



Durham County Basketball Association Constitution

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1. Name

1.1 The organisation shall be called the Durham County Basketball Association from now on, it will be called 'The organisation'.

1.2 The name of the organisation may only be changed by a resolution passed by a two-thirds majority of those eligible to vote at an Annual General Meeting (AGM) or Extraordinary General Meeting (EGM).

2. Objectives

2.1 To promote and encourage the game of basketball to all fairly, irrespective of age, gender and ability.

2.2 To act as the representative body in the relevant Basketball England sub region, after this referred to as 'The Area', on behalf of Basketball England (BE).

2.3 To approve, promote and organise competitions, leagues and basketball events within The Area, for all people.

2.4 To encourage and facilitate competitions that are suitable for players of all ages and abilities

2.5 To approve, promote and organise competitions and basketball events for juniors within The Area and BE Northeast Region.

2.6 The organisation shall set and pursue long-term goals to enhance and grow basketball within Northeast Region including but not limited to increasing participation, competitions, developing coaching and officiating, improving facilities, and promoting inclusivity.

2.7 The Committee shall be empowered to take any lawful actions it considers appropriate to further the aims and objectives of the organisation, even if not explicitly covered above.

3. Membership

3.1 Members shall be Basketball England affiliated clubs, basketball organisations, officials (coaches, referees, table officials) and other BE members living in The Area. Membership of the organisation may be subject to payment of a subscription, as determined by the Committee.

3.2 All members must license with BE, where appropriate. All members, whether licensed or not, are required to adhere to the rules and policies of BE, including but not limited to the BE Code of Conduct & Ethics.

3.3 All members of the Durham County Basketball Association shall read and agree to follow the BE Code of Conduct & Ethics. Any person returning to basketball activity following a BE ban or a ban imposed by any other sports governing body must follow a rehabilitation route advised by The Area Welfare Officer and BE.

3.4 The Durham County Basketball Association has the right to refuse membership

applications and to suspend any member from membership. Any member shall have the right to resign from membership and to relinquish any claims the Member might have on the organisation, its funds and equipment.

3.5 The Durham County Basketball Association has the right to refuse membership applications, suspend, or expel members in the following circumstances:

- A breach of this Constitution or any policy of the organisation or Basketball England (BE);
- Conduct deemed to bring the organisation, a member club, or the sport of basketball into disrepute;
- Non-compliance with BE policies or licensing requirements where applicable;
- Failure to comply with disciplinary actions issued by BE or the organisation;
- Any other reasonable cause determined by the Committee in line with BE guidelines.

3.6 A member whose application has been refused, or whose membership is to be suspended or expelled, shall be notified of the grounds for the decision and shall be given the opportunity to make written appeal to the Committee before any final decision is made.

3.7 Suspension or expulsion shall be determined by a majority vote of the Committee. Expulsion shall be confirmed at the next AGM or EGM, unless the Committee determines that urgent action is required, in which case an EGM may be called.

3.8 The organisation shall follow the relevant BE Disciplinary Procedures when addressing potential breaches of BE or organisation policies, including the right to appeal as outlined by BE.

3.9 Any person returning to basketball activity following a ban imposed by BE or any other recognised sports governing body must follow a rehabilitation route as advised by the Area Welfare Officer and BE.

3.10 No part of any fees, subscriptions, or other payments made by the Member shall be refundable upon resignation or expulsion unless otherwise determined by the Committee at its discretion.

3.11 Durham County Basketball Association is an autonomous league should any Durham County Basketball Association Club resign from Durham County Basketball Association they will not be held liable for any liabilities of Durham County Basketball Association.

3.12 in exceptional circumstances the league will consider additional participants and clubs who are not licenced by BE to take part in league organised activities (e.g. Under 8 and 10 CVLs) to further the objectives of the league following a majority vote by the committee.

4. Committee

4.1 Committee members shall be elected at the Durham County Basketball Association Annual General Meeting (AGM) and serve for one year. All Committee members shall be eligible for re-election at the AGM.

4.2 The Durham County Basketball Association affairs shall be managed by the Committee.

4.3 The Committee shall consist of the following officers:

- Chair
- Secretary
- Treasurer
- Registrar
- Safeguarding & Welfare Officer
- Disciplinary Chair
- plus any other roles considered necessary by the Committee to fulfil the objectives of the league

4.4 The Committee shall consist of no fewer than five (5) and no more than fifteen (15) members.

4.5 The Committee shall manage the affairs of the league and may exercise all powers of the organisation that are not expressly reserved to a General Meeting. This includes making decisions and taking actions as necessary to meet the organisation's objectives.

4.6 The Committee is empowered to enter into contracts on behalf of the organisation and its members, provided that such contracts are reasonably necessary to carry out the organisation's objectives and activities. All members of the organisation, by virtue of their membership, agree to be bound by such contracts entered into by the Committee in good faith and with proper authority. The Committee must ensure that no individual signs or authorises any contract unless they are specifically authorised to do so by a recorded Committee decision.

4.7 The Committee may delegate any of its powers to a sub-committee or working group composed of Committee members and/or other suitable individuals. Any such sub-committee shall operate under written terms of reference and shall report to the full Committee. This may include (but is not limited to) a safeguarding panel, disciplinary committee, or event planning group.

4.8 Committee members shall be elected at the organisation's Annual General Meeting (AGM) and serve for one year. They shall be eligible for re-election at the AGM. There is no fixed limit to the number of terms a committee member may serve. However, in line with best practice under the Sport England Code for Sports Governance, Committee members are encouraged not to serve for more than nine (9) years in total, whether consecutively or non-consecutively, unless agreed by the Committee to meet the organisation's specific needs.

4.9 In selecting and electing Committee members, the organisation shall seek to ensure the Committee reflects a diversity of skills, experience, and backgrounds relevant to the organisation's work. The Committee shall regularly review its composition to ensure it continues to meet the organisation's evolving strategic and operational needs, including considerations of equality, inclusion, and representation.

4.10 All Committee members must act in accordance with this Constitution, the rules and regulations of Basketball England (BE), and the policies of the organisation. They are expected to act in good faith and in the best interests of the organisation and its members.

5. Committee Meetings

5.1 There will be a minimum of three Committee meetings per year, in addition to the AGM.

5.2 Meetings will be face-to-face or online, according to circumstance.

5.3 There shall be a quorum of four at any Committee meeting to enable valid decisions to be made. If there is a confidential matter to discuss, this will take place in a 'Part 2' meeting immediately after the public meeting has ended and non-Committee members have departed (whether a face-to-face meeting or Teams).

5.4 Minutes of regular meetings will be made available no more than two weeks after the meeting. Minutes from any Part 2 meetings will not be published.

5.6 Committee meetings may be public or private depending on the nature of the business to be discussed. Where appropriate, meetings will be held in public and details (including the date, time, and venue or online access details) will be advertised on the Durham County Basketball Association website at least three weeks in advance.

Notice of each meeting shall also be given directly to all Committee members at least seven (7) days in advance, unless a shorter notice period is agreed by a majority of the Committee members in the interests of the effective management of the organisation's affairs.

5.7 Any Committee member may call a meeting of the Committee by giving notice to the Chair and Secretary.

5.8 Conflicts of Interest

Committee members must declare any actual or potential conflicts of interest at the start of the meeting, or as soon as such a conflict becomes apparent. The Chair will determine how each conflict is to be managed, including whether the conflicted member should:

- Withdraw from the discussion;
- Refrain from voting on the matter; and/or
- Be counted towards the quorum for that item of business.

All conflicts and their management shall be recorded in the minutes. The Committee may, by majority vote, authorise or refuse to authorise any conflict of interest on a case-by-case basis.

6. Leagues

6.1 The Durham County Basketball Association AGM will include an annual review of leagues affiliated within The Area.

6.2 As an affiliated League within The Area, Durham County Basketball Association is subject to the rules and regulations of BE.

7. Finance

7.1 The organisation 's financial year shall end on 31 May, and a statement of accounts, up to and including this date, shall be presented at Durham County Basketball Association AGM.

7.2 The Funds Durham County Basketball Association shall be deposited in a recognised bank by the Treasurer on behalf of the Committee.

7.3 The Treasurer shall produce accounts for the Committee and full year accounts for all members.

7.4 The Treasurer shall electronically authorise all transactions, with a second authorisation from at least one other Committee member to confirm best practice.

7.5 In the event of the organisation disbanding, all funds and assets shall become the property of BE.

8. Annual General Meeting (AGM)

8.1 The organisation 's AGM shall be held by 30 September? at least once in every calendar year, and no more than 15 months shall elapse between AGMs.

8.2 The Annual Reports of relevant Committee members and yearly accounts shall be presented at the AGM.

8.3 At least three weeks' notice specifying the AGM's place, date and time shall be provided in writing to all members.

8.4 All items for the agenda must be submitted in writing to the Secretary at least two weeks before the date of the AGM. The Agenda and Annual Reports shall be circulated at least one week before the meeting.

8.5 The following are permitted to vote at an AGM or EGM:

- One vote from each affiliated club
- One vote from each Committee member

8.6 No-one can vote in more than one capacity.

8.7 All matters shall be decided by ballot or by a show of hands (at the discretion of the Chair) of those present and qualified to vote.

8.8 Proxy votes can be accepted at the discretion of the Chair.

8.9 Changes to the Constitution can only be formalised at an AGM or EGM and require a two thirds majority of those eligible to vote.

8.10 Other resolutions will be decided by a simple majority, and in the event of a tie, the Chair shall have the casting vote. An updated constitution must be sent to BE.

8.10 The quorum for an AGM or EGM shall be *10 voting members or 10% of eligible members, whichever is fewer*, of the total membership entitled to vote.

9. Extraordinary General Meeting (EGM)

9.1 An EGM can be called by the Committee, or by the membership, if 5 member clubs support the request.

9.2 At least six weeks' notice of the place, date, time, and business of the EGM shall be provided to all members in writing, unless there is a specific need to act more quickly.

9.3 Procedure shall be as for the AGM, including quorum and voting provisions, unless stated otherwise.

10. Constitution

10.1 No amendment to the Constitution shall be affected unless at an Annual or Extraordinary General Meeting.

10.2 Any proposed amendments to the Constitution must be sent to the organisation's Secretary at least twenty-one days before the AGM/EGM to allow time for circulation to members. The organisation's Secretary can reject proposals received after this time.

10.3 If any question or matter arises that is not provided for in the Constitution, the organisation policies and BE rules and regulations, the Committee shall deal with such issues.

11. Regulations & Discipline

11.1 The Durham County Basketball Association shall be responsible for all matters of discipline relating to players, coaches, club members and match officials where BE have deemed it appropriate.

11.2 Individual Clubs are responsible for the conduct and behaviour of spectators at any fixtures, events and training sessions.

11.3 Any such matters shall be dealt with according to the BE Disciplinary Procedures policy.

11.4 Serious discipline matters shall be referred to BE for guidance and support. All communications regarding disciplinary matters should be confirmed in writing.

12. General

12.1 Aside from anything contained above, the jurisdiction of the organisation shall be finalised by BE. The decision of the National Executive Committee of Basketball England shall always be binding and may set aside this Constitution.

12.2 If a resolution is passed at a general meeting of BE to disband or amend the boundaries of this Area Association, the decision shall have immediate effect.

13. Liability and Insurance

- Any persons, whether or not in membership of Durham County Basketball Association, to the extent they are not protected by such insurance as is provided by BE and other public liability insurance to its members and licensees, participate in any activities under the auspices of Durham County Basketball Association at their own risk.
- The Durham County Basketball Association does not accept any liability for damage or injury to persons, including when transported to take part in such activities.

13.1 The Durham County Basketball Association maintains appropriate insurance cover via Basketball England including:

- Public liability and professional indemnity (shared coverage for BE members; participants, coaches, officials, and clubs);
- Personal accident benefits for individual members

13.2 All individuals participating in activities organised by the Durham County Basketball Association do so at their own risk, unless explicitly covered by the organisation's insurance policies.

13.3 Legal Liability Disclaimer. Nothing in this constitution excludes or limits liability for:

- Death or personal injury caused by negligence; or
- Any other liability that cannot legally be excluded.

13.4 Members and participants are advised to:

- Familiarise themselves with the scope and limits of the organisation's insurance;
- Consider obtaining additional cover (e.g. private travel or accident insurance) if engaging in activities not fully covered.

13.5 The organisation does not routinely enter contracts or hold property. Where this becomes necessary, the Committee shall ensure any such arrangements are made with appropriate safeguards in place, including insurance and clearly identified authority to act.

14. Trustees

14.1 The Committee may, if deemed necessary, appoint up to three Trustees to hold property, funds, or other assets on behalf of the Durham County Basketball Association.

14.2 Any property held shall be used solely for the purposes of the Durham County Basketball Association and subject to its Constitution.

14.3 Trustees must act in accordance with the directions of the Committee and in the interests of the organisation's members.

14.4 Trustees shall not be personally liable for any loss to the organisation's assets unless due to dishonesty or gross negligence.

15. Policies

15.1 Policies within this constitution are those created by the committee, together with Basketball England policies relating to Code of Conduct and Ethics, Inclusion and Anti-Discrimination and Safeguarding.

15.2 Policies created by the committee can be amended at any time by the Committee.

15.3 The Durham County Basketball Association adopts the below 7 policies

- The Basketball England ED&I Policy
- The Basketball England Privacy & Data Protection Policy
- The Basketball England Safer Recruitment Policy
- The Basketball England Whistleblowing Policy
- The Basketball England Disciplinary Code
- Basketball England Safeguarding Children Policy
- Basketball England Safeguarding Adults Policy

15.4 The Committee may implement exceptional rules if they are necessary to achieve the stated objectives.

BE policies can be viewed at: [Basketball Document Finder - Policies & Guidance](#)

16. Appendices

- [Appendix 1 - Safeguarding Policies \(BE\)](#)
- [Appendix 2 - Disciplinary Code \(BE\)](#)
- [Appendix 3 - Code of Conduct and Ethics \(BE\)](#)
- [Appendix 4 - Inclusion and Anti-Discrimination \(BE\)](#)
- [Appendix 5 - GDPR Policy \(BE\)](#)
- [Appendix 6 –ED & I Policy \(BE\)](#)
- [Appendix 7 – Data Protection Policy \(BE\)](#)
- [Appendix 8 – Safer Recruitment Policy \(BE\)](#)
- [Appendix 9 – Whistleblowing Policy \(BE\)](#)