



North Worcestershire Model Aircraft Society Constitution

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INTRODUCTION

This document is based upon Example Constitution, Charity Guidelines Field/**Safety Rules & Disciplinary Procedure Guidance for BMFA Affiliated Clubs** published in 2013 by the BMFA.

It should be read in conjunction with the **BMFA Member's Handbook** and **CAP658 Model Aircraft: A Guide to Safe Flying** published by the **CAA**.

Whilst this document is written in the masculine gender it is to be read and applied as gender unspecific.

CONSTITUTION

GENERAL

The club shall be called *North Worcestershire Model Aircraft Society* and will be affiliated to the British Model Flying Association.

The aims and objectives of the Society are:

- 1.1. To encourage the building and safe operation of all types of flying
 - 1.2. To assist members to improve their standards of building, flying and awareness of safety.
 - 1.3. To encourage integration of the membership.
 - 1.4. To abide by and promote the rules of the British Model Flying Association.
 - 1.5. To ensure that all members abide by the Air Navigation Order.
2. Alterations to this constitution can only be made at an Annual General Meeting or at a General Meeting called for that purpose. Any Proposed alterations must be submitted to the secretary in writing at least 14 days prior to the meeting.

MEMBERS

3. A "member" means any class of membership.
4. The Committee has the right to refuse membership to new applicants.
(BMFA Note:- As a private members club you can refuse membership to any individual, however the reason cannot be due to, race, gender, sexuality, disability etc It is important that the reasons are documented in meeting minutes.)
5. New members will be required to serve an initial probationary period of 6 months. During this time they will not be eligible to serve on the Committee and may have their membership terminated at the discretion of the Committee for unsatisfactory conduct.
(BMFA Note:-During this probationary period the member can be dismissed for misconduct without going through the disciplinary procedure.)
6. New members' subscriptions shall be dependent on membership class, plus the joining fee as decided at the Annual General Meeting.
7. Subscriptions are due on the anniversary of joining the Society. Any member, who has not paid the subscriptions for the ensuing year by this date, in whole or in part, will not be permitted to fly until they have done so. BMFA membership must be in place before flying.
(BMFA Note:- A club cannot refuse a members renewal if received before any deadline specified in the constitution, to do so is classed as dismissal and the disciplinary procedure must be followed)
8. Members who have allowed their membership to lapse for less than 3 weeks will not normally be asked to re-apply for membership or pay the joining fee, but will be required

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to pay a full 12 months subscription The Committee reserves the right to ask for a formal membership application if it so wishes.

9. Members who have not renewed their membership by 3 weeks will be deemed to have left the club and a renewal after this period will be treated as a new membership application.
10. All members must be members of the British Model Flying Association and must be able to provide evidence of such on request.
11. All members, without exception, must comply with all club rules. Failure to do so may result in disciplinary action by the Club which may lead to dismissal.
12. Members may invite guest fliers to the site on arrangement with the Committee but they must be BMFA insured and the club member must assume total responsibility for the actions and safety of the guest. Guests must fly under the supervision of instructors if their ability requires it, and such arrangements must be made in advance of the visit.

RULES, DISCIPLINE AND SAFETY

(see Appendix 1, Pg 12 for disciplinary procedure guidance)

13. Additions and amendments to field safety rules and regulations are made by the Committee.
14. All field safety rules and regulations will be reviewed periodically by the Committee.
15. Any complaint concerning any member must be made in writing and signed by the complainant(s). The written complaint must then be forwarded to the Secretary so that the matter can be addressed at the next Committee meeting.
16. Where an allegation of misconduct is made against a member, the member may be suspended from all club activities while an investigation is carried out.
17. The Committee may impose a suspension from club activities including attendance at the club flying site, not exceeding 14 days upon any member in the event of misconduct. Any suspension must be accompanied by a verbal and/or written warning as deemed appropriate in accordance with Article 18.
18. The Committee may consider removal of membership where conduct on the field or elsewhere is considered to be prejudicial to the club. Dismissal will be in accordance with the following procedure in order to comply with the laws of natural justice:
 - 18.1. The member is to be given a verbal warning by an authorised Committee Member in which the member is made aware of his misdemeanour and what he is reasonably required to do to make amends.

- 18.2. If the member does not respond, he is to be given a written warning by an authorised Committee Member to advise him of his misdemeanour and what he is reasonably required to do to make amends.
- 18.3. If he still fails to respond, the Committee should invite him in writing to meet with them at a previously agreed date and time to discuss the situation, advising they are considering withdrawal of his membership.
- 18.4. If he still fails to respond to reasoning or fails to attend without reasonable cause, the Committee can advise him in writing that his membership is withdrawn, stating the reasons why this decision was reached.
- 18.5. When the member is advised of withdrawal of his membership, he must be given the right of appeal. If he opts to appeal, this will be to the Club membership at an EGM which the Committee would call on his behalf at a previously agreed date and time. The motion to uphold the membership withdrawal or reverse it must be in accordance with the voting procedures set out in the Club Constitution.
- 18.5.1. In the event of gross misconduct, immediate dismissal without warnings may be considered but the member must still be accorded his rights to present his case to the Committee and be given a right of appeal in accordance with subparagraphs 18.3, 18.4 and 18.5 above.
- 18.5.2. In the event of dismissal the Committee will arrange for the unused portion of the member's current membership fee (excluding BMFA subscription) to be reimbursed.

FLYING

19. Appointment to the position of Instructor or Examiner can only be made by a Committee decision.
20. All flying members must attain the minimum standards of flying required under the North Worcestershire Model Aircraft Society training scheme before receiving the BMFA 'A' Certificate and before being permitted to fly indirectly supervised.
21. Any member whose flying standards drop below the minimum requirement solo standard will be required to rejoin the training scheme until the desired standards of flying are met.

COMMITTEE STRUCTURE AND APPOINTMENTS

22. The Committee of the Club shall comprise of not more than 8 members.
23. The Officers of the committee shall be Chairman, Secretary, Training officer, Treasurer, Membership Secretary, Events Secretary.
24. One senior club member should be appointed annually as the clubs' BMFA Delegate who should represent the club at all relevant meetings.

25. Any Committee member or member who is involved in any organisational position within the Club, must hold membership of the British Model Flying Association.
26. Committee officers and members shall be elected at the Annual General Meeting from written nominations received no later than 5 days prior to the meeting, to serve for a period of one year. The Committee will be elected by majority vote by paper ballot from members present. All fully paid up members and life members are eligible to vote.
27. Should a committee position become vacant, the Committee may, by a majority vote, co-opt a replacement who will then serve until the following Annual General Meeting.

COMMITTEE ORGANISATION AND POWERS

28. Members elected to office will have full voting rights at all meetings. In the event of a tie the Chairman will have a casting vote in addition to his initial standing vote.
29. The Committee are authorised to carry out negotiations and make decisions in the interest of the club or on behalf of the membership where necessary without consulting the members.
30. Bank signatories will be determined by the Committee and will be required to submit a sample of his signature for banking reference purposes.
31. Money may only be withdrawn from the club funds by cheque signed by not less than two Committee members.
32. The Secretary must be informed of any negotiations proposed by club members which affect the Club as a whole and copies of any written correspondence must be submitted to him for record purposes.
33. Out of pocket expenses incurred by Committee Members will be re-imbursed provided they have been agreed by the Committee before incursion.
34. No member of the Committee or Officer of the club may be a Committee Member or Officer of another model flying club.
35. Any Committee Member or Officer wishing to resign must do so in writing.
36. Any member of the Committee who is absent from three consecutive Committee meetings without reasonable cause will automatically forfeit his seat on the Committee.
37. The Committee may pay accounts and incur any normal liabilities on behalf of the club.

VOTING AND CONDUCT OF COMMITTEE MEETINGS

38. All committee meetings will be agenda'd and minuted. Minutes of committee meetings will be made available to members .
39. A quorum of any Committee meeting shall consist of at least 50% of Committee Members.
40. All proposals must be seconded and voted upon. A majority vote of those present is required to carry any proposal.
41. Voting will normally be by a show of hands, however a secret ballot must be taken should any committee member request that this be done. Proxy and postal votes will not be permitted.
42. Committee meetings may be electronically recorded by the secretary.
43. Non committee members may attend committee meetings as observers by applying to the Secretary at least 14 days before the meeting. Any non Committee Member may be asked to leave the meeting subject to approval from the Committee.

VOTING AND CONDUCT OF GENERAL MEETINGS

44. All general meetings will be agenda'd and minuted. Any other business will only be accepted at general meetings if the Secretary is given at least 14 days notice in writing of the item to be discussed.
45. A quorum of any general meeting is to be at least one quarter of the membership.
46. All proposals must be seconded and voted upon. A majority vote of those present is required to carry any proposal including proposals to alter this constitution.
47. Voting will normally be by a show of hands, however a secret ballot must be taken should any member request that this be done. Proxy and postal votes will not be permitted.
48. Amendments to proposals must be voted upon first.
49. General meetings may be electronically recorded by the secretary only, for the sole purpose of producing accurate minutes and must be deleted once the minutes are approved.
50. The Committee, through the Chairman has the power to ask a person to leave any meeting in the event of that person disrupting the meeting.

ANNUAL GENERAL MEETINGS

51. A date for the Annual General Meeting will be decided each year by the Committee. At least 28 days notice of the meeting will be given in writing to all Club members.
52. Annual subscriptions and the joining fee will be decided at the Annual General Meeting.

53. A competent individual (non-committee member) shall be elected by the Committee to carry out an independent examination of the accounts before the Annual General Meeting to verify that the balance sheet is correct and fairly represents the expenditure and receipts of the club, its assets and its liabilities.

EXTRAORDINARY GENERAL MEETINGS

54. The Secretary will convene an Extraordinary Committee Meeting within 14 days on request from any officer of the Committee, stating the business to be discussed.
55. The Secretary shall convene an Extraordinary General Meeting of the club by a resolution of the Committee stating the business to be brought before the meeting, of which 28 days notice has been given to all members in writing stating the business to be discussed.
56. The Secretary shall convene an Extraordinary General Meeting of the club on receipt of a request in writing signed by not less than 25% of members of the club, stating the business to be brought before the meeting.
The meeting must be called within 28 days of request and 28 days notice must be given to all members in writing stating the business to be discussed.
57. When a request for a meeting is made in accordance with Article 60 and it is not called within 28 days, the requisitioners may themselves convene an Extraordinary General Meeting of the Club by giving 28 days notice in writing to all members, duly setting out the purpose for which the meeting was called. Any resolutions passed at such a meeting shall have the same force and effect as if they were passed at a meeting convened by the Committee.

INSURANCE AND INDEMNITY

58. The club will hold both Civil and Employers Liability Insurance, provided through affiliation to the BMFA.
59. The club will indemnify all committee officers and committee members if they incur any liability on behalf of the club.
60. In the event of a Committee Member being awarded damages or costs in the course of proceedings taken by him in his representative capacity, such damages or costs will belong to the Club and not the Committee Member personally and upon receipt that Committee Member will pay them to the Club Treasurer.
61. When there is a joint meeting between North Worcestershire Model Aircraft Society and another club, the participating club must be able to provide evidence of adequate insurance cover well in advance of the event.

DISSOLUTION OF THE CLUB

62. Should it be considered necessary or desirable to dissolve the Club, the Committee will call an Extraordinary General Meeting. Should a quorum fail to appear, the meeting will be adjourned and a further EGM must be called within 14 days. The second meeting will proceed even if a quorum is not present and the motion will then be carried by a simple majority vote.
63. On dissolution and after the sale of assets, settlement of all outstanding debts and the refund of subscriptions for the remaining part of the year to the paid up members; the funds remaining will be distributed in equal shares to the Club's charities. (See the Clubs' Charity Guidelines).
64. If the final accounts are less than required to refund the subscriptions to the members, the total money remaining will be donated to the Club's nominated charities. All members will receive a final statement of accounts.

CHARITY GUIDELINES

1. The aim of these notes is to provide guidance to the Committee of the Club when considering making donations to charity.
2. The Club's charity guidelines are as follows :-
3. The Club should, wherever possible, support local charity events when asked. i.e. school summer fairs, firework displays, etc. whenever it is practicable to provide a relevant display of what we do. Whether or not money changes hands largely depends on the circumstances around which the event is based. These conditions should be finalised well before the day of such an event.
4. Only money raised at these events should be made available to donate to worthy causes. No money will be diverted from members' subscriptions.
5. In the event of the club being approached to donate money to a local worthy cause, the Committee will make a decision on the amount to be donated. The maximum sum available in this case will be £50
6. In the event that the Club is approached for sponsorship of a member or their close associate who is involved in a charity event, the Committee will make a decision on the amount to be donated. The maximum sum available for sponsorship in this case will be £50
7. The Club reserves the right to periodically donate funds to charities. The amounts and gaining charities must be agreed by majority vote at a general meeting.
8. The current nominated Club charities are :-

Midlands Air Ambulance

These are the charities referred to in the Club's Constitution Article 64.

APPENDIX 1

Disciplinary Procedure guidance

Minor faults or shortcomings in behaviour should normally be dealt with informally by a committee member with a view to reaching agreement on the improvement required. Informal warnings should not form part of the formal disciplinary procedure and the formal procedure would not be followed before an informal warning is given. If, however, the problem persists or if the matter is more serious, action under the formal disciplinary procedure outlined in the constitution should normally be taken.

The disciplinary procedure is intended to provide a formal framework to deal with the situation where an individual's conduct falls below acceptable standards and to ensure fair and consistent treatment of all members in such circumstances.

The procedure outlined is a good practice guide on how clubs should deal with disciplinary issues.

Invitation to a meeting

The committee should set out in writing to the member, the alleged conduct or other circumstances which have led them to contemplate formal action or dismissal and the member should be invited to a meeting to discuss the matter.

Disciplinary meeting

The meeting should take place before any action is taken (other than suspension, in the event of alleged gross misconduct or police investigation, to enable a full investigation to take place). The meeting should not take place until

- (i) the member has been informed of the basis for the grounds given in the original notice of formal action or dismissal and
- (ii) the member has had a reasonable opportunity to consider their response to such information.

At the meeting the committee should explain the complaint against the member concerned and go through the evidence that has been gathered.

The member must take all reasonable steps to attend the meeting.

After the meeting the member should be informed in writing of the committee's decision and their right of appeal against such decision to the members at a general meeting if they are not satisfied with it.

Appeal

If the member wishes to appeal they should inform the secretary in writing within the time frame stated in the decision notice.

The member should set out specific reasons for the appeal.

The Secretary should call an Extraordinary General meeting of the club to hear the appeal

The member must take all reasonable steps to attend the meeting.

The appeal general meeting may take place after the disciplinary action or dismissal takes effect.

After the appeal general meeting the member must be informed of the general meetings final decision.

At any meeting under the disciplinary procedure the member concerned should be given the right to be accompanied by another club member to act in a supporting capacity but such companion may not usually answer questions on behalf of the member subject to the procedure.

The member concerned also has the right to call witnesses or ask questions of any witnesses called by the committee

General principles for the operation of the disciplinary and dismissal procedure

- formal disciplinary action should not normally be taken until the matter has been investigated
- where an allegation of misconduct is made against a member, the member may be suspended from all club activities while an investigation is carried out
- the member should be informed that suspension is a neutral act, that it is not a disciplinary penalty and does not imply guilt
- the member should be advised of the allegations against them and have an opportunity to state their case before any formal disciplinary decision is made
- the member should be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting
- at every stage of the formal disciplinary procedure, the member will have a right to be accompanied at any disciplinary meeting by another club member
- a member should not be dismissed for a first breach of the rules, except in the case of gross misconduct, when the penalty will normally be immediate dismissal
- the member concerned will have the right to appeal against any formal disciplinary penalty
- although the disciplinary penalties which may be imposed under this procedure will normally be imposed in the order set out in the constitution, the procedure may be commenced at any stage if the seriousness of the members alleged misconduct justifies this

Disciplinary sanctions

As part of any disciplinary procedure, where the committee considers it appropriate to do so, they may impose a disciplinary sanction, which is a penalty. These will generally take the form of some type of warning.

- **Verbal warning notice**

If conduct does not meet acceptable standards, a member may be given a formal verbal warning. This should set out the conduct problem, confirmation of improvement required and time scale for improvement to be made, together with the assistance to be provided to meet the objectives.

A record of the verbal warning will be kept but the warning will be disregarded after usually a six month period (the time frame is dependent on the committee's decision) provided conduct has been satisfactory.

- **Written warning**

If the offence is more serious or if there is insufficient improvement after a verbal warning or if a further broadly similar offence occurs whilst a verbal warning remains in force, a written warning may be given. This will set out the nature of the conduct problem and confirmation of improvement required and time scale for improvement to be made, together with the assistance provided to meet the objectives.

The warning should also inform the member that should your conduct fail to improve or you commit any further disciplinary offence over the next twelve months, (the time frame is dependent on the committee) then you will be issued with a final written warning. The written warning will be kept on file, and the member should be informed after what time period it will be disregarded providing their conduct, attendance or performance has been satisfactory.

- **Final written warning**

If there is still insufficient improvement after a verbal and/or written warning has been issued or if the misconduct is sufficiently serious to warrant only one written warning, a final written warning will be given. This will provide details of the complaint, the improvement required and the timescale for the improvement.

It will also warn that a failure to improve or any further disciplinary offences over the next period may lead to dismissal or some other action short of dismissal. The final written warning will be kept on file and the member should be informed when the warning will be disregarded provided your conduct, attendance or performance has been satisfactory.

- **Dismissal or other sanction**

If there is still further misconduct or a failure to improve conduct the final stage in the procedure may be dismissal.

Examples of misconduct

Examples of misconduct which may lead to disciplinary action being taken include, but are not limited to:

- failure to comply with field safety rules
- breach of club policies and practices

Examples of gross misconduct

The club may consider some types of misconduct to be so serious that a disciplinary warning would be an insufficient penalty. Such offences are known as offences of gross misconduct.

Where the offence is one of gross misconduct the normal penalty will be dismissal without a prior warning being issued (summary dismissal).

Dismissal for gross misconduct will not normally occur until a disciplinary meeting has taken place.

Matters which may justify summary dismissal include, but are not limited to:

- dishonesty, theft and fraud from the club or its members
- deception, for example making untrue statements in membership applications or falsifying expenses incurred on behalf of the club, etc.
- vandalism or sabotage of club equipment and property
- fighting, or seriously disruptive behaviour or offensive or abusive language
- serious misuse of computer, email and internet systems, including posting to club websites or emailing pornographic, offensive or obscene emails to members
- misuse of club financial or other confidential club information
- acts of bullying, harassment or discrimination
- model flying under the influence of drinks, illegal drugs or other intoxicants
- misconduct which may bring the club into disrepute
- serious breaches of the clubs policies, procedures and safety rules
- deliberate or serious damage to the clubs/landowners property or causing loss, damage or injury through serious negligence
- any criminal offence carried out at the club site or during club meetings/events where such offence impacts or may impact upon the club