

RULES AND CONSTITUTION OF THE SOUTH WOODHAM FERRERS YACHT CLUB 2023

SECTION 1 – NAME AND OBJECTS

1. The name of the club shall be “The South Woodham Ferrers Yacht Club” (hereinafter referred to in the rules as “the Club”).

2. The object for which the club is formed is to promote and facilitate the sport of yachting/boating & paddle sports and also to provide social and other facilities for members as may be from time to time determined.

2a. Equal Opportunities Policy - The Club is fully committed to the principles of equality of opportunity and is responsible for ensuring that no member, volunteer, employee or job applicant receives less favourable treatment on the grounds of age, gender, disability, race, ethnic origin, nationality, colour, parental or marital status, pregnancy, religious belief, social status, sexual orientation or political belief.

SECTION 2 – OFFICERS

3. The officers of the club shall be Full members of the club and shall consist of a Commodore, a Vice Commodore, a Rear Commodore Sailing, an Honorary Secretary, an Honorary Membership Secretary, an Honorary Treasurer, an Honorary Safety Officer and an Honorary Bosun. Officers shall be elected at the Annual General Meeting (A.G.M.) in each year and shall hold office for one year, retiring at the termination of the A.G.M. in each year. Only those full members of the club who have had at least one year’s experience of the committee shall be eligible for election as Commodore, Vice Commodore or Honorary Treasurer of the club. All officers of the club shall be eligible for re-election.

The Commodore, Vice-Commodore and Rear Commodore, shall be known as Flag Officers and shall be permitted to fly a swallowtail club flag appropriate to their respective rank.

Candidates for election as officers shall be proposed and seconded in writing by full members of the Club and the nomination submitted, with the candidate’s consent, to the Club Secretary, at least twenty-eight days before the date of the A.G.M. in each year. Such nominations, together with the names of the proposer and seconder, shall be posted in the Club premises at least 14 days prior to the date of the A.G.M. The method of voting shall follow rules 43-45.

DUTIES OF OFFICERS and (HONORARY) officers

4. The (Honorary) Commodore shall:

- a. Chair the A.G.M. and other meetings of the club.
- b. Ensure that meetings where decisions are taken are quorate, and that the decisions of those meetings are recorded in writing and passed to the Honorary secretary.
- c. See that the rules and constitution of the club are kept and in any dispute over their interpretation, the Commodore is final arbiter.
- d. Represent the Club at functions and to other clubs or organisations or appoint a representative to do so.
- e. Shall report his or her actions to the Committee of the club
- f. Is answerable to the membership of the Club at the A.G.M. or at other general meetings of the club.

5. The (Honorary) Vice Commodore shall:

- a. take the place of the Commodore in the absence of the Commodore and act as chief delegate.
- b. be responsible for club discipline.
- c. serve on the WWA as the senior Committee nominee.
- d. assist the club captains where necessary.

6. The (Honorary) Rear Commodore Sailing shall: -

- a. be Welfare Officer, responsible for the safeguarding of children and vulnerable adults.
- b. serve on the WWA.
- c. co-ordinate waterborne activities, providing advice & liaison between the various interests and activities of the club.
- d. represent our waterborne activities to other clubs.

7. The (Honorary) Secretary shall:

- a. Conduct the correspondence of the club.
- b. Keep custody of all club documents.
- c. Keep full minutes of the club, the committee and sub-committees which shall be confirmed and signed by the appropriate chairman upon the agreement of the club, the committee or sub-committee at the next following meeting of the club, the Committee or sub-committee.
- d. See to the maintenance of such insurance policy or policies as may be needed, to fully protect the interests of the club and its members.
- e. establish contact with a suitably qualified Legal Adviser to ensure that the club's affairs are managed in accordance with current law, as and when required.

8. The (Honorary) Membership Secretary shall:

- a. Keep an up-to-date and complete membership database.
- b. Ensure all fees have been duly paid.
- c. Lead the completion of census for external affiliated bodies.
- d. Ensure appropriate committee members have access to relevant data to fulfil the operations of the club.

9. The (Honorary) Safety Officer shall:

- a. Assist in the planning and delivery of SWFYC club's operations and events, both onshore and afloat in such a way as to safeguard, so far as is reasonably practicable, the health and safety of Club members, Club guests and members of the public.
- b. Set up and maintain a system of risk assessment, risk and hazard control, accident and incident investigation and any corrective action, record keeping and overall regular policy review.

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- c. Set up and maintain other arrangements, instructions, information and controls in pursuance of the Risk Assessment Policy. In particular those arrangements will cover equipment and boats, supervision, training and instruction of the club Learn to Courses and the management of sailing / kayaking / rowing / cruiser events and social events.
- d. Liaise with the Crouch Harbour Authority (CHA) to submit our annual risk assessment.

10. The (Honorary) Treasurer shall:

- a. Cause the books of account to be kept as are necessary to give a true and fair view of the state of the finances of the club.
- b. Cause all returns as may be required in law in relation to such accounts to be rendered at the due time.
- c. Prepare an Annual Balance Sheet as at 30th September in each year and cause such Balance Sheet (and accounts as necessary) to be audited at least once annually and shall thereafter cause the same to be exhibited in the club premises at least fourteen days before the date of the Annual General Meeting.

11. The (Honorary) Bosun shall:

- a. assign & monitor storage of members boats in the yard
- b. ensure proper maintenance of the site and the clubs assets, through delegation to the membership or via WWA.
- c. assign moorings
- d. manage CHA dues/moorings payments for and on behalf of members
- e. assist the membership secretary in ensuring members boats stored on site are insured and storage is paid

12. The (Honorary) Auditors shall:

- a. Be appointed at the A.G.M. in each year (and shall be two by suitably qualified and experienced members of the club).
- b. The auditors shall audit the accounts of the club when called upon to do so and shall give such certificate of assurance as to the accuracy of the said accounts as shall be required by law or the Committee.
- c. If either is unwilling or unable to act, inform the Committee who shall appoint a substitute to hold office until the termination of the next A.G.M.

13. Club Legalities:

All club legal matters will be handled by suitably qualified and experienced legal advisor.

SECTION 3 – MEMBERSHIP Categories of Membership

14. It is the policy of the South Woodham Ferrers Yacht Club that the full membership of the club shall be open to all adults irrespective of their age, gender, disability, race, religious belief, ethnicity, financial circumstances, nationality, colour, parental or marital status, pregnancy, social status, sexual orientation, or political belief. The club will not enquire into any of these characteristics for the purpose of granting membership nor will it maintain records that identify these attribute apart from age and gender.

The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.

If an officer of the club receives a complaint from a rejected applicant, then the club committee will decide on the most appropriate method of dealing with the complaint. This might be through informal discussions with the parties concerned or through a more formal hearing following the club grievance procedures.

15. There shall be the following categories of membership.

ADULT MEMBERSHIP – being a person and their partner (where applicable) that are 18 or over and. And entitled to 1 vote.

FAMILY MEMBERSHIP – being an adult membership as above, but with the inclusion of children under 18. Children are not entitled to vote. Extra adults can be included in this membership type at the discretion of the honorary membership secretary. All members of the family must reside at the same address.

HONORARY MEMBER – who shall be nominated and elected in the manner described in rule 58, shall have one vote.

ASSOCIATE MEMBER – an associate is a member who, subject to being a member of the Woodham Ferrers Water Ski Club, is allowed to arrange use of the canoe/kayak and rowing storage facilities (on payment of applicable fees) but is not entitled to a vote.

SOCIAL MEMBER – a social member has no vote, and may not use or store any boats at the club.

16. The current rate of entrance fee and subscription fee for each category of membership shall be proposed by the Committee to the members at the A.G.M. in each year. Any proposed changes shall be approved by a majority of those present and entitled to vote and shall become operative with immediate effect following the A.G.M. the current rate of entrance and subscription fee shall be prominently displayed in the club premises. [See appendix 2](#)

All members shall pay the entrance fee (if any) and their first annual subscription upon election to the club, Members joining after 1st January or after 1st June shall pay the full annual membership fee which will be due for renewal on 1st January or 1st June in subsequent years.

17. Members shall also make the following payments:

- a. Storage fees of such a sums as the committee shall from time to time prescribe shall entitle a member to store vessels on the premises. [See appendix 2.](#)
- b. One tender (ten feet or under) will be entitled to free storage in the boatyard if a full member has paid the current year's boat storage fee for a parent vessel, or has paid for a mooring (SWFYC or HMHA (Hullbridge Mooring Holders Association) for the current year.
- c. Those members wishing to use haulage facilities shall pay the fees currently prescribed by the 1st January/1st June. Payment of the haulage fee entitles the member to use the haulage facilities to

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December 31st/May 31st. If the haulage facility is not used, the fee will be credited to the member.

d. A member wishing to store a vessel not previously stored in the yard, must apply to the Committee and obtain authority to store the vessel before it enters the yard. The application must give details of the vessel and include a photograph. Details of duration of storage must also be stated. (see rule 36)

e. All boats traversing or being stored on club premises shall be adequately insured at all times. Evidence of the insurance status of boats whilst on club premises may be required at the committee's discretion at any time. Lack of evidence or evidence that, in the opinion of the committee, is unsatisfactory shall be sufficient cause to invoke rules 24 and 37.

f. Any Cruiser not launched for more than one full year, shall have storage fees increased by 50% (compound) greater than the previous year. Cruisers not paying separate summer storage are required to be afloat for a minimum period of six consecutive weeks.

g. The committee reserve the right to increase fees if/when required.

18. Every member shall furnish the (Honorary) Membership Secretary with up-to-date address, email & phone number, which shall be recorded in the membership database, and any notice sent to the contact details on file shall be deemed to have been duly delivered.

ELECTION AND RETIREMENT OF MEMBERS

19. An application shall be in the form prescribed by the Committee, and shall include the name, contact details and interests of the candidate.

20. Upon receipt of an application for membership, the (Honorary) Membership Secretary shall submit candidates for consideration by at least 3 members of the Committee. When the new application includes an incoming boat, the Bosun will confirm if it is suitable and there is sufficient space. The (Honorary) Membership Secretary shall have it confirmed payment has been received before providing access to the club.

21. A member who, for any reason, anticipates inability to use the club or its facilities for the whole of any one year shall be excused payment of the annual subscription and other annual fees provided notice in writing is given to the (Honorary) Membership Secretary before their membership expires. A member wishing to be reinstated during the year in question shall pay portion of the annual subscription, as the committee shall require.

22. The Committee may cancel, without notice given, the membership of any member who's annual subscription and other annual fees are MORE THAN THREE MONTHS IN ARREARS provided the Committee may, at its discretion, reinstate such member upon payment of arrears (the exact dates of arrears must be mentioned to ensure back fees are fully paid). No member whose annual payments are in arrears may enter any club event or regatta or vote at any meeting.

23. If it is considered by the Club committee that granting or renewal of membership would be detrimental to the aims and objectives of the Club, by virtue of conduct or character likely to bring the Club and any participant sports into disrepute or for some other similar good cause, the Club committee shall be entitled to refuse or withdraw such membership. In doing so the committee shall provide full reasons for their decision and grant a right of Appeal to the members.

CONDUCT OF MEMBERS

24. Please refer to the Disciplinary Code Document (Appendix 1)

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25. Members shall enter the names of all guests in the visitor's book. The same guest may not be introduced more than six times in one calendar year
26. A member shall not knowingly remove, withhold, destroy, or damage any property of the club and shall make restitution for the same if called upon to do so by the Committee or by the (Honorary) Secretary upon the instruction of the Committee.
27. A member shall not cause any communication in whatever form to be exhibited on the club notice boards or premises without permission of the (Honorary) Secretary.
28. A member shall settle any debts for refreshment, hiring fees or otherwise before leaving the club premises, or in accordance with any byelaw relating to the settlement of such debts.
29. All suggestions shall be entered in the suggestion book and signed by the member.
30. Complaints of any nature relating to the management of the club premises shall be addressed in writing to the (Honorary) Secretary. Under no circumstances shall a servant of the club be personally reprimanded by a member.
31. A member of any club affiliated to the Royal Yachting Association (RYA), Forum (a list whereof is published by the said association) may be authorised to use the premises of the club by any member of the Committee of the club. Such authorisation shall specify between the dates (not being more than fourteen days apart) the said person may use the premises.
32. Any person who is a competitor or crew member in any race or event sponsored by or on behalf of the club is entitled to use the club premises within a period of 24 hours before and after the race in which they are competing.
33. The (Honorary) Secretary or any other person who has received the authority of two members of the committee, may expel, temporarily or permanently, any person who has the right to the use the club premises only under rule 30 and 31.
34. The lifting winches, strops and rescue boat shall be returned for safe overnight storage in the locked building, responsibility will be that of the user or users of the equipment.
35. A member selling a vessel stored in the yard retains responsibility for that vessel until removed from the club premises.
36. Trailers and boats on trailers stored in the yard can be moved or repositioned in the yard by the Bosun, or under his direction following notification to the owner.
 - a. Any boat, be it a tender or sailing dinghy, that is allocated a place in the dinghy park and has not been used in a six-month period from 1st May to 31st October, will be placed in the main boatyard for a 12 month period and the member placed on a waiting list for the next available space in the dinghy park.
 - b. Dinghy spaces are non-transferable and become vacant if the vessel stored in them is sold or permanently removed from the club. A vessel will be deemed to have been permanently removed if not in a club storage facility for a period of six months.
 - c. No dinghy or tender may be supported by more than 2 tyres, or other fabricated support which is not a launching trolley or trailer, without permission from the Commodore or Bosun. Any support or tyres considered unnecessary are to be removed by the member at the request of the Commodore

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or Bosun.

d. Where a member wishes to pay for two tenders to be stored in the boatyard, they may choose which is to occupy the prime storage spot in the allocated tender park the other is to be moved to a lesser storage area selected at the discretion of the Bosun.

e. All vessels must have prior committee and where deemed necessary, haulage team approval before being brought into the club grounds.

f. The storage, launch & recovery of deep fin mono keel boats is prohibited due to the increased health & safety risks relating to the storage and wind direction maintenance required. Drop keel boats may be accepted on a case by case basis by the committee.

g. The boats that have been correctly stored in accordance with the club rules shall not be further moved except with the permission of the owner and with the approval of the Bosun and then only with the expressed decision of the Club Committee. All equipment is stored in the yard at the owner's risk.

h. No obstructions are to be erected in the boatyard without application to, and approval of the committee.

37. Non-members boats may not be stored in the yard, or use club designated moorings without prior permission of the committee.

38. Each membership account requires at least one Adult to assist and support the Club, where possible, by providing voluntary labour to maintain and improve the Club facilities.

a. To ensure fairness and prevent abuse of the Club's self-help principle, each membership account is expected to attend at least one maintenance day, or a minimum of 6 hours voluntary work, in each club year, or opt to make a financial contribution of £50 in lieu. Honorary and Social members are excluded from this scheme.

b. Members may undertake 6 hours independent work instead of attending an organised work party, by undertaking a task outlined in the SWFYC Voluntary Work Register, then sign that this work has been completed by them. e.g. grass cutting, as part of their 6 hours. Any members with health problems, or who are physically incapable of carrying out any work at all, should submit the reason to the Hon Secretary in writing, who has the power to waiver their financial contribution.

LIMITATION OF CLUB LIABILITY

39. Members, their guests and visitors are bound by the following Rule, which shall also be exhibited in a prominent place with the club premises.

a. The club will not accept any liability for any damage to or loss of property belonging to members, their guests or visitors to the club.

b. The club will not accept any liability for personal injury arising out of the use of club premises, and any other facilities of the club either sustained by members, their guests or visitors or caused by the said members, guests or visitors whether or not such damage or injury could have been attributed to or was occasioned by the neglect, default or negligence of any of them the Officers, Committee or servants of the club.

SECTION 4 – MANAGEMENT COMMITTEE

CONSTITUTION AND PROCEDURE

40. The Management Committee (herein referred to as “the Committee”) shall consist of the Officers, ex Officio, and not less than (four) nor more than (eleven) full members of the club elected at the A.G.M. There shall not be more than one officer involving club funds held within one family.

41. At the A.G.M. each year, two of the full members shall retire in order of election or seniority. In the case of equal seniority, the order of retirement shall, failing agreement between the members concerned, be determined by lot. Retiring members shall only be eligible for re-election in the event of no other candidate being put forward for election.

42. Candidates for election to the Committee (not being Officers of the club) shall be those members of the retiring committee eligible to offer themselves for re-election and such other full members whose nomination (duly proposed and seconded in writing by full members of the club) with their consent shall have been received by the (Honorary) Secretary at least 28 days before the date of the A.G.M. in each year. Such nominations, together with the names of the proposer and seconder shall be posted in the club premises at least 14 days prior to the date of the A.G.M.

43. If the number of candidates for election is greater than the number of vacancies to be filled, then the selection at the A.G.M. shall be by ballot, in person or via video link, by those entitled to vote.

44. If the number of candidates for election is equal to or less than the number of vacancies to be filled then all candidates shall be deemed to be elected if those present or via video link at the A.G.M, and entitled to vote, do so in favour of such election.

45. In the event of a ballot failing to determine the members of the committee because of an equality of votes the Commodore shall have the deciding vote.

46. If for any reason a casual vacancy shall occur, the Committee may co-opt an “ADULT MEMBER” to fill such a vacancy until the next A.G.M.

47. A retiring Commodore shall serve as an ex-officio member of the Committee in the year immediately following their retirement.

48. The Committee shall meet at least every month making such arrangements as to the conduct, place of assembly and holding such meetings as it may wish. The Commodore or in his/her absence the Vice Commodore (in his/her absence) or a Chairperson elected by those present shall preside.

49. Voting (except in the case of a resolution relating to the expulsion of a member) shall be by a show of hands. In the case of an equality of votes the Commodore or Chairman (as the case may be) shall have the second and casting vote.

50. Five members personally present shall form a quorum at a meeting of the Committee.

51. The Committee shall manage the affairs of the Club according to the rules and shall cause the funds of the club to be applied solely to the objects of the club or for a benevolent or charitable purpose nominated by General Meeting.

52. The Committee shall make such byelaws and regulations as it shall from time to time think fit
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and shall cause the same to be exhibited in the club premises for 14 days before the date of implementation. Such bylaws and regulations will lapse at the next AGM of the club unless approved at that meeting.

53. The Committee may appoint such sub-committees as it may deem necessary and may delegate such of its powers as it may think fit upon such terms and conditions as shall be deemed expedient and/or required by the law. Such sub-committees shall consist of such members of the committee or of the club as the committee may think fit. Officers of the club shall be ex-officio members of all such sub-committees.

54. A member of the committee, of a sub-committee or any Officer of the club, in transacting business for the club, shall disclose to third parties that he is so acting.

55. All committee members understand that their contribution to the committee is on a voluntary basis only.

56. The committee, or any person or sub-committee delegated by the committee to act as agent for the club or its members, shall enter into contracts only as far as expressly authorised, or authorised by implication, by the members. No one shall without express authority of the membership in General Meeting, pledge the credit of the membership.

57. In pursuance of the authority vested in the committee by the members of the club, members of the committee shall be indemnified by the members against any liabilities properly incurred by them or any one of them on behalf of the club.

The limit of an individual member's indemnity in this respect shall be the sum equal to one year's subscription at the then current rate for that category of membership unless the Committee has been authorised to exceed such limit by a General Meeting of the club.

58. The Committee may nominate for election at an A.G.M. such Honorary Members as the Committee may think fit. The total number such Honorary members shall not, however, at any time, exceed five percent of the total number of members nor shall the number of Honorary members exceed at any one time seven (7) in number.

The election of Honorary Members shall be put to the vote at the A.G.M. each year and such Honorary Members shall be duly elected if two thirds of those present or via video link are entitled to vote, vote in favour of the election.

SECTION 5 – TRUSTEES

59. There shall be not less than 2 and no more than four Trustees of the club who must be appointed by the members present at an A.G.M. or in the event of death or resignation of a trustee, by the committee - such appointments must be reviewed and ratified by the members at the next A.G.M. following their appointment by the committee. Removal will require 2/3 vote by members present or attending via video link at an A.G.M. or Extraordinary General Meeting (E.G.M).

The primary role of the trustees of the SWFYC is to monitor the governance of the club to ensure adherence to the SWFYC rule and constitution, and also safeguard club assets, including the leases.

60. All property of the club, including land and investments, shall be held by the trustees for the time being, in their own names so far as is necessary and practicable, on trust for the use and benefit of the club. On the death, resignation, or removal from office of a Trustee, the committee shall nominate a new Trustee in his/her place, and shall as soon as possible thereafter take all lawful and practicable steps to procure the vesting of all club property into the names of the Trustees as constituted after such nomination.

For the purpose of giving effect to any such nomination, the (Honorary) Secretary for the time being is hereby nominated as the person to appoint new Trustees of the club within the meaning of section 36 of the Trustees Act 1925, or any amending legislation, and he shall by deed duly appoint the person or persons so nominated by the Committee.

61. The Trustees shall in all respects act, in regard to any property of the club held by them, in accordance with the directions of the Committee; and shall have power to sell, lease, mortgage or pledge any club property so held for the purpose of raising or borrowing money for the benefit of the club in compliance with the Committee's directions (which shall be duly recorded in the minutes of the proceedings of the committee) but no purchaser, lessee or mortgagee shall be concerned to enquire whether any such direction has been given.

62. The Trustees shall be indemnified by the committee out of the assets of the club from and against any liability, costs, expenses and payments whatsoever which may be properly incurred or made by them in the exercise of their duties or in relation to any property of the club vested in them, or in relation to any legal proceeding or which otherwise relate directly or indirectly to the performance of the functions of a Trustee of the Club.

SECTION 6-MEETINGS OF THE CLUB

63. An Annual General Meeting of the club shall be held each year in the month of OCTOBER at a date to be fixed by the Committee. The (Honorary) Secretary shall at least *fourteen days* (14) days before the date of such meeting or any General Meeting as hereinafter mentioned post or deliver to each member notice thereof and of the business to be brought forward thereat. The Committee shall determine whenever a general meeting shall be an electronic meeting as well as or instead of a physical general meeting. The committee may call a general meeting at the club house (including electronic platforms e.g., Zoom/Teams). The notice shall specify whether the meeting shall be an electronic general meeting in addition to or instead of the physical general meeting

64. No business, except the passing of the accounts and the election of the Officers, Committee, Trustees and Honorary Auditors, and any business that the Committee may order to be inserted in the notice convening the meeting shall be discussed at such meeting unless notice thereof be given in writing by a member entitled to vote to the (Honorary) Secretary at least *Forty two* (42) days before the date of the A.G.M.

65. The Committee may at any time, upon giving *Twenty one* (21) days notice in writing, call a General Meeting of the club for any special business, the nature of which shall be stated in the summons concerning the meeting, and the discussion at such meeting shall be confined to the business stated in the notice sent to members.

66. The Committee shall similarly call a General Meeting upon a written request addressed to the (Honorary) Secretary by at least 25 members. The discussion at such a meeting shall be confined to the business stated in the notice sent to members.

67. At every meeting of the club, the President, Commodore or Vice Commodore or, in their absence, a chairman elected by those present shall preside.

68. Fifteen members entitled to vote and personally present shall form a quorum at any meeting of the club.

69. Voting, on items notified to be discussed shall be by show of hands or via video link, during the meeting. Voting for the committee members/roles will be by ballot slips and email submitted in advance of the start of the meeting.

70. In the case of an equality of votes the Commodore shall have a second or casting vote, on any matter other than the election of members of the Committee.

71. On any resolution properly put to a meeting of the club relating to the creation repeal or amendment of any rule, byelaw or regulation of the club such rule, byelaw or regulation shall not be created, repealed or amended except by a majority vote of at least two thirds of those present and entitled to vote.

SECTION 7 - DISSOLUTION OF THE CLUB

72. If, upon the winding up or dissolution of the club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst members of the club, but shall be given or transferred to some other institutions having objects similar to the objects of the club. Such institution or institutions to be determined by the members of the club by resolution passed at a General Meeting at or before the time of dissolution and if and so far as effect cannot be given to such provision then to some charitable object.

SECTION 8 – RIGHTS AND PRIVILEGES

73. No dogs, except Assistance dogs, may be brought into the clubhouse.

74. SAFEGUARDING POLICY - The Club accepts the policy and procedures relating to Child Protection and the Protection of Adults at Risk as set out by the Royal Yachting Association and British Rowing, and requires all members to accept them as a condition of membership.

75. Vehicles may only be parked in areas designated for such parking so as not to cause any obstruction to other vehicles, or to the approaches to club premises.

76. The club premises shall be open to members at such time as the Committee shall direct.

77. In addition to the powers given to the Committee under rule 22, and rule 36, hereof if, at any time, any fees payable to the club by any member shall be three months or more in arrears, and a vessel the property of a member or former member remains upon the club premises.

a. Move the vessel to any part of the Club premises without being liable for any loss or damage to the vessel however caused.

b. Give one months notice in writing to the member or former member at his last known address as shown in the Club Database and thereafter Sell the vessel and deduct any monies due to the club (whether by way of arrears of subscription or annual payments, mooring, dinghy park fees or otherwise) from the net proceeds of sale before accounting for the balance (if any) to the member or former member.

c. Alternatively, if the vessel is unsaleable, after giving notice in writing as aforesaid, dispose of the vessel in any manner the Committee may think fit and deem the cost of doing so and any arrears as aforesaid to be a debt owing to the club by the member or former member.

PROVIDED ALWAYS THAT:

Proper evidence is available to show that all reasonable steps have been taken to trace the member and that when and if the said vessel is sold, the proceeds of sale (less any indebtedness by the member or former member to the club) shall be placed upon bank deposit account and retained against the eventuality of a claim by the owner (whether he be the said member or former member or otherwise) for a period of six years.

SECTION 9 – WOODHAM WATERSPORTS ASSOCIATION

78. The Woodham Water Sports Association (WWA) is solely formed as a sub committee of both the South Woodham Ferrers Yacht Club and Woodham Waterski Club to administer the land leased to and property jointly owned by both clubs. It comprises of four members of the South Woodham Ferrers Yacht Club Committee and four members from the Woodham Ferrers Water Ski Club. To protect the integrity of the Yacht Club Committee the Commodore of South Woodham Ferrers Yacht Club shall not sit on the WWA.

- a. The South Woodham Ferrers Yacht Club Woodham Watersports Association members be elected from the committee after the first meeting of the South Woodham Ferrers Yacht Club Committee after the A.G.M. There will be a fifth member voted to act as a backup if one of the 4 main nominees are not available.
- b. The passing of accounts of the Woodham Watersports Association shall be approved by members of the South Woodham Ferrers Yacht Club annually at the A.G.M. in accordance with rule 10 of this constitution, and be independently audited in accordance with rule 12 of this constitution.
- c. The activities of the Woodham Watersports Association are solely restricted to administering the wishes of the South Woodham Ferrers Yacht Club (and Water Ski Club) elected Committee and resolutions passed by General Meeting of members.
- d. The Woodham Watersports Association is to provide a newsletter and report twice a year. Minutes of Woodham Watersports Association meetings shall be displayed on the Club notice board.

SECTION 10 - GDPR and Data Control - New section

79. GDPR Introduction:

This GDPR policy explains how SWFYC collects, processes, and stores personal data in accordance with the General Data Protection Regulation (GDPR). SWFYC is committed to protecting the personal data of our members and ensuring that it is used in compliance with the GDPR. <https://ico.org.uk/>

SWFYC only collect, process and store personal data with the consent of members, that is necessary for the operation and management of the club. The personal data may include:

- Contact information
- Membership Status
- Donation Records
- Health & Safety recording
- Vessel Ownership, Insurance

Membership data will not be used outside of club or sold to third parties

Data Controller:

The Data controller is nominated as The Honorary Secretary.

- Responsible for ensuring that the personal data SWFYC collect is used in compliance with the GDPR.
- Sets the purpose of, scope and means of data collection, processing and storage
- They act under the delegated authority and responsibility of the SWFYC Committee in an executive fashion
- They can, but do not necessarily 'routinely process' data

Data Processor:

The Data Processor is nominated as the Membership Secretary.

- They take the lead for processing personal data on behalf of the Controller and Committee.
- Make Day-Day operational decisions regarding treatment of member data
- Other member authorised by the committee may process personal data
 - The Honorary Bosun & H&S Officer most likely

Purpose of Data Collection:

- SWFYC use personal data to help manage the club and to make managerial decisions.
- To communicate with our members about events, news, and fundraising activities.
- We may also use this information to analyse membership demographics and engagement levels.
- The data we collect is not shared with third parties without explicit consent from individuals or members

Scope of Data Processing:

SWFYC Process personal data electronically using Google Airtable, to keep:

- Accurate record of memberships
- Club access and activities analysis
- Club storage requirements
- Accurate Health and safety recording
- Wider appropriate analysis for the benefit of the club

Data Storage:

We store personal data securely and only for as long as necessary.

- Personal data is stored in electronic form
 - Primarily Google Airtable or Excel

SWFYC Rules adoption 16th July by majority vote of member present on the day
They became live immediately after AGM 29th Oct 2023

- On password-protected computers.
- We do not store any personal data in paper format.
- We regularly review our data storage and retention practices to ensure that personal data is not kept for longer than necessary.

Data Access:

Only authorised individuals within the club have access to personal data.

- Access to personal data is limited to those who require it for legitimate purposes.
- All individuals with access to personal data are trained in GDPR and confidentiality

Data Breaches:

In the event of a data breach, we will notify affected individuals and the relevant authorities as soon as possible. We will also take steps to mitigate the impact of the breach and to prevent future breaches.

Data Subjects rights:

Individuals have the right to request access to their personal data, or :

- To have their personal data corrected or deleted
- To object to the processing of their personal data.

We will respond to such requests within one month and will provide any necessary information free of charge.

GDPR Compliance:

We regularly review and update our GDPR policy to ensure that we remain compliant with current data protection regulations.

This GDPR policy is available and is regularly communicated to our members.

~~See separate document for Appendix 1~~