

# PRO FORMA CONSTITUTION OF OXFORD UNIVERSITY BASKETBALL CLUB

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## NAME AND OBJECTS

1. The Club is called the Oxford University Basketball Club (OUBbC). *This is a federal name which incorporates the following teams: the men's first team is known as Men's Blues, and the second team as Men's Twos; the women's first team is known as Women's Blues, and the second team (if existing) as Women's Twos.* The Club's objects are the support, development, improvement and promotion of Basketball in the University of Oxford; and the income and property of the Club shall be applied solely to those objects.
2. The aims of the club shall be:
  - (i) To run representative University basketball teams.
  - (ii) To run inter-College competitions.
  - (iii) To maintain and improve relations with alumni.
  - (iv) To promote the sport of basketball within the University and to improve participation, interest and skill levels.
  - (v) To maintain full Blue status for both men's and women's first teams.
  - (vi) To ensure representation of all members of OUBbC in the running of the club.

## 3. COMPLIANCE

- (a) The Club shall be administered in accordance with the regulations for University clubs which are published from time to time in the Proctors' and Assessor's Memorandum ("the Proctors' Memorandum"). At the time of the adoption of this Constitution the Club is designated by the Proctors as a *development* sport. If the Club has "Blues" status then in relation to that status and issues surrounding the award of Blues and half-Blues, the Club will also abide by the regulations of the relevant (Men's or Women's) Blues Committee of the University's Sports Federation.
- (b) If there is a national governing body for the sport with which the Club is eligible to register, the Club shall effect and maintain such registration: purchase any insurance cover which the national body makes available (unless the Insurance Section of the University's Central Administration ("the Insurance Section") agrees to or prescribes other arrangements); and make every effort to comply with all safety procedures which the national body prescribes, or recommends as good practice.
- (c) The Club shall ensure that all paid Club administrative and coaching appointments are ratified by the University's Sports Strategy Committee; that all coaches are registered with any relevant national governing body; and that all paid coaches are accredited by such body.
- (d) The Club shall observe the Code of Conduct on Safety Matters which is set out in the Schedule to this Constitution, ensure compliance with the Code by the

members of the Club, and follow an appropriate procedure for risk assessment. Both the Code of Conduct and the procedure for risk assessment must be acceptable to the University's Safety Officer. If and for so long as the Club is responsible for organising an inter-college competition, the Code of Conduct shall include guidelines and appropriate risk assessments for that competition.

- (e) No member of the Club shall participate in any activity overseas organised by the Club, whether during term-time or vacation, unless the plans for such activity have been notified at least one calendar month in advance of the date of departure from the United Kingdom to the Director of Sport. Each member participating in such activities overseas shall observe any conditions imposed by the Proctors on the recommendation of the Director of Sport, e.g. relating to the deposit of contact addresses, fulfilment of health, safety and insurance requirements, and stipulation of coaches, trainers or Senior Members to accompany the trip.
- (f) The Club may apply to Oxford University Computing Services ('OUCS') to use information technology ('IT') facilities in the name of the Club. Where relevant facilities are allocated by OUCS it is the responsibility of the Club:
  - (i) to designate a member of the Club entitled to a University e-mail account (as defined by OUCS rules) to act as its IT Officer, whose duties shall include liaising with OUCS about the use of facilities allocated and passing on to his or her successor in office all records relating to the use of the facilities allocated;
  - (ii) to designate one of its members (who may be, but need not necessarily be, the same as its IT Officer) or, exceptionally, a member of Congregation to act as its principal Webmaster, whose duties shall include maintaining an awareness of the University Guidelines for Web Information Providers and co-ordinating and regulating access to the web facilities use by the Club;
  - (iii) to comply with regulations and guidelines relating to the use of IT facilities published from time to time by OUCS;
  - (iv) to ensure that everyone responsible under (i)-(iii) is competent to deal with the requirements, where necessary undertaking training under the guidance of OUCS.

## **MEMBERSHIP**

4. The members of the Club shall be those who are eligible and apply for membership of the Club, who are admitted to and maintained in membership by the Committee, and who have paid the relevant Club subscription.
5. All persons who are selected for any OUBbC team in the current season, are members of the University of Oxford, and who have paid any subs set by the Committee, shall automatically be voting members of the Club.
6. Persons who are not members of the University but are selected to play for an OUBbC team shall be eligible to register as voting members for the current season, at the discretion of the President, in accordance to point 8 & 9 below.

7. The Senior Member shall be, *ex officio*, a voting member of OUBbC.
8. All student members of the University, and all persons whose names are on the University's Register of Visiting Students, shall be eligible to become members of the Club. A member shall continue to be eligible until he or she is given permission to supplicate for his or her degree, diploma or certificate, regardless of whether or not he or she continues to be liable to pay fees to the University.
9. The Committee may also, at its discretion, admit to membership:
  - (a) members of Ruskin College; Plater College; Ripon College, Cuddesdon and the Oxford Institute of Legal Practice;
  - (b) members of the Westminster Institute of Oxford Brookes University who are registered to read for degrees or other qualifications validated by the University of Oxford; and
  - (c) other persons not falling within paragraphs 8, 9(a) or 9(b) above, provided that non-university members shall not constitute more than one-fifth of the total membership.
10. The Committee may remove a person from membership for good cause. The person concerned may appeal against such removal to the Senior Member.

#### **MEETINGS OF THE MEMBERS**

11. There shall be an Annual General Meeting for all the members of the Club by the end of week 1 of Trinity Full Term, convened by the Secretary on not less than fourteen days' notice.
12. The Annual General Meeting will:
  - (a) receive the annual report of the Committee for the previous year and the annual accounts of the Club for the previous year, the report and accounts having been approved by the Committee;
  - (b) receive a report from the Committee on the Club's compliance with paragraph 2 above;
  - (c) elect Members of the Committee in accordance with paragraph 19 below: the Committee's nominations for the Officers and the Senior Member shall be contained in the notice of the Meeting: any alternative nominations must be seconded and have the consent of the nominee, and must be received in writing by the Secretary not less than seven days before the date of the Meeting: nominations for the other Committee Members may be taken from the floor of the meeting;
  - (d) The positions of Club President and the Captain of each representative team for the next season must be filled at the AGM.
  - (e) consider any motions of which due notice has been given, and any other relevant business.

- 13 The Club President, Men's Blues Captain, Women's Blues Captain, Men's Twos Captain and other members of the Committee will be elected for a term of one year at the AGM.
- 14 Any position which remains unfilled after the election, or which becomes vacant more than one month before scheduled elections, may, at the discretion of the Committee, be filled by Presidential appointment.
- 15 Other directions concerning the conduct of Elections are to be given in the Standing Orders (*item S2*).
- 16 An Extraordinary General Meeting may be called in any Full Term; by the President, the Secretary or the Treasurer on not less than seven days' notice; or on a written requisition by seven or more members, stating the reason for which the meeting is to be called, and delivered to the Secretary not less than fourteen days before the date of the Meeting.
- 17 Prior to all General Meetings notice of the agenda shall be sent out with the notice of the Meeting.
- 18 The quorum for a General Meeting shall be eleven members present in person or by proxy, of whom three must be members of the Committee. When any financial business is to be transacted there must be present the Treasurer, or a member of the Committee deputed by the Treasurer to represent his or her views to the Meeting (provided that where it is a case of a deputy, the only financial business transacted shall be that which was set out in the agenda accompanying the notice of the Meeting).

## **THE COMMITTEE**

- 19 The affairs of the Club shall be administered by a Committee consisting or not more than fifteen persons, which shall determine the subscriptions payable by the members of the Club, and have ultimate responsibility for the activities of the Club. Members of the University shall at all times make up the majority of the members of the Committee. The Committee shall have control of the funds and property of the Club, and of its administration.
- 20 The quorum for a Committee meeting shall be five voting members present in person. When any financial business is to be transacted, there must be present either the Treasurer or a member of the Committee deputed by the Treasurer to represent his or her views to the meeting.
- 21 The Committee shall be made up of the President, the Secretary, the Treasurer (together, the "Office Holders"; and their offices are referred to as "the Offices"), the Senior Member and the following other persons : Men's Blues Captain, Women's Blues Captain, Men's Twos Captain, the captain of each other representative team, Alumni secretary, IT officer and Publicity Officer.
- 22 The President, the Secretary and the Treasurer shall each be either a member of the Club whose eligibility stems from paragraphs 8, 9(a) or 9(b) above, or (with the approval of the Proctors) a member of Congregation. If his or her eligibility stems

from paragraph 9(a) or 9(b) above, on election to office he or she must sign an undertaking to abide by the Proctors' Memorandum, and to accept the authority of the Proctors on Club matters. Any member may hold at most two positions on the Committee. No Captain may be Club President.

- 23 The duties of all Committee members shall include responsible management of the Club, protection of the Club's interests and representation of Club members.
- 24 The President shall have the right to preside at all meetings of the members of the Club and at all meetings of the Committee. Should the President be absent, or decline to take the chair, the Committee shall elect another member of the Committee to chair the meeting.
- 25 The President shall be responsible for the day-to-day running and oversight of the Club, including its development, and shall be accountable to the Committee.
- 26 The Secretary shall:
  - a. maintain a register of the members of the Club, which shall be available for inspection by the Proctors on request;
  - b. give notice of meetings of the members and the Committee;
  - c. draw up the minutes of those meetings; and retain a record of them which may be subsequently consulted.
  - d. notify the Proctors (through the Director of Sport) promptly following the appointment and resignation or removal of Office Holders and other members of the Committee;
  - e. advise the Proctors promptly (through the Director of Sport) of any changes in this Constitution;
  - f. notify the Proctors (through the Director of Sport) not later than the end of the second week of every Full Term of the programme of fixtures which has been arranged for that term (e.g. by providing them a copy of the fixture card);
  - g. provide the Insurance Section with full details of any insurance cover purchased from or through a national governing body pursuant to paragraph 3(b) above;
  - h. inform the Proctors if the Club ceases to operate, or is to be dissolved, and in doing so present a final statement of accounts.
- 27 The Treasurer shall:
  - a. keep proper records of the Club's financial transactions in accordance with current accepted accounting rules and practices;
  - b. develop and implement control procedures to minimise the risk of financial exposure, such procedures to be reviewed regularly with the University's Internal Audit Section ("Internal Audit");

- c. ensure that bills are paid and cash is banked in accordance with the procedures developed under (b);
- d. prepare an annual budget for the Club and regularly inform the Committee of progress against that budget;
- e. ensure that all statutory returns are made including VAT, income tax and corporation tax if appropriate;
- f. seek advice as necessary on tax matters from the University's Finance Division;
- g. develop and maintain a manual of written procedures for all aspects of the Treasurer's responsibility;
- h. make all records, procedures and accounts available on request to the Senior Member, the Proctor and Internal Audit;
- i. forward to the Proctors (through the Director of Sport) by the end of the second week of each Full Term in the Club's first year of operation (1 August to 31 July) a copy of the accounts for the preceding term signed by the Senior Member, for retention on the Proctors' files; and after the first year of operation forward a copy of the signed annual accounts to 31 July as soon as possible after the year end (and in any event no later than the 1 October following the year end); and
- j. if the Club has a turnover in excess of £40,000 in the preceding year, or if owing to a change in the nature or scale of its activities, it may confidently be expected to have such a turnover in the current year, subject its accounts for audit by auditors approved in advance by the Proctors. Accounts are to be ready for audit within a month after the year end and the costs of the audit shall be borne by the Club. If requested by the auditors, the Club shall submit accounts and related material as a basis for a review of accounting procedures, the cost likewise to be borne by the Club.

28 The Senior Member shall:

- a. hear appeals from removal from membership under paragraph 10 above;
- b. following paragraph 27(i) above, consider the accounts of the Club and sign them if he or she considers them to be in order;
- c. ensure that adequate advice and assistance is available to the Secretary and the Treasurer in the performance of their responsibilities under paragraphs 26 and 27 above; and
- d. be available to represent and speak for the Club in the public forum, and before the Courts of the University and the University authorities.

29 Team Captains shall be responsible for all organisational and playing matters relating to their teams, except that they may nominate a playing captain for some or all games, and without prejudice to items 44-47 concerning the role of the Coach.

- 30 Other directions concerning the roles and responsibilities of individual committee members are to be given in the Standing Orders (item S1)
- 31 The members of the Committee shall be elected by the members of the Club annually, and shall be eligible for re-election. The members of the Club shall not appoint several individuals jointly to hold any of the Offices, nor allow any individual to hold more than one Office at a time. The members of the Club shall appoint a member of Congregation as the Senior Member when electing other members of the Committee each year. The Senior Member shall be a member of the Committee *ex officio*.
- 32 If during the period between the annual elections to offices any vacancies occur amongst the members of Committee, the Committee shall have the power of filling the vacancy or vacancies up to the next Annual General Meeting by co-optation.
- 33 Each Office Holder must, on relinquishing his or her appointment, promptly hand to his or her successor in Office (or to another member of the Club nominated by the Committee) all official documents and records belonging to the Club, together with (on request from the Committee) any other property of the Club which may be in his or her possession; and must complete any requirements to transfer authority relating to control of the Club's bank accounts, building society accounts, or other financial affairs.
- 34 Without derogating from its primary responsibility, the Committee may delegate its functions to finance and general purposes and other subcommittees which are made up exclusively of members of the Committee.
- 35 The Committee shall have power to make regulations and by-laws in order to implement the paragraphs of this Constitution, and to settle any disputed points not otherwise provided for in this Constitution. Any alteration to this Constitution shall require the approving vote of two-thirds of those present in person or by proxy at a General Meeting.
- 36 No member of the Committee shall be removed from office except by the approving votes of two-thirds of those present in person or by proxy at a General Meeting.

## **COMMITTEE MEETINGS**

- 37 Committee meetings must be held at least twice in each term, as arranged by the President.
- 38 The quorum for a Committee meeting shall be 5 voting members.
- 39 All members of OUBbC shall be entitled to attend Committee meetings. Only Committee members shall speak, except at the express invitation of the President. Only Committee members shall vote. The Director of Sport or his representative may be invited to any Committee meeting.

- 40 Items for the agenda shall reach the Secretary not less than 48 hours before a regularly-scheduled meeting.
- 41 Minutes of each committee meeting shall be sent to committee members within 48 hours of the meeting concerned.

## **INDEMNITY**

- 42 So far as may be permitted by law, every member of the Committee and every officer of the Club shall be entitled to be indemnified by the Club against all costs, charges, losses, expenses and liabilities incurred by him or her in the execution or discharge of his or her duties or the exercise of his or her powers, or otherwise properly in relation to or in connection with his or her duties. This indemnity extends to any liability incurred by him or her in defending any proceedings, civil or criminal, which relate to anything done or omitted or alleged to have been done or omitted by him or her as a member of the Committee or officer of the Club and in which judgement is given in his or her favour (or the proceedings are otherwise disposed of without any finding or admission of any material breach of duty on his or her part), or in which he or she is acquitted, or in connection with any application under any statute for relief from liability in respect of any such act or omission in which relief is granted to him or her by the Court.
- 43 So far as may be permitted by law, the Club may purchase and maintain for any member of the Committee or officer of the Club insurance cover against any liability which by virtue of any rule of law may attach to him or her in respect of any negligence, default, breach of duty or breach of trust of which he or she may be guilty in relation to the Club and against all costs, charges, losses and expenses and liabilities incurred by him or her and for which he or she is entitled to be indemnified by the Club by virtue of paragraph 25.

## **COACHING AND TEAM SELECTION**

- 44 Wherever possible, every team shall have a non-playing Coach appointed by the Director of Sport in consultation with the Team Captain and the President.
- 45 When no Coach is present, the Team Captain shall act as coach or appoint another member of the team to do so.
- 46 A playing squad for each team will be selected by the Coach after trials held at the beginning of Michaelmas term. Additions to the squad may be made by the Coach with the approval of the President.
- 47 The Coach will select the team for each game. The Coach shall hold final responsibility for coaching and game strategy.

## **COLLEGE LEAGUE AND CUPPERS**

- 48 OUBbC shall organise and administer Men's and Women's Cuppers basketball competitions, with the aim of increasing participation and improving basketball skill levels throughout the University.

- 49 OUBbC may organise and administer College League basketball competitions, as determined by interest shown by the Colleges.
- 50 Other directions concerning the conduct of such competitions are to be given in the Standing Orders (*items S3 and S4*).

#### **FINANCES**

- 51 Responsibility for the day-to-day conduct of club finances shall lie with the President and Club Treasurer, with oversight by the Senior Member.
- 52 Directions for withdrawals from the main OUBbC bank account must be authorised by two of the following people: Club President, Club Treasurer and Club Secretary.
- 53 Each team shall have access to funds to pay team expenses.

#### **CONSTITUTIONAL AMENDMENTS**

- 54 A two-thirds majority vote at an AGM or EGM is required to amend the constitution.
- 55 Amendments to the Standing Orders may be made by a simple majority vote at a Committee meeting, and shall be publicised at the next General Meeting of the Club.

#### **DISSOLUTION**

- 56 The Club may be dissolved at any time by the approving votes of two-thirds of those present in person or by proxy at a General Meeting. The Club may also be dissolved (without the need for any resolution of the members) by means of not less than thirty days notice from the Proctors to the Secretary of the Club if at any time the Club ceases to be registered with the Proctors
- 57 In the event of the Club being dissolved, its assets shall not be distributed amongst the members, but shall be paid to or at the direction of the University for use in support of University Basketball or other sporting activities within the University.

#### **INTERPRETATION**

- 58 All members and Officers shall accept the President's interpretation of the Constitution and Standing Orders.
- 59 Should a member of Officer wish to appeal a Presidential interpretation, he or she may appeal in writing to the Director of Sport. There shall be no further right of appeal.
- 60 Any question about the interpretation of this Constitution shall be settled by the Proctors.

# STANDING ORDERS

## Introduction and Definitions

The **Standing Orders** of OUBbC are to be read and used in conjunction with the OUBbC Constitution. In resolving matters of conflict between the Standing Orders and the Constitution, the Constitution shall have priority.

### S1. Committee Duties

- (a) In additions to tasks described in the constitution, the Club **President** shall:
  - (i) Hold overall responsibility for the direction and policy of the Club.
  - (ii) Oversee fundraising and the Club's development.
  - (iii) Be responsible for improving relations with alumni.
  - (iv) Approve coaching, in conjunction with the relevant Captain and the Director of Sport.
  - (v) Organise the OUBbC stall at freshers' fair.
  - (vi) Organise, or delegate the organisation of cuppers and college league competitions.
  
- (b) The **Captain** of each respective team shall:
  - (i) Act as team leader and organiser.
  - (ii) Organise coaching, in conjunction with the Club President and the Director of Sport.
  - (iii) Deal with purchase and care of uniforms.
  - (iv) Ensure payment of transport, referees, and kit through liaison with the Treasurer.
  - (v) Oversee scheduling of BUSA and other fixtures with sports fed or competition organiser.
  - (vi) Arrange transport to away games.
  - (vii) Register all players of the team with the EBBA, if required

- (c) In additions to tasks described in the constitution, the **Club Treasurer** shall:
  - (i) Monitor team expenditure and, in conjunction with the President:
  - (ii) Apply for extra University Grants, and supplementary Grants.
  - (iii) Ensure payment of subs by all players.
  - (iv) Encourage players to approach colleges for extra funding.
  - (v) Respond to any request for extra money from teams.
  
- (d) In additions to tasks described in the constitution, the **Secretary** shall:
  - (i) Provide special assistance to the President in carrying out his/her duties.
  - (ii) Act as IT Officer if no IT Officer is appointed.
  
- (e) The **Publicity Officer** shall:
  - (i) Publicise games and other club events.
  - (ii) Ensure full and positive press coverage of club activities.
  
- (f) The **IT officer** shall:
  - (i) Be responsible for the development and maintenance of the Club's website, including game schedules and results.
  
- (g) The **Alumni Secretary** shall :
  - (i) Ensure the club keeps an up-to-date register of alumni.
  - (ii) Periodically inform alumni of OUBbC activities, ideally by sending a newsletter to alumni by the end of the calendar year.
  - (iii) Organise an alumni event in Trinity term.

## **S2. Elections**

- (i) Elections are to take place at the latest during the First Week of Trinity Term at the club's Annual General Meeting. The new Committee shall come into office at midnight on the Saturday of Eighth Week of Trinity term.
- (ii) The outgoing Club President shall act as Returning Officer (RO). He or she, while entitled to vote, shall remain strictly impartial and shall not publicly favour any candidate. Should the outgoing President wish to stand for re-election or for election to any other post, then the Director of Sport shall chair the election and appoint another club member, not standing for election, to act as RO.
- (iii) Candidates for election shall be nominated and seconded from the floor. Election shall be by secret ballot. The RO and Director of Sport shall count the votes. Exact results shall not be publicly announced: if individual candidates wish to have them, however, they shall be available privately.
- (iv) All elections are to take place under the First Past the Post system.
- (v) Candidates may produce a manifesto, limited to 400 words, and shall have the opportunity to give a brief address to the meeting at which the election is to be held. Not other electioneering of any kind is to be permitted. The RO may declare persons breaking this rule to be ineligible for election with a right of appeal to the Director of Sport.
- (vi) The President will be elected first. When the result of this election is known, all other posts shall be opened for nominations. Defeated Presidential candidates shall be eligible for nomination to other posts. If any candidate is nominated for more than one post, the elections for such posts shall be held separately, in an order to be determined by the person chairing the election.
- (vii) For the election of team Captains, only those members of the team concerned shall vote. For this purpose, members of a team shall be defined as persons who have been selected to the team's playing squad in the current season. Such elections may take place at a separate meeting of the team concerned. Two persons may be elected as joint team captains, however one only may attend and vote at each Committee meeting, as agreed by the co-captains concerned. If there is any disagreement on this question, the co-captain who did not attend the previous meeting shall attend the next meeting.
- (viii) Written proxy votes shall only be allowed for the election of team captains.

### **S3. College League**

- (i) A men's College League shall run throughout the first two terms, provided that there is sufficient interest from colleges.
- (ii) Each college team shall pay a termly fee, to be determined by the Committee to OUBbC, in accordance with sports fed guidance.
- (iii) Blues players are ineligible for the College League. Two players shall be eligible provided that they are not also members of the Blues squad.
- (iv) It shall be the President's responsibility to administer this league. He or she shall be free to delegate some or all of the organisation to staff or other members as appropriate. It is envisaged that the majority of the work shall be carried out by the Administrator.
- (v) The Committee shall agree further rules for the conduct of each League competition, and these shall become part of the Standing Orders.

### **S4. Cuppers**

- (i) Men's and women's Cuppers shall run during Trinity term.
- (ii) Each college team shall pay a fee, to be determined by the Committee in accordance with sports fed guidance.
- (iii) Blues players are eligible for Cuppers
- (iv) It shall be the President's responsibility to administer Cuppers. He or she shall be free to delegate some or all of the organisation to staff or other members as appropriate.
- (v) The Committee shall agree further rules for the conduct of each Cuppers competition, and these shall become part of the Standing Orders.