



EDINBURGH MOUNTAINEERING CLUB CONSTITUTION

1. **NAME** The Club shall be called the Edinburgh Mountaineering Club
2. **OBJECT** The object of the Club shall be to encourage all aspects of mountaineering and to safeguard and promote the interests of mountaineers through an equal opportunities policy by ensuring membership is equally available to all people, regardless of race, creed, disability, gender, age, political or sexual orientation. The Club shall be affiliated to Mountaineering Scotland as the representative body.
3. **MANAGEMENT** The management of the Club shall be vested in a Committee of seven Members, consisting of five office-bearers, namely, President, Membership Secretary, Meets Secretary Treasurer and Webmaster and two ordinary Committee Members. Four shall form a quorum. The Committee shall have the power to fill vacancies until the following Annual General Meeting and to co-opt additional members. The President shall chair Committee meetings or delegate another Committee member to chair in their absence. All votes shall be determined by a simple majority or, in the event of a tied vote, the President may cast the deciding vote.
4. **ELECTIONS** Committee members shall be elected at each Annual General Meeting and shall serve on the Committee for a period of one year. All shall be eligible for re-election, with the proviso that no person may bear the same office on the Committee for more than three successive years. Only those who have been Club members for at least one year shall be eligible for election to the Committee. Any two Club members may make a nomination, having obtained the consent of the nominee.
5. **PROPERTY** The property of the Club shall be vested in the Committee for the time being.
6. **MEMBERSHIP** Membership may be applied for after attending two club events. A club event is a weekend meet or an outdoor climbing meet or such other event agreed by the Committee as a club event. Membership shall become effective on payment of the subscription, for which a receipt shall be given. The Committee reserves the right to refuse or withdraw membership. There shall be a minimum age limit of 18 years.
 - 6.1 **CONDUCT** Members are required to observe the club's code of conduct, a copy of which may be found in Annex A.
 - 6.2 **COMPLAINTS** If a complaint is made against a club member who has failed to act in accordance with the club's code of conduct the committee will conduct an investigation as per the complaints procedure in Annex B.
7. **SUBSCRIPTIONS** There shall be an annual subscription determined each year at the Annual General Meeting. The subscription shall be due on 1 April (the beginning of the Club financial year) and shall be paid by 30 June. A member whose subscription is in arrears on 30 June shall neither vote nor enjoy the privileges of Membership.
8. **GENERAL MEETING** The Annual General Meeting shall be held in April of each year. The date and place of the meeting shall be announced at least fourteen days in advance. An Extraordinary General Meeting may be called by the Committee at any time on giving at least fourteen days notice. The President shall also call an Extraordinary General

Meeting on receiving a request in writing from at least ten members who shall specify the business for which the meeting is required.

9. AMENDMENTS Amendments to the Constitution must be approved, at a General meeting, by a two-thirds majority of the Members present and voting.

10. DISSOLUTION Any resolution to dissolve the Club may be passed at any General Meeting provided that such a resolution shall receive the assent of two thirds of the current club membership entitled to vote.

In the event of the Club winding up, any assets that remain after the settlement of the Club's debts and liabilities shall be distributed to a body or bodies with one or more charitable purposes, to be determined by Members at a General Meeting at or before the time of dissolution.

Annex A to the Edinburgh Mountaineering Club Constitution

Members and prospective new members are expected to:

- Uphold the values, rules, code of conduct and other policies of the Club
- Promote and preserve the good reputation of the Club
- Treat others fairly and with dignity, courtesy and respect at all times.
- Raise any concern regarding the behaviour of a Club member or prospective new member with the appropriate Club committee member(s), in accordance with the Club's complaints procedure.
- Follow health and safety protocols and avoid any unnecessary risks or behaviour that may affect the health, safety of welfare of others or themselves.
- Follow the principles of the Scottish Outdoor Access Code including respecting property and privacy of local residents and property and livelihood of landowners.

Members and prospective new members must not behave or condone others by:

- Behaving in a manner liable to bring the sport of mountaineering or the Club into disrepute.
- Engaging in unacceptable behaviours including using inappropriate or abusive language, bullying, harassment, discrimination, physical or verbal violence, being under the influence of illegal drugs or irresponsible behaviour relating to the excessive consumption of alcohol during Club activities and meets.
- Where concerns are raised by a Club member, prospective new member or member of the public about the behaviour or conduct of another member or prospective new member, they may be suspended from the Club whilst such allegations are investigated.

Annex B to the Edinburgh Mountaineering Club Constitution

This document sets out the procedure for complaints by Club members of the Edinburgh Mountaineering Club ('Club'), prospective new members or members of the public (the 'Complainant') against other members who they believe have failed to act in accordance with the Club's code of conduct, rules or other policies (the 'Respondent').

Complaints will be dealt with confidentially by all parties involved, except where it is necessary to disclose information to carry out a fair investigation.

1. Informal resolution

In the first instance, the Complainant should consider taking steps to resolve the matter informally before making a formal complaint. This might include discussing the matter with the Respondent, and/or seeking advice from Committee members.

If this is not possible, the Club may wish to appoint an independent mediator to try and resolve matters. If there is no mediation or the mediation fails, the complainant may ask the Club to investigate using its complaints procedure.

2. Reporting the Complaint

The Complainant should report the matter in writing to the Club President or another member of the Committee within **14 days** of the conduct or incident being complained of (the 'Complaint'). Email addresses: president@edinburghmc.org.uk, membership_secretary@edinburghmc.org.uk, meets_convener@edinburghmc.org.uk or webmaster@edinburghmc.org.uk

The report should include:

- a. **a detailed description** of what occurred;
- b. statements by any people who witnessed the event(s) or were affected by them;
- c. **details of any former complaints** made about the incident, including the date and to whom such complaint was made;
- d. a statement as to the **desired outcome of the Complaint process**.

3. Responding to the Complaint

The complaint handler/s will write to the Respondent attaching the Complaint, the accompanying evidence and a copy of this procedure. It will ask the Respondent to provide written representations and any evidence in response to the Complaint (the "Response") within **14 days**.

4. Considering and investigating the Complaint

Following consideration of the Complaint, and during the investigation process, the complaint handler/s may consider whether it is appropriate and proportionate to immediately suspend a member from the Club until the complaints process is concluded. The complaint handler/s should consider the seriousness of the complaint, and the impact it has had on the Complainant. This must be balanced against the need to conduct a fair and impartial investigation and the impact suspension may have on the Respondent. Matters which may warrant suspension include breaches of the law e.g. the Equalities Act or criminal matters. Upon receipt of the Response, the complaint handler/s may make any further enquiries of any party that they consider necessary or desirable.

5. Decisions following the investigation

The complaint handler/s may:

- decide to uphold or dismiss the complaint without holding a hearing;
- arrange a hearing (whether or not such a hearing is requested by either party) at which both parties will be entitled to attend and present their case to the Club committee or a sub-committee.
- If the Committee/ sub-committee considers that any other sanction is appropriate, it will record its decision and the reasons for it in writing. It will send a copy of the decision and its reasons to the parties within 14 days of the deadline for the Response.

6. Sanctions

The sanctions that may be imposed under this procedure include:

- **a warning** as to future conduct;
- **suspension** of Club membership;
- **removal** of Club membership;
- **removal** from office of a Club committee member;
- **exclusion of** a prospective new member from the Club, either temporarily or permanently
- **not approving** a prospective new member's current and/or future membership applications

7. Appeals

Either party may appeal a decision of the committee in writing within 28 days of the Club's decision being notified to that party.

If the Club is unable to resolve a complaint, the Club may ask Mountaineering Scotland to act as an external mediator to try and reach a resolution.