benefit in terms of operations effectiveness and efficiency, value for money and added value for participants in Netball.
- 6) develop, enable and encourage programmes and activities that have a positive and beneficial impact on the lives of netball participants within the East Midlands Region.
- 7) establish integrated planning and process pathways that enable, rather than constrain, service excellence.
- 8) recognise and celebrate individual and collective contributions and success.

5. JURISDICTION & MEMBERSHIP

5.1 The Counties in the Regional Association's geographic boundaries are (hereinafter referred to as "Counties"):

Derbyshire Netball Association
Leicestershire Netball Association
Lincolnshire Netball Association
Northamptonshire Netball Association
Nottinghamshire Netball Association

5.2 Upon payment of the appropriate annual Regional and/or England Netball membership fee, the Members of the Region shall be:

5.3.1 Voting Members:

- i. Each County Netball Association situated within the Regional boundaries
- ii. Clubs whose Primary County is situated with the Regional boundaries and
- iii. Secondary/Middle Schools situated within the Regional boundaries
- iv. Members of the Regional Management Board
- v. TSG Chairs

5.3.2 Non-Voting Members:

- i. Any person who plays, coaches, umpires, officiates, or organises Netball or is in any way connected with the game of Netball within the Regional boundaries
- ii. Universities situated within the Regional boundaries
- iii. Colleges situated within the Regional boundaries and
- iv. Primary Schools situated with the Regional boundaries

5.4 All paid persons (who are not Members of the Regional Association) must acknowledge and adhere to the England Netball East Midlands Regional Association Constitution and incorporated policies and processes whilst engaged in activities under the jurisdiction of the Regional Association and thus are subject to all the constraints and privileges associated with it.

5.5 The Regional Association may refuse membership only for good and sufficient cause, such as, but not limited to, a conduct or character likely to bring the Regional Association or sport into disrepute.

6 STRUCTURE OF THE REGIONAL ASSOCIATION

- 6.1 The Regional Association's management structure is comprised of a Regional Management Board.
- 6.2 The Regional Management Board has the authority to establish and determine terms of reference, set roles and responsibilities and dissolve various groups, forums and Technical Support Groups (hereinafter referred to as TSGs) at its sole discretion to assist with the management and operation of the Regional Association.
- 6.3 At the date of this Constitution the groups, forums and TSGs are comprised of:
 - a) Regional Operating Group (hereinafter referred to as ROG)
 - b) Competition TSG
 - c) Coaching TSG
 - d) Officiating TSG
 - e) Volunteer & Club Development TSG
 - f) County Chairs' Forum
 - g) Governance and Finance Group
 - h) Youth Action Group

7. REGIONAL MANAGEMENT BOARD

- 7.1 The business of the East Midlands Region shall be managed by a Regional Management Board.
- 7.2 Role and Powers of the Regional Management Board:
 - 7.2.1 The principle role of the Regional Management Board is to plan, support and co-ordinate the development of the game within the East Midlands Region in a manner that meets the requirements of national plans and strategies determined by England Netball Board of Directors whilst engaging with the Counties to formulate and implement plans responding to the specific needs of the game within the East Midlands Region.
 - 7.2.2 The Regional Management Board will work with England Netball Regional Staff on an ad hoc basis to prepare and submit a budget to England Netball to deliver national targets according to regional need and will be accountable to the England Netball Board of Directors for the use of such funds in achieving these targets.

- 7.2.3 The Regional Management Board will provide direction, support and guidance to regional and sub-regional sporting partnerships to ensure that the overall policies and strategies for the development of the game are communicated consistently and effectively to regional partners and that any additional funding opportunities within the region are identified and secured and used in line with England Netball and regional priorities.
- 7.2.4 The Regional Management Board shall, where asked to by England Netball, submit an Annual Report and independently examined accounts to England Netball on the significant activities held at Regional and County level.
- 7.2.5 The Regional Management Board may at the request of England Netball nominate appropriate individuals to serve on any national standing, working or technical committees established by England Netball.
- 7.2.6 The Regional Management Board has the authority to establish and determine terms of reference, set roles and responsibilities and dissolve various groups, forums and TSGs at its sole discretion to assist with the management and operation of the Regional Association.
- 7.2.7 The Regional Management Board may from time to time allocate certain areas of responsibility to members of the Regional Management Board or set further terms of references or roles and responsibilities for the Regional Management Board itself.
- 7.2.8 The Regional Management Board will appoint an independent auditor to examine, verify and confirm the accuracy of the yearly income.
- 7.2.9 The Regional Management Board shall have the power to make, alter, add to and revoke By-Laws of the Regional Association, provided that such By-Laws or any alterations, or revocation shall not be effective until the earlier of:
- a) Approval by the Regional Association (AGM or EGM) or
 - b) Three months after the passing of an appropriate resolution by the East Midlands Regional Management Board
- 7.2.10 All persons who are appointed by the Regional Management Board to assist in any way with the Regional Association's activities shall become Members of the Regional Association and hence of England Netball and in the first instance membership fees shall be paid by the Regional Association.

7.3 Composition of the Regional Management Board:

7.3.1 The composition of the Regional Management Board shall be:

- a) Chairman (hereinafter referred to as Chair)
- b) Vice Chairman (hereinafter referred to as Vice Chair)
- c) Chair of Governance & Finance
- d) Three (3) Elected Members
- e) ROG Chair, who shall be appointed by the Regional Management Board
- f) Up to 3 Members appointed by the Regional Management Board, one of whom must be an England Netball Member at the time of appointment. The other two appointed Members may or may not be in membership of England Netball at the time of appointment
- g) The Regional Management Board may, from time to time, appoint Members with relevant knowledge and experience on a short-term basis to carry out specific and time-bound strategic work and will not have any voting rights

7.3.2 Regional Management Board members listed in 7.3.1 sub clauses a-f above have voting rights. Voting Members must not be a paid employee of England Netball. For clarity, should a Member hold more than one position on the Regional Management Board then the voting entitlement is one vote.

7.3.3 Each Member of the Regional Management Board (except any England Netball personnel in attendance) will have one vote. Any member of the Regional Management Board who is a paid member of staff of England Netball will not be entitled to vote. In the event of a tie in votes cast on any item of business the Chair shall have a further casting vote.

7.3.4 Specific England Netball personnel are/may be invited to attend Regional Management Board meetings as a communication link with England Netball. Any England Netball personnel in attendance are not a Member of the Regional Management Board and therefore have no voting rights. Minutes of the meeting will be taken by the Regional Office personnel.

7.3.5 The Regional Management Board shall normally meet four times per year in: January, April, July & October.

- 7.3.6 Four Members of the Regional Management Board, who are entitled to vote, must be present to form a quorum for Regional Management Board Meetings.
- 7.3.7 Regional Management Board Members shall serve for a term of three years from date of election unless vacated earlier in accordance with 7.7.1
- 7.3.8 All members of the Regional Management Board shall be eligible for re-election after serving their term at the Annual General Meeting in accordance with this Constitution.
- 7.3.9 No elected or appointed person may serve on the Regional Management Board after the ninth consecutive anniversary of their original election as from the [2021] AGM.

7.4 Roles of Members of the Regional Management Board:

7.4.1 The Chair shall:

- a) Attend all Regional Management Board meetings, where possible and send apologies where they are unable to attend
- b) Chair all meetings of the Regional Management Board
- c) Be responsible for the conduct of the Regional Management Board in managing the affairs of the East Midlands Region
- d) Co-ordinate the work of the Regional Management Board
- e) Be entitled to attend any meeting of the forums, groups or TSGs established by the Regional Management Board
- f) Adhere to the role description set by the Regional Management Board
- g) Adhere to the relevant Code of Conduct

7.4.2 The Vice Chairman (hereinafter referred to as Vice Chair) shall:

- a) Deputise for the Chair
- b) Attend all Regional Management Board Meetings, where possible and send apologies where they are unable to attend
- c) Assist the Chair in all matters relating to 7.1 above
- d) Adhere to the role description set by the Regional Management Board
- e) Adhere to the relevant Code of Conduct

7.4.3 The Chair of Governance & Finance:

- a) Attend all Regional Management Board Meetings, where possible and send apologies where they are unable to attend.
- b) Be responsible for providing financial advice to the East Midlands Region
- c) Consult & liaise with the appointed bookkeepers in the production of annual accounts
- d) Contribute to the preparation of an annual budget based on strategic and operational plans as submitted by ROG and any other groups or TSGs
- e) Be responsible for the preparation and monitoring of operating statements against budgeted figures, in line with Governance and Finance Group meetings
- f) Consult with bookkeepers to ensure
 - I. Balance Sheet is submitted for each Regional Management Board Meeting and Governance & Finance meeting
 - II. Budgets are being prepared by each TSG and submitted
 - III. Operating Statements are given to TSGs when requested
 - IV. Bank accounts for the Regional Association are managed effectively
 - V. Adherence to the relevant Code of Conduct

7.4.4 The ROG Chair shall:

- a) Chair and manage the Regional Operating Group (ROG)
- b) Attend all Regional Management Board Meetings, where possible and send apologies where they are unable to attend
- c) Adhere to the role description(s) set by the Regional Management Board
- d) Adhere to the relevant Code of Conduct

7.4.5 The Appointed Members shall:

- a) Attend all Regional Management Board Meetings, where possible and send apologies where they are unable to attend

- b) Adhere to the role description(s) set by the Regional Management Board
- c) Adhere to the relevant Code of Conduct

7.4.6 The Elected Members shall:

- a) Attend all Regional Management Board Meetings, where possible and send apologies where they are unable to attend
- b) Adhere to the role description(s) set by the Regional Management Board
- c) Adhere to the relevant Code of Conduct

7.5 The Regional Management Board may fill any vacancy that may occur during the year. If this involves filling an elected position, then that person must offer themselves for election at the next Annual General Meeting following their initial appointment.

7.6 Elections to the Regional Management Board:

7.6.1 The dates for re-election will be incorporated within the Regional Association's By-Laws and notified to members within AGM/EGM notification time scales

7.6.2 Members of the Regional Association would consider and vote on a list of nominations received (against the published role description/ person specification) for:

- a) Chair
- b) Vice Chair
- c) Elected Members

7.6.3 Each nomination should be accompanied by a Curriculum Vitae (CV) highlighting transferrable skills and netball experience. Appointments would be by a simple majority. Nomination forms will be circulated to Members of the Association by the Regional Management Board and completed forms must be returned to the Board 28 days before the Annual General Meeting.

7.6.4 Only Members of the Regional Association can be nominated. A voting Member cannot be a paid member of staff of England Netball.

7.6.5 At the first meeting of the Regional Management Board each year, the elected Members shall decide who shall be appointed as the 3 appointed individuals.

7.7 Resignation from the Regional Management Board:

7.7.1 A post on the Regional Management Board may be vacated if:

- a) The Member concerned resigns their post by notice to the Regional Management Board
- b) They shall be absent for more than 2 consecutive meetings without justifiable reason
- c) They are requested to resign by the vote of the Regional Management Board

7.8 The Members of the Regional Management Board will be reimbursed by the Regional Association at agreed 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. As documented in the East Midlands Regional by-laws.

7.9 The Members of the Regional Management structure shall have limited liability and are covered by "Trustee Indemnity and Organisational Liability Insurance for Charitable and not for Profit Organisations" held by the Region. No Member of the Regional Management Board is to be held personally liable for any action.

8 HONORARY LIFE MEMBERS

Honorary Life Members shall be eligible to attend all General Meetings of the East Midlands Region in a non-voting capacity and receive such rights and privileges as determined by the Regional Management Board.

9 GENERAL MEETINGS OF THE EAST MIDLANDS REGION (AGM and EGM)

9.1 The Annual General Meeting:

9.1.1 The Annual General Meeting shall be held annually on a date to be determined by the Regional Management Board.

- 9.1.2 The date of the Annual General Meeting 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 21 days prior to the meeting to each Member of the Regional Association. The Regional Office personnel will be responsible for circulating notices to each Member of the Regional Association. Each Member shall be responsible for notifying their nominated representatives.
- 9.1.3 The Chair of the Regional Management Board shall act as Chair of the Annual General Meeting. If not present, the Vice Chair of the Regional Management Board shall act as Chair of the meeting.
- 9.1.4 There must be 6 members present who are entitled to vote to form a quorum.
- 9.1.5 Business to be transacted at the Annual General Meeting shall be:
- a) To receive reports
 - b) To elect those Members of the Regional Management Board who have been nominated in accordance with paragraph 7.6.3, each of whom shall hold office to the end of the General Meeting
 - c) To consider any proposed resolution submitted in writing to the Regional Office not less than 28 days before the date of the Annual General Meeting, which has been proposed by one Member and seconded by another Member
 - d) To receive the independently examined accounts of the Association

9.2 Extraordinary General Meeting

- 9.2.1 An Extraordinary Meeting may be convened at any time provided it is either:
- a) By order of the Regional Management Board; or
 - b) Upon receipt of a written request from 2 or more Members entitled to vote at the Annual General Meeting stating the purpose for which a meeting is required and setting out any resolution that it is desired to propose.
- 9.2.2 An Extraordinary Meeting shall be convened within 28 days from receiving the request.
- 9.2.3 There must be 6 Members present who are entitled to vote to form a quorum.

9.3 Voting at General Meetings (AGM and EGM)

9.3.1 The following shall be entitled to attend, speak and vote at a General Meeting (AGM or EGM) of the Region:

- a) An appointed representative of each County Association
- b) An appointed representative of each member Club to one of the Counties
- c) An appointed representative from each member School within one of the Counties
- d) Members of the Regional Management Board
- e) Each Technical Support Group (TSG) Chair

9.3.2 The following shall be entitled to attend and speak at a General Meeting (AGM or EGM) but shall not be entitled to vote:

- a) England Netball Honorary Life Members of the East Midlands Region
- b) Each member School within the East Midlands Region
- b) England Netball personnel
- c) Directors of England Netball
- d) Any registered Member through the East Midlands Region

9.3.3 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 second and/or casting vote in the case of an equality of votes.

10 FINANCE, SUBSCRIPTIONS AND OTHER FEES

10.1 The financial year shall end on 31 March.

10.2 Each Member shall pay their annual membership fees direct to England Netball.

10.3 The annual membership fee as in 10.2 above will include a regional contribution which will be set by the Regional Management Board. The rates are set out in the Regional Association's By-Laws.

10.4 Subscriptions and other fees owed to either England Netball or the Regional Association, such as, but not limited to, participation fees are subject to the Regional Association By-Laws.

11 AMENDMENTS TO THE CONSTITUTION

11.1 Proposals to alter the Constitution shall be submitted in writing to the Regional Office not later than 28 days before the Annual General Meeting by a Member of the Regional Management Board seconded by another member of the Regional Management Board.

11.2 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.

12 DISCIPLINARY PROCEDURE

12.1 The Regional Management Board shall have the power to discipline, in such a manner as it thinks fit, but subject to the current [Disciplinary Regulations](#) adopted by England Netball in place at the time of any incident.

13 ANTI-DOPING POLICY

13.1 The Regional Management Board adopts England Netball current policy in relation to Anti-Doping which is the [WADA Code](#) and [UK Anti-Doping Rules](#).

14 SAFEGUARDING IN NETBALL POLICY

14.1 The Regional Management Board adopts England Netball's current [Safeguarding Young People in Netball Policy](#).

14.2 The Regional Management Board adopts England Netball's current [Safeguarding Adults in Netball Policy](#).

15 DBS DISCLOSURE INFORMATION AND INFORMATION SHARING PROTOCOL

15.1 The Regional Management Board adopts England Netball's current procedures in relation to [DBS Disclosure Information and Information Sharing](#).

16 RECRUITMENT OF EX-OFFENDERS POLICY

16.1 The Regional Management Board adopts England Netball's current policy on the [Recruitment of Ex-Offenders](#).

17 DATA PROTECTION AND COOKIE POLICY

17.1 The Regional Management Board adopts England Netball's current policies in relation to [Data Protection](#) and [Cookies](#).

18 ANTI-BULLYING & HARASSMENT POLICY

18.1 The Regional Management Board adopts England Netball's current policy in relation to [Anti-Bullying and Harassment](#).

19 COMPLAINTS AND CUSTOMER CHARTER POLICY

19.1 The Regional Management Board adopts England Netball's current policy in relation to [Complaints](#).

20 DIVERSITY AND BELONGING POLICY

20.1 The Regional Management Board adopts England Netball's [Diversity and Belonging Policy](#).

21 WHISTLE BLOWING

21.1 The Regional Management Board adopts England Netball's current policy in relation to [Whistle Blowing](#).

22 CODES OF CONDUCT

22.1 The Regional Management Board adopts the England Netball's [Codes of Conduct](#).

23 SOCIAL MEDIA

23.1 The Regional Management Board adopts the England Netball's [Social Media Policy](#) and guidance.

24 GDPR

- 24.1 The Regional Management Board operates/conforms to Tier 1 Governance under the England Netball's [GDPR Guidance](#)

25 INTERPRETATION

- 25.1 For the avoidance of doubt, all policies adopted in clauses 12 to 24 shall, where applicable, be interpreted as if the Regional 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 Regional Association's Office. In the event of any confusion on processes, please contact the Regional Office for further guidance.

26 ARBITRATION AND MATTERS NOT PROVIDED FOR

- 26.1 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 Regional Management Board who shall refer the same to the Board of Directors of England Netball whose decision shall be binding on all parties.

27 DISSOLUTION

- 27.1 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 objectives of the East Midlands Region 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.

28 ACKNOWLEDGEMENT

- 28.1 Members acknowledge that these Rules constitute a legally binding Contract to regulate the relationship of the Members of the Regional Association.

29 GOVERNING LAW & JURISDICTION

- 29.1 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.