

*\*\*\*Note to future committees- this constitution cannot be edited! Any changes must be formally proposed and voted for by the membership at an extraordinary general meeting\*\*\**

# **The Cambridge University Modern Pentathlon Club Constitution**

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## **1-Name**

- a) The name of the Society shall be the 'Cambridge University Modern Pentathlon Club' hereafter referred to as CUMPC or simply "the Club".

## **2-Aims and Objectives**

- a) The aims and objectives of the Club will be:
  - i) To defeat Oxford University Modern Pentathlon Association in an annual varsity match; and
  - ii) To support members competing in modern pentathlon at national and international levels; and
  - iii) The advancement of amateur sport for the public benefit by encouraging and developing modern pentathlon within the University of Cambridge ("University"); and
  - iv) The organisation or provision of facilities for the learning, teaching, coaching, practising and competing in modern pentathlon with the object of promoting health and wellbeing; and
  - v) The advancement of sports education by the provision of support, assistance and encouragement for modern pentathlon in order to enable members to develop their capabilities and fulfil their potential.
- b) The aims and objectives set out above will be directed primarily for the benefit of undergraduate and postgraduate student members of the University, but may additionally benefit other members of the University and/or residents of Cambridge and the surrounding area where the committee is satisfied that to do so would be conducive or incidental to the benefit of Student Members of the University.

### **3-Membership**

- a) Membership of the Club shall be open to all Student Members of the University and (subject to article 3c) other individuals by arrangement with the committee.
- b) Membership shall consist of the following categories:
  - i) Normal Membership - entitling the individual to access training sessions, advice and support to compete in eligible competitions, a vote in the Annual General Meeting to determine the incoming committee, and social and welfare events.
  - ii) Honorary or Life Membership, The Society may offer Life Membership and Honorary Membership on such terms as the society may decide, at the discretion of the committee.
- c) The committee may admit to membership individuals who are not Student Members of the University provided that, should non-student membership constitute more than 10% of the total membership of the Club, the committee, with the approval of the Senior Treasurer, determines that the composition of the membership of the Club is in the best interests of the Student Members of the Club.
- d) There shall be fees for membership, which are determined by the committee at the start of the academic year, based on a yearly planned budget to maximise training quality for all members. There may be different fee options which entitle members to different amounts or types of training.
- e) All members will be subject to the regulations of the constitution and by joining the Club will be deemed to accept these regulations, as well as any rules/codes of practice that the Club has adopted.
- f) Membership of the Club is terminated if the member resigns by written notice to the Club or if any sum due from the member to the Club is not paid in full within three months of notice or if the member is expelled in accordance with section 8.

### **4-Equality of Opportunity**

- a) The Club is committed in its pursuit of sporting achievement to equal opportunity. This means the club is proactive about its inclusive approach to equality, which supports and encourages all under-represented groups, promotes an inclusive culture, and values diversity.
- b) The Club is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment and abuse.
- c) The Club has a responsibility to oppose discriminatory behaviour and promote equality of opportunity.
- d) The Club will deal with any incidence of discriminatory behaviour seriously, according to club disciplinary procedures.

### **5-The committee**

- a) The day-to-day management of the Club's affairs shall be conducted by the committee, which shall be elected annually at the Annual General Meeting (AGM), with the exception of the Senior Treasurer who shall be appointed by the committee, subject to the approval of the Sports Club Registration Sub-Committee.
- b) The committee must include the following roles:
  - i) President
  - ii) Vice-President
  - iii) Secretary
  - iv) Men's Captain
  - v) Women's Captain

- vi) Junior Treasurer
- vii) Welfare Officer
- c) No member may hold more than one of the committee positions listed in article 5b simultaneously.
- d) There may be additional positions on the committee. Before an AGM, the outgoing committee shall decide, and advertise to the members, any additional positions to be contested at the AGM.
  - i) The committee must specify the roles and responsibilities of any additional positions.
  - ii) A member may hold multiple additional positions, or an additional position and a position outlined in article 5b simultaneously.
- e) The committee shall also have a Senior Treasurer, appointed by the elected members of the committee, who shall be a member of the Regent House, or other person approved by the Sports Club Registration Sub-Committee. The Senior Treasurer shall ensure that there is in place proper finance, administration and regulation of the Club.
- f) All committee members (except the Senior Treasurer) must be members of the Club and shall be eligible for re-election each year.
- g) If the post of any member of the committee should fall vacant after election, the committee shall have the power to fill the vacancy until the next AGM, provided that any temporary replacement for the Senior Treasurer is a member of the Regent House, or other person approved by the Sports Club Registration Sub-Committee.
  - i) Alternatively, an extraordinary general meeting (EGM) to carry out election may be called as detailed below.
- h) If any of the committee positions not specified in article 5b fall vacant, the committee may opt to leave such positions vacant and re-allocate their duties.
- i) A majority of the elected members of the committee shall be full-time undergraduate or postgraduate students of the University.
- j) Meetings of the committee shall be chaired by the President or in his or her absence the Vice-President. If neither the President nor Vice-President is present, the remaining members shall elect a chairperson for that meeting. The quorum for a meeting of the committee shall be three members and a written record of each meeting shall be kept.
- k) In the event that the committee are unable to come to a decision on a matter by consensus, the issue shall be decided by a majority of votes with the President holding the casting vote in the event of a tie.
- l) The committee will be responsible for adopting new policy and codes of practice, making rules and byelaws for the conduct of the Club's activities and management of its affairs and must adopt such means as they think sufficient to bring these to the notice of the members. Any such policies, codes, rules and byelaws shall be binding on all members.
- m) Only committee members will have the right to vote at committee meetings. Questions arising at a meeting of the committee shall be decided by a simple majority of votes. Except for the chairperson of the meeting, who in the case of an equality of votes has a second or casting vote, every member of the committee has one vote on each issue.
- n) The committee will have powers to appoint any non-voting advisers as necessary to fulfil its business.
- o) Committee roles and responsibilities:
  - i) Senior treasurer
    - 1) The Senior Treasurer shall be appointed by the elected members of the committee and shall be *ex officio* a member of the committee.
    - 2) To oversee the Society's finances and work with the Junior Treasurer to ensure all documentation is accurately completed and submitted on time to the Sports Service.
  - ii) President

- 1) To determine the strategy for carrying out the Club's aims and objectives as well as possible.
  - 2) To have overall responsibility for the Club's administration
  - 3) To communicate with the following bodies in order to facilitate the Club's aims and objectives:
    - (a) The university sports service
    - (b) facilities and coaches
    - (c) Pentathlon GB, BUCS and other modern pentathlon bodies
    - (d) Oxford University Modern Pentathlon Association
    - (e) CUMPC Old Blues
    - (f) The student body
    - (g) The general public
- iii) Vice-president
- 1) To carry out any of the above Presidential tasks which the President decides to delegate
- iv) Junior treasurer
- 1) To manage the Club's day to day bank account.
  - 2) To formulate an annual budget in cooperation with the rest of the Committee by the beginning of Michaelmas Term and to ensure the budget is adhered throughout the year
  - 3) To keep an account record for the year, to be scrutinised by the Senior Treasurer and submitted to the Sports Service,
- v) Secretary
- 1) To organise and advertise the place, time and agenda of committee meetings and General Meetings
  - 2) To maintain Club records including:
    - (a) Committee and General meeting minutes
    - (b) membership details
    - (c) past results
    - (d) all documentation involved in running the Club
  - 3) To, along with the President, ensure the Society complies with all Cambridge University Sports Service requirements.
  - 4) To ensure that the Club's proceedings adhere to this constitution and other requirements of Cambridge University Sports Service.
- vi) Men's Captain
- 1) To, in coordination with the Women's Captain, deliver Club training sessions
  - 2) To build up a Men's squad and to advise members on their sporting progression
  - 3) To select and lead the Men's Varsity Match Teams.
- vii) Women's Captain
- 1) To, in coordination with the Men's Captain, deliver Club training sessions
  - 2) To build up a Women's squad and to advise members on their sporting progression
  - 3) To select and lead the Women's Varsity Match Teams.
- viii) Welfare Officer
- 1) To be a confidential point of contact for any issues concerning welfare within the Club
  - 2) To ensure that all incidents are reported correctly and referred, in accordance with the Club Welfare Policy and, where appropriate, Disciplinary Policy.

- 3) To act independently and in the best interests of members of the club, putting their needs above that of others and the club itself.
  - 4) To receive appropriate training and qualification, as deemed by the University Sports Service
- p) Any Committee member wishing to resign from their position shall deliver to the committee a written notice of resignation by email to the Secretary and the President not less than 7 days before the resignation takes effect. The committee position may be refilled either by the committee (see article 5g) or by an extraordinary general meeting. (see article 6j)

## **6-General Meetings**

- a) The Club shall hold an Annual General Meeting (AGM) during each Academic year. The AGM shall be held in Cambridge during Easter Term. All Members shall be entitled to attend and vote at any AGM. At least seven days' written notice shall be given to members before the AGM, containing the date, time and place of the meeting.
- b) The AGM shall be called to:
  - i) Approve Minutes of the previous AGM;
  - ii) Receive and review reports from Committee members;
  - iii) Elect the Committee for the year ahead;
  - iv) Consider any proposed changes to the Club Constitution;
  - v) Conduct such other business as is necessary.
- c) Candidates for election to office shall be proposed and seconded by two other members. Every motion at an AGM shall be proposed and seconded by two members. Except for votes regarding the Reserved Matters outlined in article 9, voting shall be by a simple majority. The method shall be by a show of hands at the meeting, or by any other method agreed by the outgoing committee.
- d) The outgoing President shall be the chair and returning officer of the AGM an election.
  - i) If the outgoing President is standing for a position, the outgoing Secretary shall be the returning officer of the election for that position.
  - ii) If the President, the Secretary or Vice-President shall preside.
- e) Only current members are eligible to vote at an AGM.
- f) Re-open Nominations shall be listed as the final candidate for all positions.
- g) The quorum for an AGM shall be five members, or 20% of the membership, whichever is fewer.
- h) If unable to attend the AGM, a Member may submit their votes in writing or by email to the President before the AGM begins.
- i) A written record of every AGM shall be kept. This is the responsibility of the outgoing secretary
- j) An Extraordinary General Meeting (EGM) may be held at any time during Full Term. It shall be held in Cambridge and may be called by the committee or at the written request of at least ten members. Seven days' written notice shall be given to members before an EGM is held. All procedures shall follow those outlined above for AGMs.

## **7-Financial & Liability Matters**

- a) The Club shall maintain a banking account in the name of the Club with a suitable Bank or Building Society to hold the Club's funds.
- b) It shall be the responsibility of the Junior Treasurer to ensure that monies received are properly accounted for, and that the Club's financial records are kept in good order. In particular, the

- Junior Treasurer shall ensure continuity of Cambridge resident signatories for any bank accounts held by the Club.
- c) The Senior Treasurer shall make arrangements for the Club's Accounts to be properly audited on an annual basis, either by themselves, or by some other person approved under University Ordinances.
  - d) For so long as the Club shall be registered with the University Sports Service, it shall be the duty of the committee to ensure that the Club complies with the requirements for registration as a University Sports Club.
  - e) The committee (acting by its members) is authorised to enter into contractual arrangements with third parties for and on behalf of all members, but only to the extent reasonably necessary for the proper performance of its duties pursuant to the constitution and acting always in the best interests of the Club and its members. Members who are not on the committee are not entitled to enter into contractual arrangements for and on behalf of other members unless expressly authorised in writing by the committee.
  - f) When entering into contractual arrangements pursuant to article 7e, the committee shall endeavour to agree a contractual limit on the members' liability which does not exceed the assets of the Club from time to time, or, if not possible, a reasonable limit of liability taking into account the nature of the contract and the circumstances.
  - g) The assets of the Club shall be held on trust by the members of the committee as trustees for the benefit of the Club and its members.
  - h) As an unincorporated association, all members are liable for any debts and obligations properly incurred by one or more members on behalf of the Club. In the event that members individually or collectively suffer a claim, penalty or other financial loss or liability on behalf of the Club (whether in negligence, contract or otherwise) which is not covered by insurance, then provided the relevant members have acted in good faith and in accordance with the constitution and have taken all reasonable steps to mitigate their loss, they shall be entitled to an indemnity from the Club's realisable assets up to the value of the assets from time to time, such indemnity to be administered by the committee, subject to the following exclusions: claims, penalties or other financial loss or liability incurred by a member or members:
    - i) as a result of criminal offences committed by such members; and/or
    - ii) in connection with the use of motor vehicles by such members; and/or
    - iii) which would have been covered by insurance but which due to the acts or omissions of such members (including but not limited to failure to obtain insurance required by law or failure to comply with the terms and conditions of insurance), is not so covered.
  - i) The Senior Treasurer shall not be held personally liable for any financial debt or other obligation unless they are either
    - i) also a member of the club or
    - ii) have acted otherwise than in accordance with the club constitution.

## **8. CHANGES TO THE CONSTITUTION**

***Subject to clause 12 (Reserved Matters) the Constitution may be amended at a General Meeting, with approval of at least two thirds of those members present, or voting. Proposed changes must be circulated at least fourteen days prior to a General Meeting. Any amendments are subject to approval by the University Sports Service, and must be received by the Sports Service within fourteen days of the vote.***

### **9- Complaints Processes:**

- a) Prior to submitting a written complaint members should, where possible and appropriate, first discuss any concerns that they may have in relation to club activities with a member of the Executive Committee, Club Welfare Officer or relevant team captain so that a suitable informal resolution may be considered. If not possible or appropriate, or an informal resolution cannot be agreed, then the member should follow the complaints process identified in the remainder of this clause 9.
- b) Prior to submitting a written complaint, members should refer to the University Sports Club Incident Pathway (Students/Adults) to determine the complaints procedure(s) that should be followed. Advice on the appropriate procedure(s) may be sought, in confidence, from the Club or Sports Service Welfare Officer(s) whose contact details can be found in the Club Welfare Policy.
- c) Where a club level complaint is indicated, this must be submitted in writing to the Executive Committee in an expedient manner. Complaints should be treated confidentially and must not be distributed publicly.
  - The Executive Committee will acknowledge receipt of any written complaint within 7 days.
  - The Executive Committee will meet to review the complaint within 21 days of receipt to determine what information, response or action is required. The Executive Committee will also agree an appropriate timescale for the process to be completed. This will be communicated to the complainant within 7 days of the meeting taking place.
  - Where indicated by the University Sports Club Incident Pathway (Students/Adults), or when agreed by the Executive Committee as the appropriate course of action following their meeting, the complaint will be referred to the Senior Treasurer who will conduct an investigation.
- d) Complaints against a member(s) of the Executive Committee may be lodged with the Senior Treasurer, or, where a further conflict of interest arises, with the Sports Service who will advise on the appropriate procedures depending on the nature of the complaint.
- e) The Executive Committee may also trigger the complaints process in the event of an observed or alleged breach of the Club Code of Conduct.

## **10. DISCIPLINARY PROCESSES**

- (1) Subject to the remainder of this clause 10, the Executive Committee, in consultation with the Senior Treasurer, shall have the authority to expel or to suspend a member or members whose actions are felt to be such as to bring the Club into disrepute, or materially harm or present a risk of material harm to the interests of its members.
- (2) The Executive Committee, in consultation with the Senior Treasurer, may also take other disciplinary action in respect of a member of the Club, commensurate with the seriousness of the offence.
- (3) In line with clause 9, written notice of any investigation by the Senior Treasurer will be provided within 28 days of a complaint being received. In the case of serious misconduct, the Club Executive Committee, in consultation with the Senior Treasurer, may suspend a member pending the outcome of the investigation.
- (4) The member against whom a complaint has been made will be given an opportunity to make written or oral representations, following the conclusion of any investigation, before a decision is taken regarding expulsion. The expulsion of a member can only be effected, following a majority vote of all Executive Committee members.
- (5) In the event of an expulsion, the excluded member is required to return all equipment, documents and finances belonging to the Club within 7 days. They will not be entitled to any full or partial refund of annual subscriptions.
- (6) If a member who has been excluded, suspended or subject to other disciplinary action pursuant to this clause wishes to appeal the decision, that appeal should be made to the Secretary of the University Sports Committee who will convene a Review Group from members of the Sports Committee/Sub-Committees. The Review Group will consider the investigation process and the facts of the case and their decision will be final.

#### 11. DISSOLUTION:

- (1) A resolution to dissolve the Club can only be passed at a general meeting in accordance with clause 12
- (2) In the event of dissolution, all debts shall be cleared with any remaining funds of the Club. Any assets remaining after all liabilities have been met shall become the property of the University and shall be transferred to the Sports Service.



### **12-Reserved Matters**

- a) The following matters (the "Reserved Matters") require approval by the Senior Treasurer and at least two thirds of the Members voting at any general or extraordinary meeting at which any of the following matters require approval:
  - i) Any amendment to the Constitution which materially affects the position of the Members or which materially alters the relationship between the Club and the University. Any amendments are subject to approval by the University Sports Service and must be received by the Sports Service within fourteen days of the vote.
  - ii) The dissolution of the Club. Dissolution can only be passed at a general meeting. In the event of dissolution, all debts shall be cleared with any remaining funds of the Club. Any assets remaining after all liabilities have been met shall become the property of the University and shall be transferred to the Sports Service.
  - iii) Any proposal which has a material impact on the Club, its members, its assets, and/or its finances.
  - iv) The application and/or use of Club/financial assets of the Club other than for the benefit of the Club.

### **13-Provision of Information**

- a) The committee must supply annual accounts of the Club to the University, together with such other information as the University may reasonably require from time to time, whether in connection with the Club's registration as a Sports Club of the University, or in relation to the need to ensure that the Club is being administered in accordance with paragraph 28(1)(a) of Schedule 3 to the Charities Act 2011 or otherwise.


### **14-Team Selection**

- a) Varsity Match team selection shall take place at the discretion of the Men's and Women's Captains and President based on CUMPC members' performance throughout the year.
  - i) Only Current Student Members who have paid membership fees are eligible for selection.
  - ii) Captains shall select the teams which they believe have the maximum chance of defeating Oxford
  - iii) Captains shall publish their selection criteria at the beginning of the term of the Varsity Match
  - iv) If requested, Captains must explain their rationale for any selection decisions
- b) The Society shall field a full Blues team and a full Seconds team for the Varsity Match.

### **15-Declaration**

- a) CUMPC hereby adopts and accepts this constitution as its current constitution regulating the actions of members and will also comply with all University and legal requirements.

<b>Name</b>	<b>Anniko Firman</b>	<b>Position</b>	<b>President</b>
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<b>Sign</b>		<b>Date</b>	<b>19/11/22</b>
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<b>Name</b>	<b>Gordon Campbell</b>	<b>Position</b>	<b>Senior Treasurer</b>
<b>Sign</b>		<b>Date</b>	

*Voted for unanimously at an Extraordinary General Meeting on 19<sup>th</sup> November 2022*  
*Lucy Steele, CUMPC Secretary*