

# Equality & Diversity Policy

## 1. General

- 1.1 Swim England Qualifications (SEQ) is committed to ensuring equal opportunities. We are committed to the principles and practice of equality of opportunity in all its functions as an awarding organisation.
- 1.2 We are a distinct department within Swim England, the National Governing Body for swimming in England. In relation to our activities, Swim England has overall responsibility for ensuring that no job applicant, employee, volunteer, member, service user or person within its jurisdiction (together "Stakeholders") are unlawfully discriminated against in line with the "Protected Characteristics under the Equality Act 2010" or any other irrelevant characteristic. We ensure that we follow good practice, legislation and regulation as well as ours and the groups policies and procedures with all staff, external consultants, potential learners, learners, Approved Training Centres (ATCs), (and their workforce) and other delivery organisations.

## 2. Purpose

- 2.1 This policy sets out our commitment to meeting the requirements of the Equality Act 2010, and to the principles of equality and diversity in the development, delivery and awarding of qualifications.
- 2.2 It should be read in conjunction with the following SEQ policies and procedures:
  - Pre-Appeals, Enquiries and Appeals policy and procedures
  - Complaints policy and procedures
  - Reasonable Adjustments and Special Consideration policy and procedures
  - Learner Name Change policy
  - Product Development policy
  - External Consultant policy
  - Privacy policy

## 3. Scope

- 3.1 All those representing Swim England Qualifications either directly or indirectly, are responsible for the implementation of this policy.
- 3.2 This policy is provided for our staff, external consultants, ATCs and learners using our products and services.

## 4. Definition – Legal Framework

- 4.1 This policy is underpinned by the following legislation:
  - Equality Act 2010
  - Human Rights Act 1998

- Employment Relations (Flexible Working) Act 2023
- Public Sector Equality Duty (where applicable)

4.2 The Protected Characteristics referenced in this Policy mean those in the Equality Act 2010 (as may be amended), namely:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief (including lack of belief)
- Sex
- Sexual orientation

4.3 Discrimination, harassment, bullying and victimisation take that definition in the Equality Act 2010 (as may be amended), namely:

**Direct Discrimination:** Treating someone less favourably than others because of a Protected Characteristic.

**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.

**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. We are committed to ensuring that our Stakeholders are able to conduct their activities free from harassment.

**Bullying:** The misuse of power or position to criticise persistently or to humiliate and undermine an individual's confidence.

**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).

4.4 We are required by law not to unlawfully discriminate against Stakeholders and recognise our legal obligations and will abide by the requirements of the Equality Act 2010, and any equivalent legislation (as amended) in any UK jurisdiction, Jersey, Guernsey or the Isle of Man and any later amendments to such legislation or subsequent equality related legislation that may be relevant to Swim England.

- 4.5 We will seek advice each time this Policy is reviewed to ensure it continues to reflect the current legal framework and good practice.
- 4.6 This policy is developed to meet Section 53 of the Equality Act 2010<sup>1</sup>

## 5. Principles

5.1 Relating to recruitment and selection, we ensure that;

5.1.1 We will follow the group policies found at:

<https://www.swimming.org/swimengland/inclusion/>

5.1.2 Where lawful and proportionate, single-sex spaces or services may be provided in line with Schedule 3 of the Equality Act 2010. This will always be handled with respect and sensitivity.

5.1.3 We support the right to request flexible working from day one of employment and encourage a work-life balance for all staff.

5.2 Relating to our Qualifications, we ensure that;

5.2.1 The process of Centre Approval follows the same robust requirements for all ATCs.

5.2.2 Learner certification is based on achieving the standard of the qualification

5.2.3 In accordance with Equalities Law, have in place clear arrangements for making Reasonable Adjustments in relation to our qualifications

5.2.4 Our qualifications are suitable for as diverse a range of learners as possible

5.2.5 That all qualifications, both new and existing, are monitored, reviewed and developed within the scope of the SEQ Equality Impact Assessment Process and the SEQ Product Development Procedure

5.2.6 Our qualifications adhere to regulatory conditions relating to the development, delivery, assessment and awarding of SEQ qualifications, to ensure that qualifications contain no bias in content which might discriminate against or disadvantage any groups of learners sharing a particular Characteristic, in terms of language, content or means of assessment, other than those directly related to the purpose of the units or qualifications

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<sup>1</sup> <https://www.legislation.gov.uk/ukpga/2010/15/part/5/chapter/1/crossheading/qualifications>

5.2.7 If any such features or barriers of this type are necessary, their nature and the reason for their inclusion in the particular qualification are clearly set out. Staff responsible for inducting learners on to qualifications must be fully briefed of such features.

5.2.8 Securely protect the data which we hold relating to that of individuals.

## 6. Responsibility, Implementation and Communication

6.1 The following responsibilities will apply:

- 6.1.1 Our senior officers / SEQ management team are responsible for monitoring this Equality Policy, however it is everyone’s responsibility to implement this.
- 6.1.2 We recognise that, in some cases, to further the principle of equality, an unequal distribution of resources may be required, and we will adopt the statements of Swim England in such cases.
- 6.1.3 We will reference and include a copy of this Policy as part of contractual agreements with consultants and other service providers.

## 7. Quality Assurance and Monitoring

7.1 This policy supports regulatory conditions;

Related Ofqual General Conditions of Recognition:	A1; A4; A6; C2; D1; D2; E4; G6; G7;
Related Qualifications in Wales Standard Conditions of Recognition:	A1; A4; A6; C2; D1; D2; E4; G6; G7;

7.2 This policy will be reviewed biennially, to ensure it continues to meet our needs and those of our Regulators (Ofqual / Qualification Wales) or earlier should either legislation, regulation or feedback require it.

For Office Purposes

Document Version Number	Comments on Amendments and/or Additions	Published Date
5	Existing Policy	April 2023
6	Section 2 added - Complaints and Grievance Procedures Section 5 added – Single sex spaces and Flexible Working and Family-Friendly Practices. Fixed minor typos and grammatical and number anomalies. Additional conditions inserted	May 2025