



University of Limerick
Students Union
Aontas na Mac Léinn
Ollscoil Luimnigh

Clubs & Societies

Common Constitution for University of Limerick Clubs & Societies

Passed on the 7th of February 2012 by UL Clubs
and Societies Council

UL Kayak Club

Adopted with additions on the 22 October 2015

Updated on the 10 February 2020

Updated on the 26 February 2022

Updated on the 13 February 2023

Contents

1. Constitution:	4
2. General Provisions	4
2.1 Title	4
2.2 Affiliation	4
2.3 Aims & Objectives	4
3. Membership	4
3.1 Types of Membership	4
3.1.1 Full Membership	5
3.1.2 Associate Membership	5
3.1.3 Honorary Membership	5
3.2 Membership Fees	5
3.3 Resignation of Members	6
4. The Committee	6
4.1 Composition	6
4.1.1 The Captain:	6
4.1.2 The Secretary:	6
4.1.3 The Treasurer:	7
4.1.4 The Safety, Training & Development Officer:	7
4.1.5 Assistant Safety, Training & Development Officer	7
4.1.6 The Equipment Officer:	7
4.1.8 The Public Relations Officer [P.R.O.]:	8
4.1.9 The Trips Officer:	8
4.1.10 The Disciplines Officer:	8
4.1.11 The First Year Rep:	8
4.1.12 The Webmaster:	8
4.1.13 Ordinary Committee Member:	8
4.1.14 Spare Person (Previous Captain):	9
4.2 Core Committee Positions:	9
4.3 Method of Election	9
4.3 Election of Officers	9
4.4 Resignation of Officers	9
4.5 Retirement of Officers	9
4.6 Vacancies on the Committee	9
4.7 Sub-Committees	9
4.8 Handover Documents	9
5. Meetings	9
5.1 General Meetings	9

5.2 Voting at General Meetings	10
5.3 Quorum at Meetings	10
5.4 Committee Meetings	10
6. Health and Safety	12
6.1 Duty of Care	12
6.2 Health & Safety Statement	12
6.3 Foreign Trips Policy	12
7. Disciplinary Action	12
8. Financial Matters	13
8.1 Funds	13
8.2 Bank Accounts	13
9. Equipment	13
9.1	13
10. Legal Protocol	13
11. Interpretation	14
11.1 Interpretation of the Constitution	14
Schedules:	15
Disciplinary Procedure	15
Initiation of Disciplinary Action:	15
Grievance Procedure:	16
Informal Procedure:	17
Formal Procedure:	17
Appeals Process:	18
Confidentiality:	18
CLUBS & SOCIETY PROTOCOL ON LEGAL PROCEEDINGS	18

The Constitution of University of Limerick Kayak Club

1. Constitution:

The Constitution is ratified by University of Limerick Kayak Club and replaces any previous constitution of the Society/Club.

The Constitution is available to all members of the Society/Club.

In the event of a successful vote to amend the Constitution of the University of Limerick Kayak Club, amendments may not be undone or altered for a period of two (2) years from the date of the vote.

2. General Provisions

2.1 Title

The title of this Club/Society shall be the University of Limerick Kayak Club.

2.2 Affiliation

The UL Kayak Club Committee may affiliate or disaffiliate from other organisations which will benefit the best interests of its members.

The UL Kayak Club Committee shall not enter the club into an affiliation which would result in the rules and constitution of the Club being contravened.

The UL Kayak Club Committee shall not merge the Club with another Club without the support of a motion from a General Meeting.

The UL Kayak Club Committee shall elect necessary, delegates to represent the Club in discussions with local bodies, the Irish Canoe Union (ICU). In the case of the Captains and Secretaries meetings held by the Irish Third Level Colleges Canoe and Kayak Club, it should be the Captain and either the Secretary or Safety Training and Development officer that attend whenever possible. In all such cases, a committee meeting will brief the delegates of the club position, and the delegates will return with a full written report of the proceedings which will be submitted into the committee minutes.

2.3 Aims & Objectives

The aims & objectives of this club/society are as follows:

The Club shall do its utmost to provide a means for members to participate in the sport of kayaking and canoeing through instruction, participation and competition in the sport.

The Club shall increase the profile of canoeing and kayaking in the University of Limerick and at a national level.

The Club will encourage members to compete at all levels of the sport, including club, local, national and international levels.

Where possible the club will provide its members with the required equipment & training of the highest safety standards at the time.

3. Membership

3.1 Types of Membership

There are three main types of membership - Full Membership, Associate Membership and Honorary Membership.

3.1.1 Full Membership

- a) All students currently attending a course at the University of Limerick and all current staff [permanent and part-time] and alumni of the University of Limerick and UL Students Union are eligible to be Full Members of the Club/Society. Attending a course for the purpose of the Constitution means pursuing any degree (undergraduate or postgraduate), full-time or part-time and includes time spent on teaching practice, co-operative education, Erasmus and link-in modules.
- b) Students of Mary Immaculate College, Limerick are not eligible to be Full Members of the Society/Club.
- c) Anyone who is a full member of a Club or Society is entitled to be a member of the Committee of said Club or Society and has voting rights at any general meeting of said Club or Society.
- d) Students should account for at least 75% of the listed membership of any Club or Society. It is recommended that a similar percentage applies to the committee.

3.1.2 Associate Membership

- a) Any member of the public who is older than eighteen years is eligible to Associate Membership of any and all Clubs and Societies.
- b) Associate Members have no voting rights at any meeting of a Club or Society and may not hold any core Committee position, as outlined in section 4.2.
- c) Associate Members shall be entitled to hold other committee positions in accordance with the provisions of section 4.22 or may be asked by a Club or Society's Committee to serve in an advisory position.

3.1.3 Honorary Membership

- a) The Committee of the Society/Club may, subject to prior consultation with and approval of the Clubs & Societies Executive, invite any person who they deem to have done great service for the Society/Club to be an Honorary Member in perpetuity of the Society/Club.
- b) Captains shall be nominated for Honorary Membership upon completion of their year as 'Spare Person', as a reward for their work as Captain and an advisor to the committee.
- c) Honorary Members shall have the same rights as Associate Members, unless they fulfil the criteria for full membership in which case, they shall have the same rights as a Full Member.
- d) Notwithstanding clause 3.2.1 below, Honorary Members shall be exempt from paying any Membership Fee.

3.2 Membership Fees

Every member of the Society/Club must pay an annual membership fee in order to be eligible to be a current member of the Society/Club, as well as completing the form in the membership books or Electronic Membership Form.

There are three categories of Membership Fees as follows:

- | | |
|--|---------------------|
| a. UL Student | 1 x € (base amount) |
| b. Alumni & Staff of UL / Non-UL Student | 3 x € (base amount) |
| c. Associates | 6 x € (base amount) |

The base amount shall be determined by the Committee annually, taking into consideration the University's Student Capitation. The base amount is at the discretion of the Committee and shall be allocated annually.

The term of membership shall be from the date that the member signs the membership book or completes the electronic form until the Monday of Week One of Semester One of the following academic year.

3.3 Resignation of Members

Any member who wishes to resign must do so by giving the Secretary at least fourteen (14) days written notice (which includes notice by email) of their intention to do so.

4. The Committee

4.1 Composition

The committee shall be elected solely from its membership and refer to section 3. It shall be composed of the following officials:

- Captain
- Secretary

- Treasurer
- Safety, Training & Development Officer
- Assistant Safety, Training & Development Officer
- Equipment Officer
- Assistant Equipment Officer
- Public Relations Officer
- Trips Officer
- Disciplines Officer
- First Year Rep
- Webmaster
- Ordinary Committee Member
- Spare Person (Previous Captain)

4.1.1 The Captain:

The Officer whose duties encompass those of the Chairperson is in charge of the overall running of the Club or Society. This officer is to be known as the Captain. The Captain shall be the most senior member of the committee and is responsible for:

Chairing all committee meetings.

Ensuring that all committee meetings are held as necessary.

Representing the Committee at Clubs and Societies Council Meeting.

4.1.2 The Secretary:

The Officer whose duties encompass those of the Secretary is in charge of maintaining all documentation necessary for the Club or Society. This shall include, but not be limited to, the Minutes of any and all meetings and the Handover documents for the next Committee. The Secretary is also responsible for:

All correspondence dealing with club matters and notifying committee members of meetings.

Arranging the venue and notifying members of the A.G.M. and any E.G.M.

Recording the minutes of all meetings and distributing them to the committee.

Preparing the agenda, and shall present a report of the preceding years activities to the A.G.M.

- Maintaining membership lists and club affiliation.

4.1.3 The Treasurer:

The Officer whose duties encompass those of the Treasurer is in charge of maintaining the Club or Society's accounts and of submitting the Club or Society's Budget submission. The Treasurer's responsibilities also include:

- Collection of all membership fees.
- Payment of all club bills on time.
- Drawing down all budget allocations.
- Maintaining the club bank accounts.

4.1.4 The Safety, Training & Development Officer:

The Officer whose duties encompass those of the Safety Officer is in charge of ensuring the Club's Safety Statement is relevant and achievable, that the Club ensures good safety records are kept and that the Club follows its Safety Statement. The Safety, Training & Development Officer's responsibilities also include:

- Ensuring that all members are kited out with necessary safety equipment on all club trips.

- Ensuring that all members are at the required level for participation in club activities.
- Ensuring that all club members are safe at all times on excursions and activities.
- Making sure that the club first aid kit is well stocked and on all trips.
- Where possible, arranging relevant safety courses or sending members to them.
- Ensuring that all members can swim.
- That a competent person or persons are present on all trips.
- That the safety requirements of the I.C.U. are met.
- Encouraging members to attain certification to the highest standards.
- Ensuring that all paddling techniques are being taught correctly to all members.
- Where necessary, inviting qualified instructors to tutor members.

4.1.5 Assistant Safety, Training & Development Officer

The officer whose duties encompass those of the Assistant Safety, Training & Development Officer is responsible for:

- Helping the Safety, Training & Development Officer with his/her responsibilities
- Ensuring they get sufficient training from the Safety, Training & Development Officer to complete their role

4.1.6 The Equipment Officer:

The officer whose duties encompass those of the Equipment Officer is responsible for:

- The maintenance of all club equipment and trailers.
- Ensuring that there is adequate equipment available for all members on river trips, competitions and pool sessions.
- Ensuring that all club equipment is in accordance with the highest safety standards at all times.
- The maintenance of the club boathouse.
- The U.L. Activity Centre's equipment when in club possession.
- Keeping a log of all equipment and whose possession it is in at all times.

4.1.7 Assistant Equipment Officer:

The officer whose duties encompass those of the Assistant Equipment Officer is responsible for:

- Helping the Equipment Officer with his/her responsibilities
- Ensuring they get sufficient training from the Equipment Officer to complete their role

4.1.8 The Public Relations Officer [P.R.O.]:

The officer whose duties encompass those of the Public Relations Officer [P.R.O.] is responsible for:

- Maintaining the high profile of the club on and off campus.
- Advertising all club activities at least one week in advance of the event.
- Submitting articles to the University and regional publications.

4.1.9 The Trips Officer:

The officer whose duties encompass those of the Trips Officer is responsible for:

- Research and bookings for transport
- Research and bookings for accommodation
- Collection of deposits & income from trips
- Liaising with the treasurer with respect to trip income and expenditure
- Liaising with the PRO with respect to trip promotion

- Further developing specific disciplines where there is demand by proposing appropriate trips

4.1.10 The Polo Officer:

The officer whose duties encompass those of the Polo Officer is responsible for:

- Developing and promoting Polo within the club.
- Maintaining all canoe polo equipment.
- Organising the coaching and team selections for the Intervarsity Canoe Polo Competition.
- Organising team(s) for the National Canoe Polo Competitions.
- Encouraging members to try out for the National Canoe Polo Squads.

4.1.11 The Disciplines Officer:

The officer whose duties encompass those of the Disciplines Officer is responsible for:

- Organising training days for major disciplines (Polo, Surf, Slalom, Freestyle)
- Promoting the use of various types of kayaks and canoes in pool sessions and outback, through biannual 'Multiple Disciplines' events and annual 'Club Olympics'
- Liaising with the STD & PRO with respect to trip, events or activities promotion

4.1.12 Ordinary Committee Member:

The officer whose duties encompass those of the Ordinary Committee Member is responsible for:

- Providing support to all other officers as needed
- Liaising with Trips Officer with respect to trip organization when required
- Liaising with the Treasurer for budget submission when required
- Taking on any other responsibility as decided by the committee

4.1.13 The Disciplines Officer:

The officer whose duties encompass those of the Disciplines Officer is responsible for:

- Organising training days for major disciplines (Polo, Surf, Slalom, Freestyle)
- Promoting the use of various types of kayaks and canoes in pool sessions and outback, through biannual 'Multiple Disciplines' events and annual 'Club Olympics'
- Liaising with the STD & PRO with respect to trip, events or activities promotion
- Developing and promoting Polo within the club.
- Maintaining all canoe polo equipment.
- Organising the coaching and team selections for the Intervarsity Canoe Polo Competition.
- Organising team(s) for the National Canoe Polo Competitions.
- Encouraging members to try out for the National Canoe Polo Squads.

4.1.14 The First Year Rep:

The officer whose duties encompass those of the First Year Rep is responsible for:

- Ensuring the swift integration of new members into the club's activities.
- Developing and promoting the sport within the club.
- Organising of social and kayak events specifically targeted at new members.
- Encouraging new members to get involved and remain as active as possible within the club
- Assist the STD Officer in organisation of pool sessions and training structures.

4.1.15 The Webmaster:

The officer whose duties encompass those of the webmaster is responsible for:

- Developing and maintaining the club's website to the highest standards.
- Maintaining the club's forum and managing club members' accounts.
- Managing club related passwords and creation of a new password document after the formation of a new committee, hosted on the webmaster's personal account.
- Assisting other committee members such as the PRO, when required.

4.1.16 Spare Person (Previous Captain):

The officer whose duties encompass those of the Spare Person is responsible for:

- Retaining a hands-off advisory input into the running of the club Assisting and advising the new Captain with the running of the club

4.2 Core Committee Positions:

The core Committee positions, all of which must be filled by a Full Member as defined above, are defined as the Captain, Secretary, Treasurer and Safety, Training & Development Officer. two of the officers holding a Core Committee Position shall be the Society/Club's representatives on the Clubs' and Societies' Council ("CSC").

4.3 Method of Election

The method of election for committee members shall be a run-off vote by show of hands until one candidate has achieved a majority.

If there are more than two candidates for a position and none of them achieve a majority of votes the candidate with the lowest votes will be eliminated and voting begins again between the remaining candidates.

More than one candidate may be eliminated at once if it is impossible for either of them to win based on the votes that would be redistributed if one were eliminated.

In the event of two or more candidates in last position having the same amount of votes the captain will decide which one is to be eliminated.

4.3 Election of Officers

Subject to section 4.5, officers shall be elected at the relevant AGM (Annual General Meeting) in accordance with the provisions of section 5.2.

This year, 2022, it is proposed that Polo Officer be conditionally reintroduced. The condition being the outcome of the Hust for Polo Officer at each AGM. This would require ULKC AGMs to adopt the following structure [in this exact order];

In the Circumstance that:

The role of Polo Officer is Filled

The successful Polo Officer candidate will adopt the regular duties of past Polo Officers. Please see said duties listed below in subsection [A], 'The Polo Officer'.

A hust for the role of Disciplines Officer, in its pre-2020 form, will immediately follow the Polo Officer hust. Please see subsection [B] 'The Disciplines Officer', for a list of duties that this role would encompass.

The role of Polo Officer Is Not Filled

Should the role of 'Polo Officer' go unfilled, a hust for the role of 'OCM' would immediately follow. Please see subsection [C] 'Ordinary Committee Member' for a list of duties this role would entail.

The hust for OCM would be followed immediately by a hust for 'Disciplines Officer', in its post-2020 form. See subsection [D] 'The Disciplines Officer' for the list of duties which this position would involve.

4.4 Resignation of Officers

Officers may resign by giving one week's written notice to the Secretary, or in the case of the Secretary, to the Chairperson.

4.5 Retirement of Officers

All officers shall retire at the AGM immediately prior to the election of the new Committee and that Committee for the following year shall be elected in accordance with the provisions of section 5.2.

4.6 Vacancies on the Committee

In the case of a vacancy on the Committee due to resignation or expulsion as per section 7 of an officer or for any other reason, the Committee shall have the power to co-opt any Member to the Committee until the next general meeting (be it an EGM or an AGM), at which a new officer will be appointed in accordance with section 5.2.

4.7 Sub-Committees

The Committee may appoint and dismiss sub-committees from the Society/Club membership and prescribe rules for those sub-committees as appropriate. Sub-committees will retire annually on the date of the relevant AGM, or when their function is complete, whichever is the sooner.

4.8 Handover Documents

Each outgoing officer of the Committee must present Handover Documents at the end of their term detailing the specific roles and responsibilities and the person(s) with whom they conducted the business of the Society/Club in order to assist the incoming officers with their development of the Society/Club.

5. Meetings

5.1 General Meetings

(Annual General Meeting (AGM) & Extraordinary General Meetings (EGM))

The Committee shall give fourteen (14) days' notice of any general meeting to all members along with a call for any submissions and motions to be submitted to the Committee in writing six (6) days in advance of the general meeting.

- 5.1.1** Members shall be notified of general meetings in writing through at least two mediums (text, email, and/or posters).
- 5.1.2** The agenda for the general meeting including submissions and motions is to be circulated to Full Members five (5) days in advance of the meeting.
- 5.1.3** An EGM must be convened at the request of fifteen (15) or more Full Members in writing to the Chairperson clearly stating the purpose for that meeting. The EGM will be held no later than sixteen (16) days of receipt of the written request. The Clubs & Societies Executive (CSE) must also be made aware of this request by a member of the core committee
- 5.1.4** The CSE must be notified of all general meetings by a member of the Core Committee.

5.2 Voting at General Meetings

- 5.2.1** Voting shall be by show of hands unless otherwise determined in a vote of the **meeting**
- 5.2.2** Each Full Member shall have one vote at any general meeting.
- 5.2.3** Motions and resolutions must be passed by a simple majority of those Full Members present at the meeting.
- 5.2.4** Elections to the roles of officers of the Committee shall be by simple majority vote of those Full Members present at the meeting.
- 5.2.5** All nominations for each committee position require a Proposer and separate Secunder from the membership. Any Member may nominate themselves at the meeting for election as an officer of the Club/Society Committee. Officers who have immediately prior resigned pursuant to Clause 4.4 are eligible for re-election (unless they have become ineligible for any other reason).
- 5.2.6** In the event of an equality of votes, the Chairperson shall have a second-casting vote in addition to the vote to which he or she may in any case be entitled

5.2.7 In the event of a conflict of interest for the Chairperson, they must vacate the Chair and another Chairperson must be appointed by a vote of the members present for the duration that the conflict persists.

5.2.8 At an AGM, the outgoing committee shall present for approval to the meeting the financial accounts of the Society/Club for the year ending at that AGM.

5.2.9 In the Circumstance that:

The role of Polo Officer is Filled

The successful Polo Officer candidate will adopt the duties listed below in subsection 4.1.10, 'The Polo Officer'.

A hyst for the role of Disciplines Officer will immediately follow the Polo Officer hyst. Please see subsection 4.1.11 'The Disciplines Officer', for a list of duties that this role would encompass.

The role of Polo Officer Is Not Filled

Should the role of 'Polo Officer' go unfilled, a hyst for the role of 'OCM' would immediately follow. Please see subsection 4.1.12 'Ordinary Committee Member' for a list of duties this role would entail.

The hyst for OCM would be followed immediately by a hyst for 'Disciplines Officer'. See subsection 4.1.13 'The Disciplines Officer' for the list of duties which this position would involve.

5.3 Quorum at Meetings

5.3.1 The quorum shall be fifteen (15) Full Members, excluding Core Committee Members, up to a 100 person membership. If the membership of the Society/Club shall exceed 100, then the quorum shall be five (5) additional members and an additional five (5) per 100 increases in membership thereafter, up to a maximum membership of 500.

5.3.2 If the quorum is not reached at a general meeting the meeting cannot proceed but must be reconvened within one week.

5.3.3 If the Society/Club fails to reach quorum at the reconvened general meeting, it will be put forward for de-recognition at the next CSC.

5.4 Committee Meetings

The Committee shall meet at least six (6) times per academic year with least two (2) meetings being held in each semester. Subject to the rules of this Constitution, the Committee shall determine its own quorum on election, and shall regulate its own procedures. The Secretary shall give at least four (4) days' written notice of any committee meetings.

6. Health and Safety

6.1 Duty of Care

There is a legal and fundamental *Duty of Care* on UL Kayak Club/Society Committee and their members to ensure that the planned activities are safe to participate in and that members don't engage in behaviour likely to cause harm. The principles of Health and Safety are based on the concept of

1. Risk Assessment,
2. Analysis,
3. Elimination and
4. Reduction.

6.2 Health & Safety Statement

- 6.2.1** The Society/Club must have a Health & Safety Statement. This must follow the template provided by the Health & Safety Consultants for Clubs & Societies. This will be available on the Clubs and Societies website.
- 6.2.2** The Health & Safety statement must be reviewed annually by the Committee to ensure it remains relevant to the Society/Club's activities and is compliant with any legislative changes or directives issued by a governing body.
- 6.2.3** The Committee will inform its members of their obligations under the terms of the Health & Safety Statement. This should be undertaken at a general meeting and per event/trip briefing

6.3 Foreign Trips Policy

- 6.3.1** If any member intends to make a foreign trip on Club business, they must inform the Clubs and Societies Development Officer (CSDO) and the UL Sports Administrator with regard to a Club trip
- 6.3.2** An itinerary must be furnished to [the parties in 6.3.1] in advance of all trips outside of the island of Ireland. The itinerary must include:
- (i) Flight/Ferry information, and accommodation phone numbers and a daily schedule of the planned activities.
 - (ii) The contact details of the event coordinators while abroad and the person/people designated to be responsible for First Aid (where possible).
 - (iii) In Case of Emergency (ICE) contact details must be provided by every participant to the event co-ordinators and provided to the CSDO and Sports Administrator at least a week in advance of the planned trip.
- 6.3.3** The member must take the Clubs & Societies Travel Insurance Policy Number on any trip, which is available from CSDO or ULSU Secretary General in advance of the trip.
- 6.3.4** In accordance with the Health & Safety Statement, the contact details for the Clubs and Societies Development Officer, General Manager, ULSU President and the UL Sports Administrator [delete for societies] must be provided to the event coordinators.

7. Disciplinary Action

The Committee and members of the Society/Club shall comply with the disciplinary, grievance, bullying and harassment procedures of the Clubs & Societies Executive as may be amended from time to time

8. Financial Matters

8.1 Funds

- 8.1.1** All funds raised by the Society/Club must be used for the express purpose of the promotion and development of Clubs & Societies activities under the auspices of the Students Union except in the case of funds raised by a charity event.
- 8.1.2** In the event of de-recognition of the Society/Club, any funds remaining shall revert to the Clubs & Societies to be administered by the CSE.

8.2 Bank Accounts

- 8.2.1** All accounts operated by the Society/Club must be made known to the CSE in the annual budget.
- 8.2.2** At least three (3) officers of the Committee, of which one must be the Treasurer, shall be nominated as signatories on the Bank Mandate for the Society/Club's accounts, and at least two (2) officers, of which one must be the Treasurer, is required sign off on all transactions.

9. Equipment

9.1 Equipment Policy

- 9.1.1** Equipment owned by the Society/Club shall be used solely for the purposes of the Society/Club in accordance with this constitution and shall be held and dealt with by the officers and members of the Society/club accordingly
- 9.1.2** In the event that the Society/Club is de-recognised the ownership of all equipment/inventory shall be transferred back to the Clubs and Societies of the University of Limerick Students Union under the management of CSE. This equipment will be held in trust until the Society/Club is re-started or a similar interest club/society that may benefit from the use of such equipment (as decided by the CSE). In the alternative, it may be decided by the CSE to sell off all such assets and return all proceeds to the Special Events Fund or Annual Budget of Clubs and Societies as appropriate.
- 9.1.3** In the event of de-recognition, all officers of the Committee of the Society/Club must ensure that all equipment is returned to the CSE without delay complete with keys for storage and location where necessary.
- 9.1.4** The Committee of the Society/Club is responsible for keeping a record of all assets controlled by the Society/Club and for the storage and maintenance of any equipment and for keeping records of the maintenance, which shall be available to the Clubs and Societies Executive committee on request.
- 9.1.5** The Committee is charged with the welfare and transfer of all such equipment.
- 9.1.6** The CSE shall be the arbitrators of all aspects of the Clubs & Societies Equipment Policy.

10. Legal Protocol

The Club shall comply with the Clubs and Societies Executive Club and Society Protocol in Legal Proceedings, a copy of which is attached as a schedule to this Constitution.

11. Interpretation

11.1 Interpretation of the Constitution

Where a dispute arises as to the meaning of this Constitution or a dispute as to a conflict between this Constitution and the Constitution of the University of Limerick Students' Union, then the dispute shall be referred to an arbitrator to be appointed by the President of the University of Limerick Students' Union and the arbitrator's decision is final.

Schedules:

Disciplinary Procedure

Initiation of Disciplinary Action:

The following constitute breaches of discipline:

- (i) Serious or persistent breach of Health and Safety.
- (ii) Bringing the name of the Society/Club into disrepute.
- (iii) Acting against the aims and/or objectives of the Society/Club
- (iv) Misappropriation of any funding relating to the Society/Club
- (v) Discrimination & Harassment as defined in the Equal Status Act 2000
- (vi) Gross misconduct by any member.

1. All complaints relating to alleged breaches of discipline shall be made in writing (including email) to a member of the Core Committee and to the CSE in reasonable proximity to the date of the matter giving rise to the complaint. The member of the Core Committee shall submit that written complaint to the Committee, whose decision, subject to the provisions of this rule, shall be final and binding.
2. On being advised of a complaint of an alleged breach of discipline and being of the opinion that the matter is of a sufficiently serious nature, the Committee, acting with all reasonable haste, shall appoint a sub-committee (as per section 3.1), comprising of five full members to deal with and adjudicate upon the complaint. (For the purposes of this section 7, the sub-committee dealing with the complaint is hereinafter termed "**the Discipline Committee**".)
3. A written notice of a date, time and place of the meeting of the Discipline Committee at which such matters are to be considered and the nature of the complaints shall be given to the member concerned at least fourteen (14) days prior to the meeting.
4. The member shall be entitled to attend at such meeting and shall be afforded the opportunity to respond to the complaints
5. The quorum for a meeting of the Discipline Committee shall be three (3). Voting shall be by secret ballot, and the elected Chairperson of the Discipline Committee shall be entitled to vote and not have a casting vote. A majority of those present and voting shall be required to find a member in breach of discipline. The Discipline Committee shall have power to caution, discipline, and sanction such member in such manner as it considers appropriate, or to suspend the member's membership for such period as it considers appropriate, or to expel the member from membership of the Society/Club or of any committee thereof, or to impose such condition on members continued membership as the Discipline Committee considers appropriate.
6. During a period of suspension, a member shall be denied all rights and privileges of membership. In the event of suspension or expulsion the member shall not be entitled to a refund of the whole or any part of the Membership Fee for the year/s in which a suspension or expulsion occurs, and any Membership Fee falling due within the period of suspension shall remain due and payable.
7. A member desiring to appeal against the finding of the Discipline Committee and/or against the sanction imposed may within fourteen (14) days of the decision request the CSE to consider the appeal. Such request must be made in writing. Upon the receipt of such an appeal the CSE shall appoint one of its members to hear the appeal, who will request written submissions from both the Discipline Committee and the member lodging the appeal and shall make their decisions based on those written submissions. In exceptional circumstances the CSE appointee

may (at his or her sole discretion) convene a meeting with either or both of the Discipline Committee and/or the appellant, either alone or together.

8. In the event that a finding by the Discipline Committee of a breach of discipline is upheld, or in the event of an appeal against severity of sanction only, the CSE shall, inter alia, have power to reduce or increase the sanction.
9. Pending the decision of the CSE, the sanction imposed by the Discipline Committee shall not take effect.
10. The decision of the CSE shall be final and binding.

Grievance Procedure:

The Clubs and Societies are voluntary social, recreational and leisure clubs who run activities for students and staff of the University of Limerick to enjoy in their leisure time. In this regard, we would hope that Club & Society members will get along with each other without any grievances arising. However, we do understand that from time to time, grievances caused by misunderstanding, disagreement or general dissatisfaction may occur among Club members. Full recognition is given to the significance of personal grievances, and it is our policy that all grievances will be dealt without undue delay and resolved at the earliest possible stage

1. In the first instance, it is expected that any Club member with a grievance will attempt to resolve it informally by speaking with the individual(s) concerned in an attempt to resolve the issue amicably. If a resolution is agreed at this stage, both members involved should agree to put the issue behind them for the good of the Club/Society.
2. If the member experiencing the grievance does not feel confident in approaching the individual(s) concerned, they should speak to a member of the Club/Society committee and explain their grievance to them. The committee member should facilitate a meeting between the member and the individual concerned with a view to resolving the grievance as quickly and amicably as possible. This meeting should take place within five days of the member raising the grievance.
3. If there is no agreement at this stage, the member experiencing the grievance should submit their grievance in writing to the Club committee. The committee should appoint two members of the committee to investigate the grievance within five days of receiving the grievance. The investigation should be done through meeting both parties involved in the grievance and any other person who the two members consider appropriate. Minutes should be taken at the meeting and a report of the findings prepared. A decision should be made by the two members as to what the outcome of the grievance is. This information should then be presented to both parties of the grievance. Those investigating the grievance should aim to resolve the grievance within ten days of receiving the grievance.
4. If either party is unhappy with the outcome of the investigation into the grievance, they should appeal the decision to the Clubs and Societies Executive Committee outlining the reasons for the appeal within seven working days of receiving the outcome of the grievance. The Clubs and Societies Executive Committee should appoint two members to hear the appeal meeting within five days of receiving the appeal. An investigatory meeting should take place if necessary and a decision made within ten days of receiving the appeal.
5. It is expected that at any stage at which resolution is achieved that the members will agree to work together in harmony for the sake of the other members of the Club.

Bullying and Harassment Procedures:

There is both an informal and formal procedure to deal with the issue of bullying/harassment within the clubs. It is our aim that any investigation that takes place will be completed as quickly as possible.

Informal Procedure:

It is often preferable for all concerned that complaints of bullying or harassment are dealt with informally whenever possible. While in no way diminishing the issue or the effect on individuals, an informal approach can often resolve matters more effectively. As a general rule therefore, an attempt should be made to address an allegation of bullying/harassment as informally as possible by means of an agreed informal procedure. The objective of this approach is to resolve the difficulty quickly and effectively, with the minimum of conflict and stress for the individuals.

Any member who believes he or she is being bullied/harassed should explain clearly to the alleged perpetrator(s) that the behaviour in question is unacceptable. In circumstances where the member finds it difficult to approach the alleged perpetrator(s) directly, he or she should seek help and advice, on a strictly confidential basis, from a fellow member of the Club. The fellow club member can be a support for the complainant in approaching the alleged perpetrator to explain the reasons they feel they are being bullied or harassed.

It is recognised that it may not always be practical to use the informal procedure, particularly where the harassment / bullying is of a very serious nature.

Formal Procedure:

If an informal approach is inappropriate or if, after the informal stage, the bullying/harassment persists, the following formal procedures should be invoked: -

1. The complainant should make a formal complaint, in writing, to the Club committee detailing precise details of actual incidents of bullying/harassment; for example, state the name of the alleged perpetrator, the nature of the complaint, dates and times of when the incidents occurred, witnesses, and any action that the complainant may already have taken, if any.
2. The alleged perpetrator(s) should be notified in writing that an allegation of bullying has been made against them. They should be given a copy of the complainant's statement as soon as is practicable and advised that they shall be afforded a fair opportunity to respond to the allegation(s), within specified time limits. No outcome regarding the complaint will be made until a full and fair investigation has taken place.
3. Before commencing an investigation, the Club committee may take the decision to exclude the alleged perpetrator from any Club activities while the investigation is ongoing if it is deemed appropriate. This in no way implies any wrongdoing on the part of the perpetrator but will be taken as a cautionary measure to prevent exacerbating the situation between the complainant and the alleged perpetrator.
4. The Club/Society committee will appoint two members of the committee who will be tasked with investigating the complaint. They will prepare clear terms of reference which outline the background to the complaint, who should be interviewed through the course of the investigation and the timeline in which to resolve the complaint.
5. Meetings will be arranged with the complainant, the alleged perpetrator and any other person who the two members consider appropriate. All will be asked to respond to the complaint and detail their version of events. Both parties and witnesses have the right to be accompanied by a representative at all meetings. Meeting notes will be taken and once committed to type must be

signed by the relevant person who was interviewed as a true and accurate reflection of the discussion.

6. Those investigating will prepare a report of their findings and submit it to the Clubs/Societies committee for a final decision. The two committee members who have taken part in the investigation should not make a decision regarding the outcome.
7. Once a decision has been made, the complainant and the alleged perpetrator must be informed as soon as is practicable.
8. If the complaint is upheld, the Club/Society committee will instigate the Clubs and Societies Disciplinary Procedures. Actions taken can include expulsion from the Club/Society.
9. If the complaint is not well found, both parties should be brought together by the Club/Society committee and a mediation process should be implemented to ascertain whether both members can move on and continue to partake in the club/societies activities.
10. If the complaint is discovered to be malicious or vexatious, the Club/Society
11. Committee may instigate the Clubs and Societies disciplinary procedures against the complainant.
12. Retaliation of any kind against the member for complaining may also constitute
13. Bullying/harassment and is a serious disciplinary offence.

Appeals Process:

If either party is unhappy with the outcome of the investigation, both parties have the right to appeal to the Clubs and Societies Executive Committee within 5 working days of the findings being issued. A party, who wishes to appeal the outcome, should put the reason for the appeal in writing and address it to the Student's Union President.

Upon receiving the appeal letter, the Clubs and Societies Executive Committee will appoint two members of the Committee to hear the appeal. They may choose to conduct further investigations or implement a new investigation. A decision regarding the outcome should be taken within ten working days of receiving the appeal.

Confidentiality:

All individuals involved in the procedures referred to above should maintain strict confidentiality on the subject. All involved will be reminded of this throughout the investigation process.

CLUBS & SOCIETY PROTOCOL ON LEGAL PROCEEDINGS

[Passed 24/02/09]

STEP 1:

A formal request must be made from a Club or Society to the Clubs & Societies Executive prior to any legal advice being sought to the Clubs & Societies Executive. The formal request will be in written form outlining in detail the timeline of alleged grievance and how it affects the club's activities or good name. Full disclosure of all documents and correspondences (email, phone calls, text, and web) must be made available to the Clubs & Societies Executive. The written request must be accompanied by a signed declaration by the committee that the information contained within is truthful and an accurate account of the issue in question.

STEP 2:

The Clubs & Societies Executive will convene, and the issue will form part of their weekly meetings on the official agenda. Clubs & Society Executive members with membership of the club or society in dispute must declare all affiliations and vacate the meeting where conflict of interest arises.

The Clubs & Societies Executive shall request the signatories of the initial formal request to attend a meeting in person of the Clubs & Societies Executive prior to a decision being made to grant or reject the request for referral to the ULSU solicitor

A majority decision is required from the Clubs voting members of the C&S Executive and a majority of the Society voting members of C&S Executive in order to grant permission for the issue to be referred for legal advice to the ULSU solicitor by the applicant club/society. In the event of conflicts of interest, it will be a majority of the *remaining* voting members of the Clubs & Societies Executive

STEP 3:

When a legal opinion has been offered, it must be disclosed in full to the Clubs & Societies Executive. Each subsequent request to proceed from one legal action/proceeding to another will be subject to approval by the Clubs & Societies Executive on the basis of legal opinion and the “majority decision basis”.

STEP 4:

Clubs & Societies Executive retain the right to sanction or reject the initiation of any legal action or proceeding subject to the legal advises at any time. This shall be on the grounds that no one club or society may unnecessarily expose the level of risk to the overall integrity of the University of Limerick’s Clubs and Societies.

