



Guide to Developing a Club Constitution

Guidance and advice on developing a Constitution that is fit for purpose for your tennis club.



Introduction

This guide helps to outline the important aspects of a tennis club constitution and explain these sections in detail to help you modify your constitution to meet your club's needs. There is an [LTA Constitution Template](#) that can help support you in developing your club's constitution.

It is important to note that this guidance and constitution template is designed for unincorporated entities, which most tennis clubs commonly are. However, if your tennis club is incorporated as a Limited Company, you will be required to develop a more complicated set of rules known as the Memorandum and Articles which need to be submitted with Companies House and this guidance is not appropriate for you.

Also if your tennis club intends to become a Community Amateur Sports Club (CASC), there are additional considerations that your club needs to be aware of which are covered within this document.

What is the Purpose of a Constitution?

A constitution is simply the aims and rules that your tennis club will use. It's a statement of how your club intends to run itself. It is important because:

- It will help to protect committee members and officers.
- It will serve as a reference, and help to resolve problems in times of controversy.
- Clarifies how club procedures should work and helps to sort out internal problems and disagreements within the club.
- Outsiders, especially potential funders, will want to see that your group is democratic and accountable. This involves having a clear procedure by which decisions are made.

Developing your Club Constitution

It is important to develop a constitution that actually reflects the way in which the tennis club wants to do things. There is no point in making

things difficult for the club by burdening it with a lot of bureaucracy because you think it's what people expect. You of course need to consider all aspects of how the club operates and runs, particularly from a management and decision-taking perspective, but in most unincorporated club's cases it doesn't need to be excessively complex.

Constitutions usually cover the following areas.

- Name of the tennis club
- Aims & Objectives
- Members
- Equal Opportunities
- Committee and Officers
- AGM, EGM and other meetings
- Finances
- Changes to the Constitution
- Dissolution

The constitution is normally developed by the club management committee and then formally approved at a club Annual General Meeting.



Additional Considerations if you wish to become a CASC

If your club either is or intends to apply to become a Community Amateur Sports Club (CASC) to benefit from various tax and rate relief financial savings, it is important that your club constitution incorporates various HMRC requirements. In order to become a

CASC a club needs to be able to demonstrate the following:

1. Be open to the whole community
2. Be organised on an amateur basis
3. Have its main purpose the provision of facilities for, and the promotion of participation in, one or more eligible sports.
4. Not exceed the income limit
5. Meet the management condition (refers to the management committee being able to pass the 'fit and proper persons test')
6. Meet the location condition (not really applicable to British tennis clubs)

Some of the points above will need to be considered when developing your constitution and these are highlighted in the guidance below where relevant. For more detailed information on the criteria and conditions required to become a CASC, along with more detail on the benefits then click here to visit: [HMRC's website](#).

Guidance in Developing your Constitution

Detailed below is further information on sections of the constitution to help you in developing a governance document that is appropriate for your club.

Name of the Tennis Club

State the name of the club and by any abbreviations or acronyms it shall be known by. Often clubs reference at this point of the constitution that they register and affiliate to the LTA.

Aims & Objectives of the Club

The tennis club's aims, sometimes called objectives or objects, are a statement of your long term goals: what you want to achieve and how

you want to achieve it. The objectives should clearly state the reasons the club exists.

CASC Requirements: In order to qualify as a CASC the main objectives of the club must be to (i) provide facilities for, and (ii) encourage participation in tennis (i.e. it is not enough to provide facilities; the Club must also promote participation in tennis).

Members

You need to decide who will be entitled to be a member of your tennis club. Included here would be a definition of the various categories of membership which would depend greatly on the type of club that you are. In this section the club should include the costs of the membership categories, how and when it should be paid to the club and the processes for joining the club as a member.

It is also sensible in this section to include the conditions when someone ceases to be a member, has membership withdrawn or the grounds for refusing membership to the club. Reference to any rules or policies regarding the expected conduct of members should also be included in this section.

CASC Requirements: For a Club to be registered as a CASC its full membership must be open to the whole community. All classes of members will therefore need to be given the choice to decide whether to become a full member with voting rights or to be a member of a different class with fewer rights.

A club that wants to claim CASC status must have an open membership (i.e. be open to anyone and without discrimination) and this should be stated within the constitution. Some clubs may not want to have an open membership (i.e. those for tennis players who have reached a certain standard). If this is the case they will not be able to register as CASCs.

Where a club is a CASC, the costs of membership must be affordable so that the fees are set at a level that does not pose a significant obstacle to membership or use of the Club's facilities. This includes all fees taken as a whole and not just annual subscriptions. HMRC set specific upper limits and regulations on what they view as acceptable maximum annual membership costs (please visit the HMRC website listed earlier in this document).

Equal Opportunities

It is vital that the constitution is open and non-discriminatory, particularly if the club intends to apply for external funding grants. A full equal opportunities policy is usually a separate document to the constitution, however, it is usual include a statement of your commitment to equal opportunities in your constitution as well.



Committee & Officers

The aim of this section should be to specify how the club's management committee should be formed and how they should look after the interests of the club. Each club will be slightly different but it would be normal to specify which positions sit on the committee. It is usual to state in this section that the committee and its officers exercise all powers of the club in running its affairs.

This section should outline clearly how officers are appointed or elected to sit on the committee, how long they are appointed for and whether they are entitled for re-election at the conclusion of their term, and the ability of the committee to co-opt further officers to the committee if required. It should also state if the committee intends to delegate its powers to sub-committee's to manage specific affairs of the club and how this sub-committee reports back to the main management committee.

The constitution should also typically outline the quorum of committee officers required for committee decisions to be approved; although this could also be referenced in the next section of the constitution.

CASC Requirements: In order to qualify as a

CASC, a management condition must be satisfied. This requires all members of the Management Committee to satisfy HMRC's "fit and proper person" test. The test is designed to make it harder for charity/CASC tax reliefs to be abused and to ensure CASCs are not managed by individuals who present a risk to their tax position. HMRC is particularly concerned about individuals with histories of tax fraud or identity theft or individuals who have been disqualified from office either as a charity trustee or a company director.

AGM, EGM & Other Meetings

You will need to hold an Annual General Meeting (AGM) once a year. This is when you inform your club's members about the work the club has done, share financial information, and approve your annual accounts. Any significant proposed activities that impact on the club should be discussed and agreed at the AGM, as well as any changes to the Club Constitution. Many clubs use the AGM as an opportunity to involve their members in a celebration of their achievements over the past year. It is also usual at the AGM for the members to elect the management committee.

Your constitution should state:

- How members will be notified of the date, time and venue of the AGM.
- How many weeks' notice?
- The maximum time there can be between AGMs.
- How many days/weeks in advance members can submit items for discussion and who they need to forward this to.
- How people should nominate themselves for the committee
- What the quorum will be. The quorum is the minimum number of members that must attend the meeting for it to elect officers or make decisions on behalf of the club. This should be low enough that you will not struggle to meet it, but high enough that big decisions cannot be made by very few people. A quorum of 10% of club members would be a usual number.

An Extraordinary General Meeting (EGM) is used to discuss important matters that need to be put before the whole membership, such as an amendment to the constitution or a significant matter arising that impacts on the club and needs a decision. They can usually be called by the committee or requested by members.

Your constitution should state:

- How members will be notified of the date, time and venue of the meeting.
- How many weeks' notice they must be given.
- What the quorum will be
- If the EGM is requested by the members, what are the processes for this (e.g. how many members need to agree and support the call for an EGM).

For both the AGM and EGM the constitution needs to clearly state how decisions are reached (e.g. voting). It is usual to state that a simple majority is required, and that if there are an equal number of votes on each side, the chair will have an additional casting vote.

Finances

It is prudent for every club to ensure that the handling of its financial affairs is done in an efficient manner and in a way which protects the individual committee members responsible for the handling of money. Use this section to explain how this will be achieved. You need to spell out how you will deal with any money and you will probably want to state that:

- A bank account will be maintained on behalf (and in the name) of the club at a bank agreed by the committee
- There will be at least three signatories to the account (so that there are always two available to authorise payments), and these signatories will not be related.
- Each transaction will require two signatures
- Records of income and expenditure will be maintained by the Treasurer and a financial statement given at each meeting
- An annual statement of accounts will be presented to the Annual General Meeting (it is at the discretion of the club as to whether these accounts are to be independently audited).
- All money raised by the club will be spent solely on the objects laid out in the constitution

Changes to the Constitution

Your tennis club may wish to make changes to your constitution at a later date. Decide:

- Which meetings can decide to make changes to the constitution (usually it is at an AGM or EGM)
- How much notice has to be given to members of the proposed changes
- If you will require a vote, and if it will have to be a simple majority or a 2/3 majority

Dissolution

At some stage you may decide you want to close the tennis club down, and you need to have an agreed procedure by which this can happen. You need to decide who is entitled to make this decision, how much notice is needed, and what would happen to any money and assets still held by the group.

In the event of funds remaining after debts have been settled club members may wish to specify that such funds should be given to some associated organisation e.g. a local tennis or sporting organisation, the LTA etc. The wording of the dissolution clause is important for most grant funding bodies, who frequently wish to see any remaining assets invested in either another grassroots community sports body (club, national governing body etc) or charitable organisation.

CASC Requirements: Where a club is to register as a CASC, it must provide that any surplus following dissolution goes to either another tennis club that is a registered CASC, to the LTA for use in community tennis or to a charity.

