

Reference	SE1027
Page	1 of 9
Version	3
Last reviewed / updated	16.08.2023

# People Development Policy

## Equality, Diversity and Inclusion

### Policy Summary

This policy provides information on Swim England's obligations and commitments pertaining to Equality, Diversity and Inclusion in all of the aquatic disciplines. The policy includes reference to Swim England's expectations, the legal framework and the relevant procedures in the event the policy is breached. For the purposes of this policy, the following definitions are applicable:

**Equality** – Ensuring that every individual has an equal opportunity to make the most of their lives and talents.

**Diversity** – The differences between people. Intrinsically linked with the concept of 'representation', our objectives with regards to 'diversity' refer to our work towards ensuring our membership is reflective of the communities in which they are based.

**Inclusion** – A sense of belonging, feeling respected, valued for who you are; feeling a level of supportive energy and commitment from others so that you can do your best.

### Applicable To

All Stakeholders involved within Swim England's aquatic disciplines, in both a paid and voluntary capacity. This includes, but is not restricted to; Swim England employees, Board, Regional Teams, Committees, Members, Volunteers and Job Applicants. This policy is mandatory.

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## Policy Statement

As we move into a new strategic period, we recognise that now more than ever, our Equality, Diversity and Inclusion Policy should reflect our commitment towards diversifying our sports. In 2023 we released our 10-year strategy, 'Access Aquatics', with the following Mission:

***“Improve the health and success of the nation by enabling access to aquatics for all”***

*Our mission is to make our sports and activities accessible, inclusive and safe for everyone. We will champion our sports and work with and empower our partners to tackle inequalities; remove the barriers to participation currently experienced by people and communities;. provide a governance structure that ensures great, safe experiences; and enables everyone to reach their full potential in the water.*

*We know that for everyone to benefit from aquatics, there is much work to do to engage groups that are currently under-represented. Our insight tells us that people from ethnically diverse communities, people within the LGBTQ+ community, disabled people and those with long-term health conditions and those from lower socio-economic groups are under-represented within our aquatics community. Whilst we have taken action to better understand the needs of these groups, it is a journey and we are at the beginning. We are committed to better understanding the needs of these particular groups and taking positive action to address the issues, to tackle inequalities and drive meaningful change. We have developed broad principles that will set out how we will approach this important work, the impact of which will be measured through our Diversity and Inclusion Action Plan.*

*Similarly there is also much more to do to ensure the culture of aquatics at all levels is one that has inclusivity, welfare and safeguarding at its heart.*

We have chosen to include our Mission in full within this Policy Statement as we believe it should run as a golden thread throughout all of our activities. It sets out our organisational position within this area and aptly explains the standards to which we hold both our organisation and our Stakeholders. Aside from our sports, swimming is fundamentally a life skill and therefore we passionately believe that everyone, regardless of background, should be able to access aquatics.

If you have a query about any aspect of this Policy, require it in a different format or require assistance in locating an associated policy, please contact us via [equality@swimming.org](mailto:equality@swimming.org)

## 1. Policy Objectives

- 1.1. Swim England and its subsidiaries are fully committed to the principles and practice of equality of opportunity in all its functions. It is committed to the advancement of equality, diversity and inclusion beyond the minimum standards and legal requirements detailed within this policy.
- 1.2. Swim England considers the aquatic disciplines to provide “sport for all”. They can and should be made accessible to everyone, to the greatest extent possible.
- 1.3. Within the organisation, Swim England aspires to provide a culture that values meritocracy, openness, fairness, respect, transparency, inclusion and belonging. This is in keeping with the corporate values of Quality, Purpose, Togetherness, Fun and Resourcefulness.
- 1.4. To that end, all employees, workers, volunteers, clients, members, suppliers and contractors whether permanent or temporary are responsible for the promotion and advancement of this Policy.
- 1.5. Swim England recognises that people from certain communities may not have been able to participate equally and fully in our aquatic disciplines in the past. This Policy has been produced to both prevent and address any unlawful discrimination or other unfair treatment, whether intentional or unintentional, direct or indirect, against Stakeholders that may preclude them from participating fully in swimming’s related activities.
- 1.6. Swim England recognises the need to provide different and diverse opportunities as a means of creating access and commits to this being prevalent throughout our organisational planning.
- 1.7. Swim England is fully committed to the elimination of unlawful and unfair treatment and values the differences that a diverse workforce brings to the organisation. This Policy has been produced to prevent and address any such treatment, whether intentional or unintentional, direct or indirect, against team members and workers.
- 1.8. Swim England shall also promote dignity in the workplace through its Commitment to Dignity in the Workplace statement, which forms a related but separate policy of Swim England. Other related but separate People policies shall also be implemented and/or maintained to further the objectives of Equality, Diversity and Inclusion generally.

## 2. Legal Requirements

- 2.1. Swim England recognises its legal obligations under, and will abide by the requirements of, the Equality Act 2010.
- 2.2. It is responsible for ensuring that no Stakeholders are unlawfully discriminated against because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation (together the "Protected Characteristics") or any other relevant characteristic protected by law.
- 2.3. Swim England will seek advice each time this Policy is reviewed to ensure it continues to reflect the current legal framework and good practice.
- 2.4. Swim England recognises the following as being unacceptable:

### **“Discrimination, harassment, and victimisation”**

- 2.5. Unlawful discrimination or prohibited conduct can take the following forms:
- 2.5.1 *Direct Discrimination*: treating someone less favourably than you would treat others because of a Protected Characteristic.
  - 2.5.2 *Indirect Discrimination*: applying a provision, criterion or practice which, on the face of it, applies equally to all but which, in practice can disadvantage individuals with a particular Protected Characteristic. Such requirements or conditions are lawful only if they can be objectively justified.
  - 2.5.3 *Harassment*: engaging in unwanted conduct relating to a relevant Protected Characteristic or unwanted conduct of a sexual nature where the conduct has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the recipient, or any other individual affected by such conduct. Swim England is committed to ensuring that its Stakeholders are able to conduct their activities free from harassment.
  - 2.5.4 *Victimisation*: subjecting someone to a detriment because they have in good faith taken action under the Equality Act 2010 (or equivalent legislation) by bringing proceedings, giving evidence or information in relation to proceedings, making an allegation that a person has contravened the Equality Act 2010 (or equivalent legislation) or doing any other thing for the purpose of or in connection with the Equality Act 2010 (or any equivalent legislation).
- 2.6. Swim England regards discrimination, harassment, or victimisation, as described above, as serious misconduct. All complaints will be taken seriously and appropriate measures including disciplinary action may be brought against any Stakeholder who unlawfully discriminates against, harasses, or victimises any other person.
- 2.7 In the event of a claim of bullying, Swim England will refer to the judicial regulations, the Anti-Bullying Policy or the Commitment to Dignity Policy, dependent on the nature of the complaint and the stakeholders involved.

### **“Reasonable Adjustments”**

- 2.8 Swim England recognises that it has a duty to make reasonable adjustments for disabled people.
- 2.9 What is to be deemed ‘reasonable’ will be determined based on the following criteria: effectiveness of the adjustment, practicality, cost and health and safety implications. These considerations will be made whilst remaining mindful of the aim to remove or reduce the identified disadvantage.
- 2.10 The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, when acting as a service provider, Swim England has an obligation to think ahead and address any barriers that may impede disabled people from accessing its service.
- 2.11 Swim England will consider all requests for adjustments and where possible will accommodate reasonable requests and will work with disabled Stakeholders to implement any adjustments that will enable them to participate more fully.

### 3. Tackling Inequalities

- 3.1 Swim England recognises that, in some cases, to further the principle of equality, an unequal distribution of resources may be required. If appropriate and proportionate, and to the extent that is lawful, Swim England will consider positive action or may introduce special measures to assist any group with a Protected Characteristic which is currently underrepresented within any group of Stakeholders.
- 3.2 Swim England will establish a Diversity and Inclusion Action Plan "DIAP" which shall include a summary of the work that is being done, the review of its policies and practices on an ongoing basis, to ensure continuing compliance with relevant legislation, demographics and internal business requirements and where possible good practice.
- 3.3 Swim England will convene an internal cross-departmental inclusion working group to further the areas of Equality, Diversity and Inclusion both internally and externally.

### 4. Responsibility, implementation and communication

#### Responsibility

- 4.1. The following responsibilities will apply:
  - 4.1.1. The Swim England Board is responsible for ensuring that this Policy is implemented, followed, and reviewed when appropriate. The Swim England Board is also responsible for ensuring that this Policy is enforced and any breaches are dealt with appropriately.
  - 4.1.2. The Chief Executive Officer has the overall responsibility for the implementation of this Equality, Diversity and Inclusion Policy.
  - 4.1.3. A Swim England Board member will be appointed by the Board in consultation with the Chief Executive as the "Equality Champion" and will ensure that equality is included as an agenda item at Board meetings when appropriate and that the Board takes equality issues into consideration when making decisions.
  - 4.1.4. A Swim England employee shall serve as an officer with responsibility for equality (the 'Head of Diversity and Inclusion'), in conjunction with the Board's Equality Champion. The Head of Diversity and Inclusion shall have the overall day-to-day responsibility for the implementation of this Equality, Diversity and Inclusion Policy and for achieving any equality related actions resulting from it.
  - 4.1.5. All employees, volunteers and contractors have a responsibility to ensure they understand and comply with this Policy. They recognise that not doing so may leave them subject to disciplinary action, under contract (where applicable) or otherwise personally liable under Swim England's judicial regulations or the Equality Act 2010.
  - 4.1.6. Swim England encourages all Stakeholders to challenge inappropriate behaviour and will support them in doing so.

## Implementation

- 4.2.1. Swim England will develop and cascade a Public Commitment Statement;
- 4.2.2. Swim England will ensure the Recruitment and Selection Policy reflects the commitments set out within this Policy;
- 4.2.3. All roles advertised by and for Swim England will contain a policy statement similar to the following:  
*"Swim England is committed to providing equal opportunities for all and is committed to following best practice in the welfare of young people and adults at risk. For further information please consult [www.swimming.org](http://www.swimming.org)"*
- 4.2.4. No applicant for any post (including job applicants, consultant advisers and suppliers) will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the job or which constitute unlawful discrimination;
- 4.2.5. Consultants and advisers (and where appropriate, suppliers) to Swim England will be required to abide by this Policy and it will be referred to in any service level agreements or contracts issued by Swim England;
- 4.2.6. Swim England Volunteer Policy shall include reference to this Policy and a copy shall be provided to volunteers;
- 4.2.7. Swim England will join appropriate organisations in order to network, promote and exchange best practice;
- 4.2.8. Swim England will produce a best practice Equality, Diversity and Inclusion Policy which all affiliated clubs will be required to adopt, and will remind clubs of their ongoing obligations under the law and under its affiliation to Swim England.

## Communication

- 4.3 This Equality, Diversity and Inclusion Policy will be communicated in the following ways:
  - 4.3.1. The Policy will be included in any employee handbook (or equivalent paper or electronic document). Reference will be made to this Policy in any code of conduct;
  - 4.3.2. The Policy will be included within the Swim England Handbook Code of Ethics with reference to compliance from all applicable stakeholders;
  - 4.3.3. The Policy will be highlighted in all employee and volunteer inductions;
  - 4.3.4. A copy of this Policy will be publicly available on Swim England's website and copies in other formats will also be available from Swim England's Head Office.
  - 4.3.5. Swim England will promote and deliver continuing Equality, Diversity and Inclusion professional development for all employees to support equal opportunities within the organisation;



- 4.3.6 Objectives relating to fair and inclusive practices will be included in all employees' performance indicators and will form an integral part of performance reviews throughout the year. Individual work programmes for Swim England employees will be amended to include inclusion-related tasks where appropriate.

## 5. Monitoring and Evaluation

- 5.1 This Policy will remain in force until it is amended, replaced or withdrawn. A review of this Policy will take place in accordance with Swim England's Management of Policies policy, or sooner if required by changes in legislation or best practice.
- 5.2 The Diversity and Inclusion Action Plan ("DIAP") will be used to ensure the objectives of this Equality, Diversity and Inclusion Policy are delivered. The DIAP will be regularly reviewed by the Head of Diversity and Inclusion. Progress relating to the Policy will be recorded annually and a full report will be presented to the Board to debate progress and review the policy status. This shall include statistical and, if appropriate qualitative, information. Once approved by the Swim England Board, a report will be published internally and externally (with due regard to the sensitivity of the information), to show the impact of this Policy and progress towards achieving the Diversity and Inclusion Action Plan.

## 6. Complaints Procedures

- 6.1 To safeguard individual rights under this Policy, any Stakeholder who believes they have suffered inequitable treatment within the scope of this Policy may raise the matter through the appropriate procedures as set out below. In the event that it is a complaint regarding this Policy or another policy of Swim England, the complaint shall be directed to the Board unless otherwise prescribed in that policy.
- 6.2.1 In the event a complaint is made by a Swim England employee with regards to the organisation or colleague(s), the Grievance Policy and Procedure is to be followed.
- 6.2.2 If the complaint pertains to a Stakeholder not and employee of Swim England, the Swim England Office of Judicial Administration may be contacted at [judicial@swimming.org](mailto:judicial@swimming.org) for guidance on the suitable procedure (without comment on the merits of the complaint). The Office of Judicial Administration may allocate a Swim England Friend to provide advice on the matter.
- 6.4 In all other circumstances the procedures detailed via the Swim England Complaints Policy will be followed.
- 6.5 Where assistance is needed in identifying the appropriate procedure for an internal complaint, the Head of Diversity and Inclusion may assist in the first instance (without comment on the merits of the complaint). They can be contacted via [equality@swimming.org](mailto:equality@swimming.org)
- 6.6 Appropriate action may be taken against any Swim England Stakeholder who is found to have violated this Policy.

## 7. Associated Policies and Procedures

Reference	Name
<b>People Development</b>	
PD5	Commitment to Dignity
PD9	Family Friendly
PD12	Grievance Policy and Procedure
PD15	Recruitment and Selection Policy and Procedure
PD19	Transitioning at Work
PD27	Code of Ethics
<b>Health and Safety</b>	
HS1021	New and Expectant Mothers
HS1027	Young and Vulnerable Adults
<b>Legal</b>	
L1001	Complaints Policy
SE1034	Transgender and Non-Binary Competition Policy
	WavePower – Swim England Child Safeguarding Policies and Procedures (Inclusive of Anti-Bullying Policy)
<b>Sport</b>	
SE1010	Epilepsy Policy
SE1041	Safeguarding Adults at Risk
	Swim England Handbook (Inclusive of Judicial Regulations)