



## **Water Safety Area Committee – Rules and Regulations**

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Sábháilteacht Uisce na hÉireann – Water Safety Ireland, by virtue of the provisions of The Water Safety Ireland WATER SAFETY IRELAND (ESTABLISHMENT) ORDER 2019 (S.I. 56 of 2019) is empowered to establish Committees to promote safety awareness in matters relating to water safety. In order that Water Safety Ireland, under the Council, is recognised nationally and internationally as an entity, the organisation shall be known as “Water Safety Ireland (WSI)”. Hereunder are the Council’s rules for the appointment, management and progress of Water Safety Area Committees (WSAC) during their period of office.

## **1. Definition of Territorial Areas and WSAC formation.**

- 1.1. The Council defines the territorial area of jurisdiction of WSAC's. The area of jurisdiction of a WSAC may be reviewed and altered if necessary by the Council in the interest of the promotion of water safety awareness or for other reasons.
- 1.2. The Chief Executive will assess the support for water safety awareness in any area. If there is sufficient support and none exists at present a WSAC may be established by the Council. If there is not sufficient support in the area alternative arrangements will be made by the Chief Executive for the management of the area.
- 1.3. At least 14 days' notice is to be given to persons who may be interested in forming a WSAC. This notice will include the location and time of the meeting.

## **2. Purpose of the Water Safety Area Committee (WSAC)**

- 2.1. Each WSAC will exist to plan, promote, manage and implement water safety activities within its area of jurisdiction in accordance with its programme as approved by the Council, to foster friendship and co-operation among those interested in the promotion of water safety nationwide.

## **3. Services**

The following are services which will be provided by the Water Safety Area Committee:

- 3.1. The WSAC will promote a public awareness of water safety.
- 3.2. The WSAC will promote measures, including the advancement of education, related to the prevention of accidents in the aquatic environment.
- 3.3. The WSAC will provide instruction in water safety, swimming, water rescue and Basic Life Support.
- 3.4. The WSAC will organise and implement an annual water safety programme for its area, and such other services relating to the promotion of water safety and the implementation of the National Strategic Plan, including sport, as the Council may from time to time require or approve.
- 3.5. The Council may from time to time require specific actions and interventions to be undertaken by the WSAC, in line with the overall strategic plan, and will request them to include them in the WSAC programme.
- 3.6. The WSAC will provide an Annual Report to the Council and its members on its activities.

## **4. Water Safety membership within the jurisdiction of the WSAC.**

- 4.1. Local administration is under the management of the appointed WSAC as approved by the Council.
- 4.2. A person can only be a registered member within one WSAC's jurisdiction, except when they are a member of An Garda Siochana WSAC, the Defence Forces WSAC, the Chairperson of the WSI Council and the Chief Executive of WSI.
- 4.3. All new members must complete a membership application form online as approved by Council,
- 4.4. All members are subject to training approved by Council
- 4.5. All full adult members must complete the approved code of Ethics training and be subject to Garda Vetting procedures.
- 4.6. A register of all members and their appropriate categories shall be maintained online and updated annually by each Water Safety Area Committee. A copy of this register shall be kept at the headquarters of Water Safety Ireland. Membership Cards will be issued from headquarters on receipt of annual subscriptions and a suitable photo.
- 4.7. The amount of such subscriptions will be determined by Council.
- 4.8. Life Governors and members appointed to Council by the Minister for Rural and Community Affairs are not required to meet these criteria unless they are involved with children in water safety activities.
- 4.9. If a member notifies in writing the Secretary of the WSAC or the Chief Executive of Water Safety Ireland his/her intention to withdraw support from the organisation or resign membership of the organisation, this will be accepted as notification of resigning membership under these rules.
- 4.10. A person, who has resigned under these rules, may be permitted to return to active membership on application in writing to the Chief Executive of Water Safety Ireland. The Chief Executive will examine the facts and take into consideration the representations and views of the WSAC on the matter. The Council will at its discretion decide in the interest of Water Safety Ireland the best course of action to be taken. Normal WSI Appeals procedure will apply as outlined in the National Volunteer Policies for Members.
- 4.11. Members convicted of a summary offence in this jurisdiction, or who, in the opinion of the Council, bring the Association into disrepute in accordance with our "national Volunteer Policies for Members", will cease to be members of Water Safety Ireland and all honours accrued will cease to have effect from the date of conviction or decision of the council.

## **5. Categories of membership**

- 5.1. Water Safety Development Officers appointed by Local Authorities.
- 5.2. Persons other than Water Safety Development Officers, nominated by the relevant Local Authorities.
- 5.3. Life Governors appointed by the Council
- 5.4. Volunteer members

- 5.4.1. Full Member: Full membership is open to Instructors, Examiners, Tutors, Trainee Examiners, Trainee Instructors, BLS Instructors, Risk Assessors, Referees, Swimming Teachers, Assistant Swim Teachers, Coaches and Council Members, and adult volunteers, and they are entitled to vote at WSAC AGMs.
- 5.4.2. Sports membership: Sports membership is open to Lifesaving Sports competitors, and supporters who are 18 years and older, and they are not entitled to vote at AGMs.
- 5.4.3. Junior membership: Junior membership is open to all participants in WSI courses and local helpers who are under 18 years, and they are not entitled to vote at AGMs.

## **6. Volunteer Member Entitlements**

- 6.1. Full Volunteer members shall be entitled to attend the Annual General Meeting or Extraordinary General Meetings, to speak and to vote at such meetings, to stand for election within the WSAC to which they are attached and to seek a nomination within the WSAC for election and thus be considered for appointment to the Council by the Minister for Rural and Community Affairs.
- 6.2. Full Volunteer members under 17 years shall not be entitled to vote at such meetings.
- 6.3. All volunteer Members shall be entitled to participate in competitions, courses, seminars and other activities, which are approved by the WSAC.
- 6.4. To avail of services provided by Water Safety Ireland.

## **7. Special Water Safety Committees:**

- 7.1. The Garda Síochána and Defence Forces are deemed to be a special category of WSAC and shall be managed by members of those services actively engaged in water safety activities as approved by their Authorities, a programme will be submitted to the Water Safety Ireland on an annual basis.
- 7.2. The council may request the establishment of Special Water Safety Committees, with specific remits, if it deems this necessary to the forwarding of the aims of the organisation.

## **8. Friends of Water Safety Ireland**

- 8.1. Former members of WSI and persons proposed by Council or WSAC's may if they wish become a friend of WSI. They do not have to subscribe to WSI but may if they so choose to. They are a body of people who understand and support the goals of WSI as laid out in our Strategic Development Plan and may be willing to assist WSI

in achieving those goals. They will not be members and may not attend WSAC meetings nor have any voting rights at any meetings. They will receive WSI Newsletters and other promotional material from time to time to keep them in touch with the work of WSI.

## **9. Period of office of elected Water Safety Area Committees**

9.1. The period of office of a WSAC shall not be more than 12 months or for such lesser period as determined by the Council. The Annual General Meeting will take place between the 1st January and the 31st March each year.

## **10. Notice of proposed Annual General Meeting (AGM)**

10.1. The Chief Executive will be notified by letter or email by the WSAC Secretary giving 14 days' notice. Persons as defined in rule 5, will be informed by letter or email. They may also be informed by public notice in a newspaper circulating in the area should the WSAC wish, of the date and location of the proposed AGM. 14 days' notice of the meeting will be given, which will include date, time and place of the meeting.

10.2. The quorum for an AGM, shall not be less than 6 members.

10.3. In order to comply with Government restrictions due to COVID-19, AGMs may be held online via an electronic meeting platform. Electronic meeting platforms may be used to accommodate secret ballot voting. All motions and nominations that require a ballot (vote) must be submitted to the Secretary 7 days prior to the AGM.

## **11. The business of the AGM will be:**

11.1. To deal with the minutes of the last AGM and intervening Special General Meetings and Extraordinary General Meetings, if held.

11.2. To consider and to adopt the report of the outgoing Chairman and Secretary on activities during the previous year.

11.3. To consider and adopt the accounts of the WSAC for the previous year and the Honorary Treasurer's report.

11.4. To deal with correspondence relevant to the AGM.

11.5. To elect Officers and a Committee to manage the area for the year.

11.6. To appoint Honorary Auditors for the year.

11.7. To deal with notices of motion.

11.8. Any other business relevant to the meeting.

## **12. WSAC Officers**

- 12.1. Membership of the WSAC Executive shall comprise of the following officers: Chairperson, Vice-chairperson, Honorary Secretary and Honorary Treasurer.
- 12.2. Members of the executive committee shall be elected annually.
- 12.3. Members must have served on the Water Safety Area Committee for at least one year immediately prior to being nominated for the positions of Chairman or Treasurer.
- 12.4. Without the express permission of WSI Council, a Member may only serve for 6 consecutive years as an officer of a WSAC. After any 6 year period, as and from Jan 1st 2020, a break of at least one year is required before serving as an officer again.

### **13. WSAC Committee members**

- 13.1. The minimum age for a WSAC member shall be 17 years
- 13.2. Committee members shall consist of those directly elected at the AGM, those co-opted during the tenure of the committee and additional persons as outlined below.
- 13.3. Members from within the Water Safety geographical area and who are elected at the AGM may sit on the Committee. The members elected shall be representatives of those areas of water safety activity presently undertaken by the committee. Committee members shall number not less than 6, or more than 15 Members who are co-opted by the Committee. During the period of operation of the committee, additional members may be co-opted to provide input or assistance with special projects or advice on area of interest.
- 13.4. The Local Authority Water Safety Development Officer shall be an ex-officio member of the WSAC covering their area of responsibility.
- 13.5. Members must serve on the Water Safety Area Committee for at least one year before being nominated for the positions of Chairman or Treasurer.
- 13.6. The Chairperson of the Council and the Chief Executive shall be ex-officio members of all WSACs.
- 13.7. A Sports Officer shall be appointed by the WSAC
- 13.8. A PRO shall be appointed by the WSAC
- 13.9. An Education Officer shall be appointed by the WSAC
- 13.10. The WSAC may appoint Sub Committees or work groups for the time being to organise specific activities or to consider and report on any questions specifically referred to them. All such sub committees or work groups shall be chaired by a member of the committee and may include persons other than the members. All such sub committees shall terminate on the day of the Annual General Meeting.
- 13.11. The WSAC shall meet as frequently as it deems necessary, but at least four times a year to carry out its functions and duties.
- 13.12. The names of all the officers and members elected at the Annual General Meeting will be submitted without delay by the WSAC Secretary to the Chief Executive.
- 13.13. Designated Liaison Persons (DLP) shall be appointed by each WSAC. WSAC's may appoint as many DLP's as is required for the smooth operation of the Code of Ethics and Good Practice, but at least two with one being male and one being female.

13.14. Life Governors shall be ex-officio members of the WSAC to which they are attached

## **14. Replacement of a Water Safety Area Committee.**

14.1. Should a WSAC resign leaving the area without a Committee the Council will take responsibility for the management of water safety activities with the area of jurisdiction of the WSAC.

14.2. Should a committee fail to carry out its duties as a committee, the Council will give notice to the Chairman, Secretary, or other persons remaining on the Committee of its intention to disband and or replace the Committee in question. The Council will outline its reasons for such actions to disband and or replace the Committee, any replies to this action will be considered by the Council within a specified time limit.

14.3. The Chief Executive will arrange for the interim management of the area. The Chief Executive may appoint in the best interests of Water Safety Ireland, a person to take charge of the area pending the election of a new WSAC and may appoint a person to act as Chairperson of any interim WSAC.

## **15. Extraordinary General Meeting (EGM)**

15.1. An EGM shall be called by the Hon. Secretary on the direction of the WSAC or on the receipt of a written request detailing notice(s) of motion signed by not less than one third of the members of the area as defined in rule 5.

15.2. The meeting shall be held within three weeks of receipt of request. The date, time and venue shall be decided by the WSAC.

15.3. Seven days' notice of submitted motions shall be given to registered members entitled to be present for such meetings.

15.4. The quorum for an AGM, shall not be less than 6 members.

15.5. Notice of proposed EGM

15.6. The Chief Executive will be notified by letter by the WSAC Secretary giving 14 days' notice. Persons as defined in rule 5, will be informed by letter or by Public Notice in a newspaper circulating in the area, of the date and location of the proposed EGM. 14 day's notice of the meeting will be given in either case, which will include date, time and place of meeting.

15.7. A Council member shall be present and all the rules of an AGM shall apply. (See section 11 above)

15.8. The Council shall have the power to call an EGM if it is of the opinion that:

15.9. A WSAC is inactive

15.10. A WSAC has become dysfunctional

15.11. There is a concern that malpractice may be evident

15.12. The Rules and Guidelines of the WSI have been breached to a degree that warrants intervention by the Council

## 16. Powers of a WSAC

- 16.1. No member of a WSAC has the power to act on their own. Officers having consulted with each other may make an urgent decision. Such urgent decisions should be communicated to the next meeting of the WSAC and recorded in the minutes.
- 16.2. The Committee must act as a body and will not enter into any contract on behalf of Water Safety Ireland.
- 16.3. A quorum for a WSAC meeting will be one quarter of the Committee plus one.
- 16.4. All Committee meetings are covered by the Standing Orders of the Council.
- 16.5. Finance
- 16.6. The financial procedures of the WSAC shall be carried out strictly in accordance with the Financial Procedures issued by Water Safety Ireland.
- 16.7. Committee Meetings
- 16.8. The normal rules and procedures for the conduct of meetings will apply to meetings of the WSAC.
- 16.9. Meetings should be held with least cost to the WSAC.
- 16.10. No travelling or other personal expenses are paid for attending WSAC meetings.
- 16.11. Management
- 16.12. The WSAC shall have full responsibility for the effective and proper administration of the water safety programme as approved by the Council.
- 16.13. The WSAC shall have responsibility for the selection and control of personnel, who are registered members and in compliance with the WSAC Rules and Regulations, involved in the management of the programme.
- 16.14. In the interest of proper management and in complying with rule 4.1 the WSAC is responsible for administration, control and allocation of personnel in relation to the activities of water safety within its jurisdiction.
- 16.15. The WSAC must ensure that the programme is managed competently with the available resources.

## 17. Governance

- 17.1. Water Safety Ireland (WSI) is established by statute under the provision of The Water Safety Ireland (Establishment) Order, Statutory Instrument No 59 of 2019. As such it has the status of a non-commercial state board and is subject to The Code of practice for Governance of State Boards. All Water Safety Area Committees are subject to these Guidelines.
- 17.2. Much focus has been placed on improving governance standards in all private and public bodies. Water Safety Ireland is committed to having the highest possible governance standards within its organisation and will be engaged in a continuous process of development and review to achieve this goal. WSI will work with all WSACs to ensure that these standards are in place throughout all parts of the organisation and that the Code of practice for Governance of State Boards is fully implemented.



17.3. WSI is committed to achieving the highest possible standard of support to its members, volunteers and WSAC's so that each can be part of a country wide delivery of water safety activities with the aim of reducing deaths and accidents and ensuring all our citizens are able to use our natural water environments safely.

## **18. The Role of a WSAC**

18.1. The role of a WSAC is outlined in Section 2.1 where it indicates that a WSAC will promote and implement water safety activities within its area in accordance with its programme as approved by the Council and which shall be in line with the WSI Council's Strategic Development Plan.

18.2. The WSAC will seek to expand its membership and develop activities that will train people to prevent drownings, learn to swim and rescue, use and enjoy our aquatic environments safely including rivers, lakes and the sea.

18.3. It is a function of the WSAC to promote the WSI remit and engage with local communities. WSACs will look at the recreational and sporting activities that can be encouraged in the general public. This is with the aim of developing a population better educated and aware of water safety.

## **19. General Meetings of a WSAC**

19.1. Paragraph 11 of the Water Safety Area Committee rules and regulations set out the rules for General Meetings. The following points are necessary to ensure our meetings are run to a proper and transparent manner ensuring best practice in governance.

19.2. WSACs will hold an Annual general meeting by the 31st of March each year and at least 14 notice of the meeting shall be given to

19.2.1. The Chief Executive of WSI

19.2.2. Members of the WSAC

19.2.3. The Council representative who shall attend it

19.3. That the prescribed agenda is followed

19.4. That the Officer posts are filled

19.5. That the activities of the WSAC in the previous year are reported on to the members

19.6. That accounts that have been audited are presented to the AGM

19.7. That a member of the Council, who is not a member of the WSAC, is in attendance

19.8. That the meeting is quorate

19.9. It is advisable that notice of the AGM is given as early as possible, particularly to the Chief Executive.

19.10. Equally it is advisable that any General meeting should be devoid of shocks where information is delivered to Members for the first time without their having had time to consider it. In this event the suggestion or proposal should be referred to the incoming WSAC for their consideration and recommendation as appropriate.

- 19.11. An Annual General Meeting is an opportunity for members to hold to account those whom it entrusted to run the WSAC and to ask questions and input ideas. Discussion and involvement is to be encouraged at general meetings. It is however not a venue which should be used for individuals to score points or to abuse other people and it is imperative that the Chairperson shall ensure that respectful but open discussion takes place.
- 19.12. Should the WSAC deem it necessary to hold an interim general meeting to address an issue such as a rule change, a significant financial issue or an issue of significant importance, an Extraordinary General Meeting will be called.
- 19.13. The EGM shall follow a set of established rules including that the meeting will be called by:
- 19.13.1. A resolution of the WSAC Committee
  - Or
  - 19.13.2. A written request by one third of the WSAC members outlining the reason for the meeting and containing a motion
  - Or
  - 19.13.3. The Council of WSI may decide that an Extraordinary General Meeting is warranted
- 19.14. Notice will be issued to all members by the Honorary Secretary with 21 notice
- 19.15. Notice of a motion(s) shall be circulated to all registered members entitled to attend at least seven days' prior to the date of the meeting
- 19.16. The quorum will be 6 of the members entitled to be at the meeting
- 19.17. Fourteen notice will be given to the Chief Executive
- 19.18. A member of the Council shall be in attendance at the meeting (other than one who may be associated with the WSAC)
- 19.19. The notice of the meeting shall outline a time date and location
- 19.20. The motions and Agenda shall be circulated at least seven days' prior to the meeting
- 19.21. It would be best practice that:
- 19.22. Notice shall be given as early as practically possible to the Chief Executive
- 19.23. A location that is suitable shall be chosen
- 19.24. The issues to be addressed at the meeting shall be made aware to all registered members well in advance of the meeting
- 19.25. WSAC meetings can take place online in order to comply with the Government's COVID-19 restrictions.

## **20. The Role of Officers in a WSAC**

- 20.1. The officers of a WSAC have been entrusted by the members to take leadership positions and ensure that their WSAC is active, positive, develops and meets the stated objectives in the Strategic Development Plan of WSI. This section outlines the roles of the main office holders in a WSAC.
- 20.2. As stated at section 12.4 above, without the express permission of WSI Council, a Member may only serve for 6 consecutive years as an officer of a WSAC. After any 6 year period a break of at least one year is required before serving as an officer again.

20.3. The Chairperson shall:

- 20.3.1. Preside at all committee meetings and all general meetings. The Vice-Chairman will preside in the absence of the Chairman.
- 20.3.2. Confer with the secretary regarding agenda for all meetings.
- 20.3.3. Be responsible for the good management of the Committee and shall ensure that decisions of the committee are given effect.
- 20.3.4. In consultation with the Secretary will call extra meetings of the committee if necessary.
- 20.3.5. Attend the WSAC Annual General Meeting called by the Council and if unable to attend (with other persons as applicable), will appoint the Vice-Chairman to represent the WSAC at the meeting.

20.4. The Secretary shall:

- 20.4.1. Keep an accurate record of the proceedings of all meetings held in a minute book.
- 20.4.2. Keep in safe custody all documents, which are the property of the Council. These documents may not be given to any person without the full knowledge of the Committee and must be available on request to the Chief Executive. It is essential that WSAC's adhere to the Data Protection, GDPR, and Freedom of Information Acts in all their business relating to their WSAC.
- 20.4.3. Conduct all correspondence on behalf of the WSAC.
- 20.4.4. Confer with the Chairperson regarding the agenda for all meetings.
- 20.4.5. Inform the Chairperson if the volume of business dictates that extra meetings are necessary.
- 20.4.6. Give at least seven days' notice of a Committee meeting with agenda attached.
- 20.4.7. Inform the Chief Executive Officer of the names of those persons elected to the WSAC as soon as possible after the holding of the AGM. (see section 11 above)
- 20.4.8. Notify the Chief Executive Officer of those persons seeking membership of the WSAC for approval by Committees.
- 20.4.9. Maintain a register of all members, a copy of which will be sent to the Chief Executive Officer; rule 4.4 refers. If there is no WSAC then the responsibility falls on the Chief Executive.
- 20.4.10. The following will be recorded in the minute book:
- 20.4.11. Date and time of meeting
- 20.4.12. Name of the presiding Officer
- 20.4.13. List of members present.
- 20.4.14. Brief details of the business of the meeting shall also be recorded, such as:
- 20.4.15. Details of Communications received
- 20.4.16. Letters approved by the Committee for issue
- 20.4.17. Matters arising from the previous meeting
- 20.4.18. Matters attended to by the Officers in the absence of a formal committee meeting
- 20.4.19. Details of the current financial position in the area, with reference to the budget and projected end of year forecast as presented by the Treasurer
- 20.4.20. Approval of courses, events and activities to be held within the area to ensure that they are covered by WSI Insurance policies.
- 20.4.21. Approval of all travelling and subsistence expenses

- 20.4.22. Decisions on other matters on the agenda of the meeting
- 20.4.23. Attend the WSAC Annual Meetings, Conferences and seminars called by the Council and if unable to attend, will appoint a member of the WSAC to represent the WSAC at the meeting.
- 20.5. The Treasurer shall:
  - 20.5.1. Receive and lodge promptly, all funds paid to the WSAC.
  - 20.5.2. Establish and maintain an account as approved by the Council, in an approved bank as per the financial procedures. Only one current account and one deposit account or Credit Union Account is permitted per Water Safety Area Committee.
  - 20.5.3. Give a summary of the Committee's financial position at each meeting.
  - 20.5.4. Pay all bills and invoices under the delegated authority of the Committee from the current account. All bills and invoices shall be paid by cheque and each cheque shall have two signatures i.e. that of the Treasurer and either the Chairperson or the Secretary as per the financial procedures. The CEO is to be a signatory on all WSAC monetary accounts.
  - 20.5.5. Record the expenditure and receipts of the Committee and prepare a statement of accounts for the Annual General Meeting.
  - 20.5.6. Have the books and accounts ready by January 31st for submission to HQ. These are also to be presented to the WSAC not later than 14 days' prior to the Annual General Meeting and a report to be made to the AGM. They should also be made available to the WSI Auditor each year on their inspection.
  - 20.5.7. Keep a record of all equipment and stock used and held by the WSAC members which is the property of Council. A list of equipment is to be forwarded to HQ on the purchase of new equipment each year for insurance purposes.
  - 20.5.8. Make available all relevant documentation to the Chief Executive or other such officer as he/she shall nominate and to cooperate fully with an audit of the accounts and property of the WSAC.
  - 20.5.9. Attend the WSAC Annual meetings or seminars when called by the Council and if unable to attend, nominate another officer of the WSAC to take your place to ensure that knowledge is returned to the WSAC for the necessary actions to be taken.
  - 20.5.10. Forward a copy of the WSAC annual programme to the Chief Executive Officer as defined in rule 14.3.
- 20.6. The Designated Liaison Person (DLP) shall:
  - 20.6.1. Promote awareness of the WSI Code of Ethics and Good Practice within the organisation and particularly among the young people involved. Ensure all our members comply with all legislation dealing with children.
  - 20.6.2. Influence the policy and practice within the organisation to ensure that all policy and decisions take account of the young people's needs.
  - 20.6.3. Facilitate communication within the organisation.
  - 20.6.4. Provide an accessible resource for young people to express their concerns, views or worries regarding their involvement in the organisation.

- 20.6.5. Act as an advisory resource to the adults involved in the organisation on child welfare and protection issues ensuring that statutory legislation, guidelines and procedures are followed.
  - 20.6.6. Communicate to members the procedures for reports or accusations of child abuse drawn up by the organisation.
  - 20.6.7. Accurately, and immediately, record in the Designated Liaison Person's Record Book the report or suspicion following the reporting of it to him/her and notify the officers of the WSAC and the CEO in accordance with the Code of good practice for children involved in water safety activities.
  - 20.6.8. May attend meetings of the WSAC as may be necessary during the course of their duties
  - 20.6.9. Attend the National DLP Seminar.
  - 20.6.10. Return the Designated Liaison Person's Record Book to headquarters if there is a change of personnel in the D.L.P. position. This only occurs when there are entries in the book.
- 20.7. The Role of the DLP in a WSAC
- 20.7.1. WSAC's will not be permitted to be operational and run courses without two DLP's being appointed by the WSAC.
  - 20.7.2. Rule 13.13 indicates that a WSAC shall appoint as many DLP's as it feels is required for the smooth operation of the Code of Ethics and Good Practice. There should be at least two one being male and the other female.
  - 20.7.3. They shall be required to attend training as instructed by the Council

## 21. Complaints and Disputes

- 21.1. Any disputes or complaints arising should be dealt with by the WSAC in accordance with "National Volunteer policies for members", bearing in mind the requirements of "Natural Justice", which demand that, a person or persons under investigation must be given a fair opportunity to express their views on the issue. A Procedure for addressing Complaints and disputes is outlined in the WSI National Volunteer Policies for Members.
- 21.2. The WSAC shall not be entitled by right to withdraw recognition of a member's technical qualification. This right is invested in the Council.
- 21.3. A person may be deprived of membership rights as a result of the examination of a complaint. Should such a complaint arise the Chief Executive should be informed of it immediately who will take the appropriate action in regard to that complaint.
- 21.4. All members of WSI are subject to the terms and conditions as defined in the National Code of Ethics and Good Practice for children involved in water safety activities as approved by Council. The methodology for dealing with matters relevant to the protection of children as laid down in the National Code of Ethics and Good Practice for children involved in water safety activities supersedes these regulations.
- 21.5. Miscellaneous
- 21.6. Local Area Regulations which may be deemed necessary for the efficient management of WSAC affairs, may be formulated and adopted subject to the

approval of the Water Safety Area Committee, provided that they are not contrary to or opposing any of the general rules as defined in this document.

21.7. The Council may amend these rules from time to time as required.

21.8. The WSAC will set out a programme for the year. The programme will address Courses, fundraising and the general promotion of water safety awareness within the area.

## **22. Rules for the Election to nominate persons to be considered for appointment to the Council of Water Safety Ireland.**

22.1. Each WSAC has the right to nominate suitable and interested persons to participate in the election system for the five positions on the Council every five years.

22.2. WSAC's are obliged to participate in the election system, even if they have not nominated a person from their own committee.

22.3. The procedure for these elections will be agreed by Council and promulgated by Head Quarters two calendar months in advance of the elections.

22.4. These procedures are subject to change by the Code of Practice for the Governance of State Bodies, by Ministerial Order, or by changes in the WSI Statutory Instrument.

22.5. System to elect persons to the Water Safety Ireland Council for recommendation to the Minister for Rural and Community Affairs

22.6. Places: Five places may be available by a postal ballot of all WSACs – one place for the Dublin area and four places for the rest of the country. Each Area Committee will be entitled to vote for all places to be filled from a nomination list included with the ballot paper.

22.7. Candidates: Any member, with the exception of those who have served consecutively on the two previous councils are eligible to be candidates.

22.8. Nominations: Any member of a WSAC may nominate as a candidate a member of WSI as defined in rule 5. All such nominations shall be placed before the WSAC, which must meet to ratify candidates. Two nominations only will be accepted from each WSAC (except in the case of the Dublin WSAC who may nominate three). The responsibility to notify those entitled to propose candidates rests with the WSAC. Persons nominated must be accredited to the nominating WSAC as defined under rule 5 (Categories of Membership). Nominations must be sent to the Water Safety Ireland on the official nomination paper by post and must be signed by the Chairman and Secretary or, in their absence by any two officers in the WSAC and must be signed by the nominees personally. The ballot paper must be returned in the stamped addressed envelope provided. No other envelope will be accepted. The Council will define closing date for acceptance of nomination papers. No nominations will be accepted by fax or outside normal post. Nomination papers not received on or before the critical appointment time will be left unopened and declared void as will nomination papers not fully completed and correctly signed.

22.9. Voting: The list of candidates is divided into two panels, A and B. The WSAC should select the four persons from PANEL "A" and one person from PANEL "B", which it considers will best represent the interests of water safety at national level on

the Council. A meeting of the WSAC must be called for this purpose. The names of the person's the WSAC wishes to vote for should be entered on the enclosed ballot paper. Voting will be by secret ballot at meetings.

22.10. WSAC's ballot paper must be sent to Headquarters on the official voting paper by post and must be signed by the Chairperson and Secretary, (or in their absence by any two officers of the Committee). The ballot paper must be returned in the stamped addressed envelope provided. No other envelope will be accepted. The Council will define the closing date for acceptance of ballot papers. No ballot papers will be accepted by fax or outside normal post. Ballot papers not received on or before the critical appointed time will be left unopened and declared void as will ballot papers not properly completed and signed. There is no obligation on WSACs to vote for the full number of candidates on both panels.

22.11. Result of Election

22.12. The result of the election will be notified to the Chairperson and the Secretaries of WSAC's. The Council shall also forward the results to the Department of Rural and Community Development for the attention of the Minister. The Appointment of the Council is the prerogative of the Minister.

## **23. Life Saving Training Centres**

23.1. A Life Saving Training Centre is a facility which is used to teach swimming, lifesaving and rescue by volunteers of WSI. It may also be used by sports members for training and competitions.

23.2. Lifesaving Training Centres (LTCs) may only be established with the prior approval of the local Water Safety Area Committee (WSAC)

23.3. The WSAC will oversee the setting up of the training Centre.

23.4. All financial transactions of a Lifesaving Training Centre must be carried out by the Treasurer of the WSAC.

23.5. A Lifesaving Training Centre may not hold a bank account.

23.6. The WSAC is to oversee the running of local Lifesaving Training Centres.

23.7. All Organisers, Coaches, Helpers and Instructors of a Lifesaving Training Centre must be fully paid up Voluntary members of Water Safety Ireland

23.8. Membership applications should be registered on the WSI website and the Secretary of the local WSAC shall be notified of same.

23.9. All WSI members over 16 must be Garda vetted.

23.10. The WSAC must keep an inventory of all equipment in a Lifesaving Training Centre for Insurance records as per WSAC Rules and Regulations.

23.11. Lifesaving Training Centres must comply with Water Safety Ireland current Rules and Regulations.

23.12. Lifesaving Training Centres must submit a yearly budget to the WSAC by the 1st November.

23.13. All equipment procured and used by Lifesaving Training Centres will remain the property of the WSAC which in turn is the property of WSI.

23.14. All premises used as Lifesaving Training Centres will remain the property of the WSAC which in turn is the property of WSI.

## 24. Competitions

- 24.1. Those who compete in WSI Competitions must hold Competition Membership if not already a Voluntary Member.
- 24.2. Sports competitors must be registered with WSI two weeks prior to any competition in order for them to compete.
- 24.3. All entries for competitions must be submitted via the Water Safety Area Committee.
- 24.4. Definitions
- 24.5. Competitor: Those who compete in WSI Still and Open Water, Nippers, Juniors, Seniors, Masters and Competitions.
- 24.6. Coach: WSI Qualified Person in charge of training sessions. Must be a member of WSI.
- 24.7. Assistant Coach: Person assisting the coach in implementing the training session. Must be a member of WSI.
- 24.8. Helper: Person helping in the running of training session whose roles may include taking roll call, collecting membership fees etc. Must be a member of WSI.
- 24.9. If a Lifesaving Training Centre has persons participating in activities (other than meetings) who are not members of Water Safety Ireland, then they have no WSI insurance cover.
- 24.10. Dual Membership:
  - 24.10.1. Master competitors can be members of their own county and the Hibernian team.
  - 24.10.2. The Hibernian category member will only compete at international events.
- 24.11. Transfers (When a member wishes to leave one county and join another)
  - 24.11.1. The member (or their parent or guardian – if the member is under 18 years of age) writes to their existing county Area Committee requesting a Letter of Release.
  - 24.11.2. If a member owes no fees, holds no county property and has no complaint against them the county must issue a Letter of Release within 14 days'.
  - 24.11.3. The member presents the Letter of Release and a written request for membership (signed by parent or guardian if the member is under 18 years of age) to the new county.
  - 24.11.4. The Secretary of the new County WSAC informs the Sports Commission, forwarding on:
    - 24.11.5. The Letter of Acceptance
    - 24.11.6. The Letter of Application to the new county.
    - 24.11.7. A Letter of Release from the former county.
- 24.12. Transfers are automatically in force within 7 days' of their receipt by the WSI Sports Commission.
- 24.13. All transfer requests must be received by the Sports Commission no later than the 1st of August prior to open water competition season, and no later than the 1st of January prior to the national pool championships.



## **25. Directions concerning these Rules & Regulations**

- 25.1. A copy of these rules will be made available for all WSAC meetings by the Secretary and Treasurer and used accordingly to manage the WSAC business.
- 25.2. These regulations, as approved by the Council, replace the regulations of August 2020 edition.
- 25.3. In the event of an epidemic, pandemic or other National emergency situation, government guidelines and public health recommendations must be considered in conjunction with these Bye-laws.

## **26. Garda Vetting Procedure**

- 26.1. Garda vetting must be included in all recruitment and selection processes within the organisation. It shall be completed in accordance with the National Vetting Bureau procedures and the Children and Vulnerable Persons Acts 2012 to 2016.
- 26.2. Vetting does not “clear” people – it provides information in order to help the organisation consider if a person is suitable or otherwise for a position working with children and vulnerable adults.
- 26.3. The vetting procedure is only one part of the recruitment and selection process for Water Safety Ireland employees and volunteers.

## **27. Water Safety Ireland Equality Policy**

- 27.1. Water Safety Ireland is committed to upholding the principles outlined in all relevant legislation. The Employment Equality Acts 1998 and 2008 outlaws discrimination on nine grounds. These are: - gender - civil status - family status - age - disability - race - sexual orientation - religious belief - membership of the Travelling Community
- 27.2. Discrimination is described in the Act as “the treatment of a person in a less favourable way than another person is, has been, or would be treated.

## **28. Financial Procedures and Rules for WSAC Treasurers**

- 28.1. General
  - 28.1.1. All finances held by a WSAC and all property within its charge are the finances of and the property of Water Safety Ireland, in accordance with the terms of the Water Safety Ireland (Establishment) Order 2019., the management of which is invested in the Council.
  - 28.1.2. Each WSAC shall have a current bank account in its name, into which all monies received will be lodged immediately and out of which all payments will be made by cheque or Electronic Fund Transfer (EFT). The amounts to be

lodged are the full amounts received and no payments or EFT's are to be made out of these amounts before lodgement is made to the bank.

28.1.3. The Honorary Treasurer of each WSAC will be primarily responsible for the management of the Committee's funds during his/her term of office. The WSAC will have overall responsibility to ensure that its finances are properly managed and accounted for in accordance with these procedures.

28.1.4. These procedures may be changed from time to time at the direction of the Council. They are to be fully complied with in all respects and any non-compliance will be viewed seriously.

28.1.5. The Honorary Treasurer shall report on the financial position of the Committee at each WSAC meeting on the basis of the procedures outlined in these instructions. A full report on financial matters during the previous year should be on the agenda for the Committee's AGM. At the AGM the outgoing Treasurer will put before the meeting for scrutiny, the receipts and payments account for the previous year together with the balance sheet and bank certificate. These documents will be audited and certified in advance as being correct by both of the Honorary Auditors.

## 28.2. Bank Accounts

28.2.1. Each WSAC shall have one current account with a local bank in its name, e.g. "Water Safety Ireland Cavan WSAC." . The account should be set up as a business account with the bank. The bank should be notified we are a registered charity under the number CHY16289 in order to avail of lower bank fees for charities. The bank will send monthly statements of transactions to the WSAC.

28.2.2. Each WSAC may have one savings account with a local bank, credit union or building society. Approval by the WSAC is necessary to open a savings account and the decision must be noted in the Minutes. Amounts lodged to the Savings account shall be approved by the WSAC and noted in the Minutes. The WSI head office must be notified and details of the account sent to them.

28.2.3. No other accounts may be opened or held by a WSAC in their name or in the name of a sub-group under the control of the WSAC.

28.2.4. All bank balances as of the 31st December each year should be verified by a Certificate of Balance from the bank. This Certificate of Balance or the year end Bank Statement giving the balance must be submitted along with the year-end financial statements to the National Office before the end of January of the next year.

28.2.5. The Chief Executive will be an authorised signatory on any and all WSAC Accounts and he/she may demand on behalf of the Council access to all records and financial statements etc. in the keeping of the WSAC in question.

28.2.6. Cheques drawn on the account will be signed by the Honorary Treasurer in the first instance and by the Chairman or one other officer of the Committee duly authorised for this purpose.

28.2.7. No Loan arrangement will be sought or entered into by the WSAC, save with the express permission of the CEO and Chairperson of WSI.

28.2.8. No Officer of an WSAC will be permitted to forward a loan for use by the WSAC.

- 28.2.9. No overdraft accommodation will be sought or used in the case of the WSAC account. No WSAC will, in any way, stand as guarantor for, or use its funds as surety or by way of a loan.
- 28.2.10. Should a WSAC find itself in financial difficulty then it may apply to the Chief Executive for a hardship payment to assist them from their difficulty. This application will be considered and investigated by the Audit Commission who will make a decision.
- 28.3. Accounts and Reporting
- 28.4. A Receipts and Payments account will be kept showing date, number of cheque, name of person or firm, etc., and amount and purpose as appropriate in the case of each receipt and payment.
- 28.5. Payments should be recorded under the headings of:
- 28.6. Transfers to Headquarters
- 28.7. Travelling and Subsistence (Examiners, Instructors)
- 28.8. Pool Hire Fees
- 28.9. Hire of Premises (meetings, film shows, etc.)
- 28.10. Purchase of Equipment
- 28.11. Advertising and Publicity
- 28.12. Competitions
- 28.13. Secretarial
- 28.14. Bank Charges
- 28.15. Water Safety Weeks
- 28.16. Miscellaneous (occasional or non-repetitive items)
- 28.17. Receipts should be recorded under the headings of:
- 28.17.1. Grants from Headquarters
- 28.17.2. Fundraising
- 28.17.3. Contributions from classes, courses, etc. (In the nature of fees, subscriptions, donations)
- 28.17.4. Raffles, flag days', church gate collections, etc.
- 28.17.5. Sales of Equipment, Booklets, etc.
- 28.17.6. Cash Sponsorship
- 28.17.7. Water Safety Weeks
- 28.17.8. Miscellaneous (specify)
- 28.18. Cheque book counterfoils (giving details of payments), lodgement docket sheets, bank statements, invoices, and travel and subsistence claim forms and receipt book counterfoils will be retained carefully by the Honorary Treasurer for production to Honorary Auditors and Head Office staff for inspection on request.
- 28.19. A copy of the receipts and payments accounts, together with the balance sheet showing the state of the WSAC's finances as of the 31st December, will be forwarded to Headquarters (for the purpose of grant calculation and audit) by the end of January in each year regardless of when the AGM is held. Such will be accompanied by a Bank Statement indicating the Certificate of Balance or the end of year bank statement from the WSAC's bank as of the 31st December for all accounts.
- 28.20. The official Statement of Receipts & Payments to be used is available on our website under WSAC forms or will be posted on request from the National Office.
- 28.21. Grant Receipts

- 28.21.1. The calculation of the annual grant to WSACs will be based on the annual membership, the number of certificates issued and the amount of money held in all bank accounts at year-end. In order to prevent delays, WSACs should forward their annual bank account statements or certificate of balance to the WSI HQ no later than the end of January each year, even if this date falls prior to their AGM. Grants will be calculated on the 1st April each year. If all accounts are not submitted, grants will be paid at the minimum grant figure for that year. Grants will be paid by EFT to account details already on hand at the WSI Head Office. Any changes to WSAC bank details should be brought to the attention of the Head Office immediately as payment details will then have to be amended in the Head Office account.
- 28.21.2. The annual grant to WSACs will be made upon a requisition of grant to the Head Office. Grant Requisition forms are available on the WSI website, emailed or be posted by request to the Treasurer by April of each year along with the amount of the annual grant. Signed and completed forms should be returned no later than June 30th of each year. A schedule of anticipated costs must be listed on the Grant Requisition form. Grants not requested by the 30th June each year will be forfeited.
- 28.22. Expenditure
- 28.22.1. WSACs will not expend funds from sources other than grants received from the Head Office and their fundraising as indicated in section 3.3.
- 28.22.2. Approval must be sought from the Audit Commission for expenditures for large capital projects by a WSAC. Such expenditure must first be notified to the Finance Officer at Head Office for approval by the Audit Commission.
- 28.22.3. All expenditure will be both authorised and incurred directly by the WSAC itself and not by a second party. Invoices should be made out in the name of the WSAC and not individual members. WSACs will not be empowered to make grants to or financially assist other persons, bodies or associations unless approved by Head Office. If in doubt of the propriety of any expenditure, the WSAC will seek direction from Head Office in accordance with 5.2 above.
- 28.22.4. WSACs will be invoiced annually for membership in line with the number of people signed-up to their committee. It will be up to the WSAC to collect individual fees from their members.
- 28.22.5. WSACs will be invoiced for certificates ordered from the National Office on a bi-annual basis.
- 28.23. Travel & Subsistence
- 28.23.1. No payment or fee in lieu of wages, salaries or any other income will be made to examiners, instructors or any other personnel in respect of water safety activities except as authorised by Council.
- 28.23.2. Recoupment of travel and subsistence expenses by water safety examiners, instructors and coaches will be made at the official rates. WSACs will be notified by the HQ of the appropriate rates and when any changes are made in these rates. WSAC's may set reduced rates commensurate with their financial positions.
- 28.23.3. Travel rates are not normally payable where public transport is both available and suitable. Reimbursement of public transport costs (standard rail or bus fare) to personnel may be made on submission of a claim form. In certain

circumstances a WSAC may make a local arrangement to pay fuel expenses only.

28.23.4. Travel allowance is not payable unless a minimum of eight kilometres travelling is involved. Subsistence expenses will be paid at the appropriate rate where applicable.

28.23.5. WSACs will be responsible for reimbursement of travel and subsistence expenses in respect of activities within their area and for WSAC personnel travelling on WSAC business outside their area. Any proposals involving travel and subsistence outside of a county area or abroad will require prior approval by Head Office. Travel abroad will be incurred at economy class.

#### 28.24. Other Requirements

28.24.1. On an annual basis, an examination of the WSAC accounts and property will be carried out by a person appointed as Honorary Auditor by the Council. To facilitate an examination, the Hon Treasurer will make available to the Auditor all financial and other records pertaining to the WSAC.

28.24.2. Balances in the WSAC's account on the 31st December will be offset against the following year's expenditure and will also be used to calculate the next years grant.

28.24.3. Committees will elect Honorary Auditors at their AGM each year. Persons so elected should have some knowledge of financial accounts and should not be officers of the WSAC.

28.24.4. All equipment held by Committee is the property of Water Safety Ireland. A list of such equipment in respect of any individual or other organisation held on hand at the 31st December each year should be forwarded by the Honorary Treasurer (or such other Officer appointed by the committee) to the National Office. This should be returned along with the WSAC year-end statements. This requirement is essential to ensure that all WSI property is insured under our policies.

28.24.5. The Committee will ensure that all equipment held is maintained in good condition and is fit for purpose.

#### 28.25. Income and Property

28.25.1. The income and property of the association shall be applied solely towards the promotion of its main object(s) as set forth in this Constitution. No portion of the association's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit, to the members of the association. No Officer shall be appointed to any office of the association paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the association. However, nothing shall prevent any payment in good faith by the association of:

28.25.2. Reasonable and proper remuneration to any member of the association (not being an Officer) for any services rendered to the association.

28.25.3. Reasonable and proper rent for premises demised and let by any member of the association (including any Officer) to the association.

- 28.25.4. Reasonable and proper out-of-pocket expenses incurred by any Officer in connection with their attendance to any matter affecting the association.
- 28.25.5. Fees, remuneration or other benefit in money or money's worth to any Company of which an Officer may be a member holding not more than one hundredth part of the issued capital of such Company.
- 28.25.6. Procurement
- 28.25.6.1. Most purchases will be under €5000 and verbal quotes can be used for them. Once the purchase amount exceeds €5000 we are required to have 3 written quotes for like items with the same specifications. The decision to award the contract must be written down and noted in your WSAC's minutes. The reasoning behind this decision should also be noted. The 3 quotations and the reasoning behind the award should be kept in your files. If you had a purchase of €5k or over during the year, this information should be sent into HQ with your year-end returns. These files are retained for inspection by the auditor.
- 28.25.6.2. Tax clearance certificates are required for purchases or hotel bookings over €10k. This applies to foreign suppliers as well. We are not allowed to do business with suppliers who cannot produce a tax clearance certificate at the time of purchase. If a supplier cannot provide one, you must use another supplier. Foreign suppliers can register with Revenue.ie and apply for a Tax Clearance certificate. It takes approximately 2 weeks to get one. You cannot pay them until you have received the Tax Clearance Certificate. This must be sent to HQ for the auditor's file along with year-end returns, as the Auditor inspects them each year.

## 29. Winding-up

- 29.1. If upon the winding up or dissolution of the association there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the association. Instead, such property shall be given or transferred to some other charitable institution or institutions having main objects similar to the main objects of the association. The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the association under or by virtue of income and property clause hereof. Members of the association shall select the relevant institution or institutions at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object.

## 30. Keeping of Accounts

30.1. Annual audited accounts shall be kept and made available to the Revenue Commissioners on request.

### **31. Additions, alterations or amendments**

31.1. No addition, alteration or amendment shall be made to or in the provisions of this Constitution for the time being in force unless the same shall have been previously approved in writing by the Revenue Commissioners.

## 32. Branding of WSI and the use of the WSI logo

32.1. For all branding issues, please refer to the branding guidelines on [www.watersafety.ie](http://www.watersafety.ie) .

## 33. Contact Details:

Water Safety Ireland, The Long Walk, Galway

Lo Call 1890 420 202

Tel: (091) 564400

Fax: (091) 564700

Email: [info@watersafety.ie](mailto:info@watersafety.ie)

[www.watersafety.ie](http://www.watersafety.ie)

34. I, John F. M. Leech, Chief Executive Officer of Water Safety Ireland have been directed by the Council to publish the above rules and regulations as revised and approved by them.



Lt Cdr John F M Leech

Chief Executive Officer

Water Safety Ireland

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