

Burnley FC Disabled Supporters Association.(BDSA)

CONSTITUTION

Issue 3
20th July 2019

This document contains the Constitution of the Burnley FC Disabled Supporters Association, herein referred to as the BDSA, or Burnley Disabled Supporters Association. This document is change controlled and may only be amended or changed by the BDSA Steering Committee as stated within. Any changes must be indicated by date and raising the Issue level of the document.

BDSA CONSTITUTION

1.0. Name:

- 1.1. The name of the organisation is the Burnley Football Club Disabled Supporters Association (from now on referred to as the BDSA).
- 1.2. The BDSA is an independent 'not for profit' associated group bound by this Constitution, and will operate on a voluntary basis.
- 1.3. Subject to the matters set out below the BDSA shall be administered and managed in accordance with this Constitution by the members of its Steering Committee (SC). The BDSA Constitution and its Code of Conduct shall be made available, through association, to BFC and be subject to approval by them.

2.0. Objectives:

- 2.1. **To champion the interests of BFC BDSA members, and those of people with disabilities in the local community.**

Aims & Enablers:

- 2.1.1 Enable its disabled members to share a common interest in BFC in parity with non disabled members, and in any matters concerning BDSA members and BFC supporters with disabilities in general.

- 2.2 **To build & maintain a first class relationship with Burnley Football Club; bringing together supporters with disabilities as a BDSA community.**

Aims & Enablers:

- 2.2.1. Establish the BDSA as the official BFC Disabled Supporters Association with established sound and fruitful organisational links to the BFC management and directorship as set out in this Constitution.

- 2.3. **To work with other disability organisations and services to enhance the ability of their members to support Burnley Football Club.**

Aims and Enablers:

- 2.3.1. To enhance the welfare of BFC supporters with disabilities and supporters in general, by promoting and encouraging the sharing of information and best practice in relation to people with disabilities attending football matches. Enable the representation and promotion of the views of BDSA members to appropriate individuals and bodies in order to influence in a positive way future developments, awareness and access for people with disabilities.

2.4. To work closely with BFC's controlling league, and other Football Clubs, and their Disabled Supporters Associations (DSA's), to share and develop best practice within BFC and the local community.

Aims and Enablers:

- 2.4.1. That supporters with disabilities must be able to enjoy a parity of experiences with non disabled supporters, when attending a BFC football match or event.
- 2.4.2. That BFC and BDSA officials should, as appropriate, receive disability and equality training, in accordance with legislation and league guidelines.
- 2.4.3. That BFC maintain the appointment of a Disabled Access Officer (DAO), and a Disability Liaison Officer (DLO) as first points of contact for the BDSA.
- 2.4.4. That BFC create and maintain auditable formal disability policies and procedures that:
 - a) Detail the clubs purpose, its processes, and its performance in both measurement & achievement of customer satisfaction, specific to supporters with disabilities.
 - b) Achieve compliance with all disability related legislative requirements.
- 2.4.5. That BFC should have fully accessible disabled friendly information services that include web sites, media sources, and information that is readily available in alternative formats upon request.
- 2.4.6. That BFC, and their DAO, and DLO, shall ensure a formal structure exists within the organisation to manage and support policies and processes that relate to supporters with disabilities, and links with the BDSA and third party bodies. In addition a member of the club's senior management team shall be identified to have formal oversight of the club's aims in relation to supporters with disabilities and BDSA liaison, including all aspects of 'Accessible Stadia Guidelines', the 'Sports Ground Safety Authority' Green Guide and prevailing league guidelines, and legislation. BFC's senior management will keep the Club's main board updated on policies, procedures and operational activities.
- 2.4.7. That BFC recognises the 'Accessible Stadia Guidelines' (ASG) and the SGSA Green Guide' and the "best practice" contained within them. In so doing BFC shall plan to meet the ASG and Green Guide recommendations as a requirement for supporters with disabilities. See 2.4.4.

3.0. BDSA Code of Conduct:

- 3.1. Burnley FC Disabled Supporters Association (BDSA) believes that all individuals involved with our work should respect one another and work constructively to achieve our common goals. We therefore ask that all those connected with or acting on behalf of the BDSA take personal responsibility for undertaking the following:
- 3.2. To be a positive ambassador for the BDSA, ensuring that no purposeful action is taken, or any comment made, which might damage the BDSA.

- 3.3. To show respect to all and commit to access and inclusion for all individuals connected to the BDSA, whilst understanding that no form of harassment or misbehaviour will be tolerated under any circumstances. See section 5.0. 'Membership'.
- 3.4. To recognise that the BDSA is a democratic organisation and to abide by decisions made by its elected Steering Committee, and to work with others to resolve amicably any conflicts that may arise.
- 3.5. To respect and understand the need for confidentiality at all times. This applies in particular to all matters discussed in, or related to meetings with BFC, and SC meetings.
- 3.6. To take all reasonable steps to ensure the health and safety of yourself, others and the property of the BDSA.
- 3.7. To be committed and reliable in your roles and responsibilities within the BDSA, and not to use your position to pursue personal issues, policies or hidden agendas which conflict with those of the BDSA.
- 3.8. To accept the need for ongoing and appropriate education, training, guidance and support relating to your roles and responsibilities within the BDSA.

Note: This code is a statement of the values that we will uphold in all our dealings, both internally and externally, and values that we will encourage and expect others to maintain when working with us.

As members of the BDSA we will endeavour to work with Burnley Football Club in accordance with the practical and legislative guidelines available from second and third party organisations.

4.0. **Minimum Standards:**

- 4.1. Every disabled supporter to have the opportunity to sit alongside able bodied supporters where possible.
- 4.2. All BFC Staff, match day officials and stewards, either employed by the Club or sub contracted, will endeavour to provide assistance to, and treat people with disabilities with care and respect. BFC may wish to ensure that this aspect of care is part of sub contractor and operational training. This will also extend to BDSA involvement.
- 4.3. Wheelchair users: BFC should endeavour to provide a clear unobstructed view of the pitch during games, and shelter users from adverse effects of the weather. Safety of seating areas to be assured by BFC.
- 4.4. Visually Impaired: the choice to sit anywhere in the ground, subject to availability.
- 4.5. Further to 4.4. BFC should strive to provide some form of audio descriptive commentary for the visually impaired, and to make provisions for Disabled Aid

Dogs and Guide Dogs. Information should, where possible, be available in alternative formats upon request.

- 4.6. Hearing Impaired: the choice to sit anywhere in the ground subject to availability. The provision of a text phone in the Club shop / ticket office, and an induction loop in ground would be advantageous for the hearing impaired.
- 4.7. Ambulant disabled: a recognised definition of what constitutes an ambulant disability; accessible seating, with good sight lines and extra legroom.
- 4.8. To promote friendship and awareness, the BDSA will seek to be involved in activities to welcome home and away disabled supporters and their DSA's on match days, and organise social events and sporting activities for its members, friends and families. Such occasions may be used for fund raising.
- 5.0. **Membership:**
- 5.1. Membership is open to any individual with a disability, their family and their assistants, or indeed any individual who feels that they may be able to contribute to the objectives of the BDSA in support of people with disabilities.
- 5.2. Applications for membership will be received and processed by the appointed Membership Secretary, and approved by the 'Chair', with the support of the SC. A full list of members will be made available to the SC. The SC has the right to revoke any BDSA membership if the member does not agree to abide by this Constitution, and the principles and rules of the BDSA, or is deemed not to be suitable as far as the interests of the BDSA are concerned. The renewal date for new memberships will be as agreed by the BDSA Steering Committee, and published for the benefit of its members.
- 5.3. Members may have their membership terminated if it is deemed that he or she has contravened the BDSA Constitution Code of Conduct, or brought the BDSA into disrepute, or that their continued membership is not in the interests of the BDSA. Any termination of membership will be dealt with, in the first instance by the SC, by way of an extraordinary SC meeting. A member subsequently notified of termination will have the right to be heard by the SC, and to appeal the decision. Any such appeal not registered in writing within seven days of notification of termination will be considered invalid, and the termination will then become final.
- 5.4. Where termination involves a member of the SC, the member will be excluded from any subsequent SC meetings held to determine a resolution.
- 5.5. In any case of termination the member involved will, post a SC hearing, have final recourse to the calling of an extraordinary general meeting or EGM (in accordance with 8.8.) to challenge any such decision.
- 5.6. Records relevant to a termination will be held in accordance with Section 12.0. Membership details must be amended to indicate termination.

- 5.7. Any annual membership fee for the BDSA will be determined by the Members voting at the AGM having regard to the recommendation by the appointed Treasurer as to an appropriate fee.
- 5.8. Confidentiality of 'members' personal data shall be the sole preserve of the Membership Secretary. See section 6.0. UK Data Protection Act (UK DPA).
- 6.0. UK Data Protection Act (UK DPA):**
- 6.1. New legislation was introduced in May 2018 and dictates how organisations, including ourselves, can process store and use data. Member's personal information will not be shared with, or sold to third parties, and the information we hold on our mailing list will only be used for BDSA news and information.
- 6.2. As part of the process of becoming a member, anyone who has registered with the BDSA will have provided personal details and contact details / email addresses when completing the membership registration form. In so doing, that grants the BDSA permission to use contact details for membership matters.
- 6.3. Data must be stored securely and password protected, such that no one can access it without permission. Circulated emails shall not include personal details, and a member can request to unsubscribe and opt out of all communications by contacting/emailing the Membership Secretary.
- 6.4. Officials, or anyone, accessing stored data will, where appropriate, have the necessary "data protection" related training, and where appropriate have been satisfactorily cleared through the DBS (Disclosure and Barring Service) for their suitability to access such stored data and the personal details stored therein. Applicable to those directly involved in the processing, storage and use of stored data.
- 6.5. The BDSA will retain personal data for as long as necessary, or until requested to do otherwise. When changes are made to this statement, we will publish the updated version and notify the BDSA membership via appropriate communication channels where deemed necessary.
- 6.6. Where members wish to opt out of all future communications they should contact the SC Chair on chair@bfcdsa.com with a request to do so. Where anyone wishes to exercise their right to have held data deleted, barring any reason to the contrary (for example disciplinary or legal implications), all data in relation to the individual concerned will be deleted. Such requests for erasure should be addressed to the SC Chair also on chair@bfcdsa.com
- 6.7. You retain the right at all times to lodge a complaint about our management of your personal data with the Information Commissioner's Office at <https://ico.org.uk/concerns/>
- 6.8. Where there are any concerns please contact BDSA via email or telephone.

7.0. **The Steering Committee (SC):**

7.1. The SC shall comprise of up to 12 members and in addition include where appropriate the Burnley FC Disabled Access Officer (DAO), and or the Disabled Liaison Officer (DLO), and or the Supporter Liaison Officer (SLO). Beyond origination and post establishment of Constitution, SC members will be elected by a full BDSA meeting of members and by majority voting in person or other such means as may be determined by the Steering Committee (SC).

7.2. The Steering Committee shall include the following office bearers and posts:

7.2.1. Chairperson.

7.2.2. Vice-Chairperson.

7.2.3. Secretary.

7.2.4. Treasurer.

7.2.5. Membership Secretary.

7.2.6. Ambassadors / co opted members as deemed appropriate.

Note: The Steering Committee may at any time add or vary the make-up of the Committee to deal with the prevailing needs and circumstance of the BDSA. .

7.3. The term of office for each SC member will be three years and the Chairperson is appointed for a four-year term.

7.4. Candidates for the SC proposed by ordinary members must be agreed and approved by the SC prior to submission to a general membership vote. The skill sets, experience and suitability of any potential candidate will be assessed by the SC and recommendations made.

Candidates for the SC shall be initially proposed and seconded by either ordinary members or SC members and elected by a majority vote of the membership. In the event of a split vote, the Chair will hold an additional casting vote.

Elections will take place at a time as advised by the BDSA secretary and set by the Chair, and the SC will adopt a rolling policy to facilitate the smooth running of the BDSA.

7.5. Members of Burnley FC staff may also be invited to attend the SC meetings as agreed with BFC.

7.6. For the BDSA Committee to maintain a working quorum, and function effectively, committee members will be expected to attend seventy five per cent of committee meetings per annum or between AGM's. Failure to do so could lead to the removal of a person from the committee. The BDSA Steering Committee requires the above level of commitment from its SC members. If a Steering Committee member decides to resign from the SC without mitigating circumstances or valid reason, this will forfeit their right to apply for a future position on the committee.

- 7.7. Annual elections are to take place to appoint people to the Steering Committee positions that are up for re-election each year.
- 7.8. Only BDSA members are permitted to vote and only BDSA members can nominate themselves as candidates for Steering Committee positions. Any nominations must be seconded also by a BDSA member. Elections will be conducted during the pre-season period; BDSA members will receive a form containing a list of candidates by suitable means and they will be asked to return said form with a tick next to their preferred candidate's name.
- 7.9. Where a BDSA member wishes to register a vote, but is unable to do so in person, then a proxy authorised by the member in question may be appointed to register that member's vote on their behalf. The delegated Proxy will be the BDSA Chair, (or Vice Chair in the Chair's absence) and the Chair will collate votes where necessary prior to the relevant meeting(s) and inform the BDSA Secretary for confirmation and agreement. Evidence of authority to act in Proxy may be subject to confirmation by the BDSA Secretary.
- 7.10. Members of the Committee shall retire from office at the end of their three-year term but they may be re-elected or re-appointed. With voting numbers confirmed as a true record by an independent person.
- 7.11. The proceedings of the Committee shall not be invalidated by any vacancy among their number or by any failure to appoint.
- 7.12. The Chairperson role shall be carried out by a member of the Steering Committee, who is duly elected by members of the SC. The Chairperson shall sit for a period of not more than four years from the date of being elected as Chair, and at the end of the term, (4years) can stand for election as Chairperson, if re-elected as a committee member. The current Chairperson or any challengers or potential candidates for the position of Chairperson shall have the right to deliver a written statement and short presentation to back-up their application.
- 7.13. The Vice Chairperson will be elected from within the committee.
- 7.14. There will be tasks that will be identified by the Steering Committee. Once a task has been identified, a member of the SC will be appointed to undertake that task. The Steering Committee member will carry out that task for the duration of their term of office or until the task has been completed.
- 7.15. These tasks will be identified after the annual elections, when the new Steering Committee first meets and the tasks will be identified. SC members can apply for a specific task either in written form or verbally.
- 7.16. The SC shall have the authority to co-opt BDSA members onto the SC if needs arise, and before the annual elections. This will be by a majority vote of the SC and such co-opted members will have the same voting rights as those elected by BDSA members.
- 7.17. In the event where less than six members (50%) are available to serve on the SC members may hold more than one post with the exception of the Chairperson. However they will continue to have one vote only.

8.0. **Meetings & Events:**

- 8.1. BDSA will hold regular SC meetings at times and venues to be agreed by those elected and published in advance by the Secretary. There is also scope to call additional meetings when necessary.
- 8.2. General Meetings (GM's) of the BDSA shall be held each year at the discretion of the SC, and as scheduled by the SC Secretary. The Secretary will set an agenda, in conjunction with the 'Chair', which will be distributed to members ideally fourteen days in advance of meeting. Annually a copy of the previous years audited accounts, and previous GM minutes must be included by the Treasurer and Secretary respectively.
- 8.3. At the AGM, the 'Chair' will ask the members to approve the previous year's minutes. The Chairperson will also present an annual report to the members summarising the activities for the previous year and proposing the future direction and development of the BDSA. The Chairperson may also produce a periodic newsletter on BDSA progress as and when it is deemed necessary.
- 8.4. The Treasurer will present the audited annual accounts for the previous financial year at the AGM with a statement from the elected auditor as to whether the accounts were found to be in good order or otherwise. This will be dependent on a fund raising policy having been formulated and agreed.
- 8.5. The Chairperson will ask the members to approve the audited accounts.
- 8.6. A decision on any "matters arising" will be based on member's proposals to the meeting which must be seconded, with any subsequent vote decided by a simple majority, with the exception of items covered by sections relating to "Alterations to the Constitution" or "Dissolution".
- 8.7. At all meetings every member shall be entitled to one vote with the Chairperson or acting Chairperson having a casting vote only in the event of the number of votes cast being tied.
- 8.8. An Extraordinary General Meeting (EGM) may be called at any time by submitting a written request, signed by at least ten BDSA members, to the SC Secretary stating the topic(s) and nature of the business to be discussed.
- 8.9. In all cases, and where an EGM is called by any member in support of a termination issue, then the ten signatories must be drawn from the membership existing prior to the notification of termination, or issue arising.

9.0. **Minutes:**

- 9.1. The Secretary shall ensure that minutes are kept of every meeting which will be available and distributed as soon as possible after the meeting to all members by mail or email, and an agreed summary sent for publishing on the BFC / BDSA website by the Secretary. The SC will ensure that accessible formats are available on request and within the limitations of BDSA resources.
- 9.2. Members may have sight of the accounts or any business transaction carried out by the BDSA upon written request to the Secretary.

9.3. SC Members attending external meetings must provide the SC with a written detailed account and or minutes of said meetings.

10.0. Sub-Committees:

10.1. The SC may appoint one or more Sub-Committees from members of the BDSA to deal with specific issues concerning the BDSA from time to time. These said Sub-Committees will be directly accountable to the SC and any such decision of such sub-committee shall be subject to ratification by the SC.

11.0. Finance:

11.1. The Treasurer shall ensure that detailed financial records are kept and that all the BDSA receipts and payments are correctly accounted for. The Chair or Acting Chair and Treasurer will jointly review these records monthly.

11.2. The Treasurer shall ensure that if one or more bank accounts be opened in the name of the BDSA, that 2 signatures including the Treasurer and at least one of the office bearers namely the Chairperson, Vice Chairperson or Secretary shall be required for official banking documents and cheques.

11.3. An updated BDSA statement of accounts should be presented at each SC meeting unless exceptional circumstances dictate otherwise, and the accounts will be available for review by any member upon written request.

11.4. BDSA annual statement of accounts shall be subject to audit with an auditor annually to be appointed by the SC.

12.0. Sponsorship and Funding:

12.1. BDSA operates independently under the principle of 'not for profit' and on a voluntary basis. Its aims are, as an Associate organisation with Burnley FC, to provide aid and assistance to the community of supporters with disabilities.

12.2. Sponsorship applications and funding projects will be controlled by the SC and all proposals must be made through 'The Chair' for suitability and approval.

Note: All sponsorship and fund raising initiatives and suggestions should be submitted in the form of a written plan containing details of the proposal and including, but not limited to:

Dates & times, Permissions, Liability insurance, Risk analysis & Cost/Return.

13.0. Record Keeping:

13.1. The Secretary and Treasurer will retain all correspondence and in the case of non-financial those records will be kept for a minimum of 3 years with financial documents kept for a minimum of 5 years.

14.0. Alteration to the Constitution:

- 14.1. All alterations or revisions to the Constitution will be subject to approval by the BDSA full membership at a BDSA General Meeting or EGM. Alterations will require the approval of a two thirds majority vote of members present.
- 14.2. Any individual member's proposal to alter the constitution must be seconded and delivered in writing to the BDSA Secretary not less than twenty eight days before the date of the AGM. An Extraordinary General Meeting may be requested (as described in 8.8) to consider an alteration to the Constitution.
- 14.3. Where the need for interim operational changes arises, these may be implemented by the SC subject to SC meeting approval and compliance with Section 16.0. Alterations will require eventual full approval as outlined in 14.1.
- 14.4. Apart from 14.3. The wording and context of any proposed alteration shall be fully distributed to BDSA members at least seven days in advance of any meeting at which it is to be considered.

15.0. Dissolution:

- 15.1. If the SC decides at any time that, for any reason, it is necessary or advisable to dissolve the BDSA, it shall record and minute the same by way of a SC meeting proposal. Such a proposal / recommendation must initially be passed by a confirmatory majority vote of the SC.
Where the SC votes in favour of recommending dissolution, it shall then call an EGM of all BDSA members to ratify the decision, giving not less than fourteen days notice of any EGM.
Ratification of a SC proposal to dissolve the BDSA must be confirmed by a minimum two thirds majority of those voting members present and or registering a vote. Members failing to vote will be taken as abstentions. Voting may take account of proxy votes registered in accordance with 7.9. of this Constitution. .
A quorum of the SC must be present at the EGM and Burnley FC must be advised of any intention to dissolve.
- 15.2. Any property or funds belonging to the BDSA will be distributed based on the most appropriate method as decided at the dissolution meeting.
- 15.2. Where, following dissolution, reinstatement of the Association under any other name or form is considered; then this Constitution, and existing structures and documentation, including websites, may be adopted as the basis of reforming. Any proposal to reform must be formalised by a quorum of the dissolved Steering Committee and approved by Burnley FC, and the membership.
Members of the dissolved BDSA will be informed of any proposal to reinstate, and have fourteen days from date of being informed to opt out of any reinstatement proposal, and thereafter be considered members of any reinstatement.
If adopted; election of officials to be as per this Constitution Section 7.0. . .

16.0. Change Control:

16.1. Changes / amendments to this Constitution and associated documents shall be controlled by issue number and date changed.

In order to track and control change. Where this BDSA Constitution document is altered or changed...then the issue level shall be raised by one number and the date indicated. For example "Issue one" approved then later amended or changed shall become "Issue 2" on approval of the amendment or change, and the date of change indicated.

16.2. Superseded issues of this Constitution, and associated documents, shall be retained, as a record, either electronically or hardcopy, for a minimum of five years.

16.3. For security and back up of data retention, data may be held and retained by two controlled sources identified by the SC.

END.

Issue 3 raised by the BDSA Steering Committee 20th July 2019.

Ratified by the Membership 20th November 2019.

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