



## COMMONWEALTH GAMES BIRMINGHAM 2022 28th July 2022 – 8th August 2022

### NOMINATION AND SELECTION POLICY SWIMMING, PARA-SWIMMING AND DIVING

#### 1. Introduction

- 1.1 This nomination and selection policy has been agreed by Swim Wales and Commonwealth Games Wales (CGW). In relation to Swimming and Diving it provides detail on the process by which Swim Wales will arrive at its nominations to be submitted to CGW for consideration to represent Team Wales at the Birmingham 2022 Commonwealth Games. In relation to Para Swimming it provides detail by which athletes will gain selection via the Commonwealth Games Federation (CGF) Athlete Allocation System.
- 1.2 The Commonwealth Games entry process is still transitioning from open entry, last seen in Glasgow 2014 to an invitation by qualification system. The hybrid model first used in Gold Coast 2018, with modifications, will be used again for Birmingham 2022. The size of the Team is capped by the CGF and Birmingham 2022. There are no extra slots for Wales even though this may be considered a 'Home Games'.
- 1.3 This policy explains the process by which Swim Wales will nominate swimmers and divers to CGW. The final decision in selection to the 2022 Commonwealth Games lies fully with CGW. With the exception of Para Swimming, **achievement of the criteria within this policy represents eligibility for nomination, and does not guarantee selection.**
- 1.4 Swim Wales will nominate only those athletes that are eligible under both the Swim Wales nomination criteria stated below, and the CGW General Selection Criteria (available on the CGW website) that should be read in conjunction with this policy.

#### 2. Selection Policy Aim

- 2.1 The aim of this policy is to nominate swimmers and divers to CGW that are capable of competing with distinction at the 2022 Commonwealth Games, with the individuals and/or teams having the ability to achieve medal potential and at least a top six placing in the anticipated field. Additionally this policy outlines the process by which Para Swimmers will be selected to Team Wales.

#### 3. Nomination window and events – Swimming and Diving

- 3.1 For Swimming, Performances at Swim Wales, Swim England, Scottish Swimming, British Swimming, LEN, or FINA accredited competitions between the 1<sup>st</sup> June

2021 and the 18<sup>th</sup> April 2022 will be considered in the nomination of swimmers and divers to CGW for selection to Team Wales for the 2022 Commonwealth Games. For Diving, Performances at Swim Wales, Swim England, Scottish Swimming, British Swimming, LEN, or FINA accredited competitions between the 1<sup>st</sup> June 2021 and the 1<sup>st</sup> May 2022 will be considered in the nomination of swimmers and divers to CGW for selection to Team Wales for the 2022 Commonwealth Games.

- 3.2 In line with the CGW Selection handbook (available on the CGW website), performances at additional events (other events) within the respective nomination windows stated in 3.1 may be considered at the discretion of the Swim Wales Nomination Panel in the nomination of swimmers and divers to CGW for selection to Team Wales for the 2022 Commonwealth Games.
- 3.3 Only long course competitions will be considered in the nomination of swimmers.
- 3.4 Where an athlete is selected to represent Great Britain at the Tokyo 2021 Olympic Games in a relay (swimming) or synchronised (diving) event only, and therefore have a reduced opportunity to swim or dive individual events within the nomination window, their performances from specific competitions identified in the respective British Swimming / British Diving Olympic selection policy may be considered, at the discretion of the Swim Wales Nomination Panel, in the nomination of swimmers and/or divers to CGW for selection to Team Wales for the 2022 Commonwealth Games.

#### **4. Team size**

- 4.1 As a Commonwealth Team, the focus is on a team with medal winning potential. The overall size of the swimming team will be determined by CGW following nominations by Swim Wales.
- 4.2 Up to a maximum of three swimmers per individual event and one relay team per event can be nominated and selected.
- 4.3 Up to a maximum of three divers per individual event and two pairs per synchronised events can be nominated and selected.

#### **5. Athlete nomination criteria - Swimming**

- 5.1 A ranking list will be compiled for all Commonwealth Games 2022 individual and relay events at the conclusion of the nomination window based on the fastest single performance between the 1<sup>st</sup> June 2021 and 18<sup>th</sup> April 2022. Heat, semi-final and final performances will be considered in this process.

- 5.2 The first ranked swimmer in each individual event will be eligible for nomination, subject to the swimmer recording a time that equals or betters the nomination standard listed in Table 1.
- 5.3 The second/third ranked swimmer in each individual event will also be eligible for nomination, subject to the swimmer/s recording a time that equals or betters the nomination standard listed in Table 1.
- 5.4 The top four ranked swimmers (male and female) in each of the 100m and 200m Freestyle events will be eligible for nomination as a 4 x 100m and 4 x 200m freestyle relay team respectively, subject to a combined time that equals or betters the nomination standard listed in Table 1. The fifth and sixth ranked swimmers may also be considered for nomination at the complete discretion of the nomination panel, subject to a total time that equals or betters the qualifying time when the fifth and/or sixth ranked swimmer's time is substituted for the fourth ranked swimmer's time.
- 5.5 The first ranked swimmers (male and female) in the 100m Backstroke, 100m Breaststroke, 100m Butterfly and 100m Freestyle will be eligible for nomination as a 4 x 100m medley relay team, subject to a combined time that equals or betters the nomination standard listed in Table 1. In the case that one swimmer is ranked first in more than one of the above events (100m Backstroke, 100m Breaststroke, 100m Butterfly and 100m Freestyle), the nomination panel may, at their complete discretion, use the time of the second ranked swimmer to create the fastest combined time. Up to a maximum of two additional swimmers may also be considered for nomination at the complete discretion of the nomination panel, subject to a total time that equals or betters the nomination standard when the fifth and/or sixth ranked swimmer's time is substituted into the total team time.
- 5.6 The fastest combination of four swimmers (two male and two female) will be eligible for nomination as a mixed 4 x 100m medley relay team, subject to a combined time that equals or betters the nomination standard listed in Table 1. Up to a maximum of two additional swimmers (one male and one female) may also be considered for nomination at the complete discretion of the nomination panel, subject to a total time that equals or betters the qualifying time when the fifth and/or sixth ranked swimmer's time is substituted into the total team time.
- 5.7 The fastest combination of four swimmers (two male and two female) will be eligible for nomination as a mixed 4 x 100m freestyle relay team, subject to a combined time that equals or betters the nomination standard listed in Table 1. Up to a maximum of two additional swimmers (one male and one female) may also be considered for nomination at the complete discretion of the nomination panel, subject to a total time that equals or betters the qualifying time when the fifth and/or sixth ranked swimmer's time is substituted into the total team time.

- 5.8 A total allowance of 1.50 seconds will be deducted from the combined individual performances for takeovers to establish a combined time for relays.
- 5.9 In the event of a tie (equal 1st or 2nd or where two or more swimmers are ranked on the same time) the swimmers' second ranked time will be considered. In the event of an equal 4th place in the 100m and/or 200m freestyle final, the swimmers' second ranked time will be used to determine which swimmer is ranked as part of the relay team.
- 5.10 The nomination panel may, at their complete discretion, nominate a swimmer that does not achieve the nomination standard if:
- (a) The swimmer can demonstrate that illness/injury has significantly hampered their performance throughout the consideration period (1<sup>st</sup> June 2021 and the 18<sup>th</sup> April 2022) and has equalled or bettered the nomination standard in the period 1<sup>st</sup> April 2021 – 1<sup>st</sup> June 2021.
  - (b) The swimmer has performed within 0.5% of the nomination standard during the nomination window (1<sup>st</sup> June 2021 and the 18<sup>th</sup> April 2022), and is displaying a significantly improving performance profile as evidenced by performance data during the nomination window.

## **6. Athlete nomination criteria - Diving**

- 6.1 A ranking list will be compiled for all Commonwealth Games 2022 individual and synchronised events at the conclusion of the nomination window based on the best single performance (highest points score) between the 1<sup>st</sup> June 2021 and 1<sup>st</sup> May 2022.
- 6.2 The first ranked diver / pair in each individual / synchronised event will be nominated, subject to the diver/s recording a score that equals or betters the nomination standard listed in Table 2.
- 6.3 The second/third ranked diver in each individual event will also be nominated, subject to the diver recording a score that equals or betters the nomination standard listed in Table 2 and subject to available team spaces. The second ranked pair in each synchronised event will also be nominated, subject to the pair recording a score that equals or betters the nomination standard listed in Table 2.
- 6.4 The nomination panel may, at their complete discretion, nominate a diver that does not achieve the nomination standard if:
- (a) The diver can demonstrate that illness/injury has significantly hampered their performance throughout the consideration period (1<sup>st</sup> June 2021 and the 1<sup>st</sup> May 2022) and has equalled or bettered the nomination standard in the period 1<sup>st</sup> April 2021 – 1<sup>st</sup> June 2021.

- (b) The diver has performed within 0.5% of the nomination standard during the nomination window (1st June 2021 and the 1<sup>st</sup> May 2022), and is displaying a significantly improving performance profile as evidenced by performance data during the nomination window.

## **7. Nomination and selection process – Swimming and Diving**

- 7.1 The Swim Wales nomination panel will nominate swimmers and divers to CGW for selection to the 2022 Commonwealth Games in accordance with the nomination criteria and process detailed in sections 5 and 6 of this policy.
- For Swimming, the list of nominees will be submitted to CGW no later than the 2<sup>nd</sup> May 2022. The list of nominees will be confirmed by the nomination panel by the 20<sup>th</sup> April 2022, following the close of the qualification window on the 18<sup>th</sup> April 2022.
  - For Diving, the list of nominees will be submitted to CGW no later than the 6<sup>th</sup> May 2022. The list of nominees will be confirmed by the nomination panel by the 2<sup>nd</sup> May 2022, following the close of the qualification window on the 1<sup>st</sup> May 2022.
- 7.2 Following confirmation of the list of nominees, the Swim Wales National Performance Director will contact, by email and in confidence, those swimmers / divers who are to be nominated to CGW for selection.
- For Swimming, this will be done by 6pm on the 22<sup>nd</sup> April 2022.
  - For Diving, this will be done by 6pm on the 2<sup>nd</sup> May 2022.
- 7.3 The proposed list of nominees will be officially submitted to CGW in accordance with 7.1. Prior to nomination, Swim Wales will share with each nominated athlete the required factual evidence to be submitted to CGW. This information must be agreed in writing by each athlete prior to the submission.
- 7.4 During the nomination process individuals' personal data will be disclosed. CGW will hold this data in accordance with its data protection policy, (please refer to Appendix B – Privacy notice for team members, nominees, volunteers and others). Athletes will be required to sign the consent form (Appendix C) as part of the nomination process.
- 7.5 CGW will confirm the selections [by name or as a team] on 25<sup>th</sup> May 2022. Final team selection (if appropriate) will be confirmed and announced on the 8<sup>th</sup> / 9<sup>th</sup> June 2022.
- 7.6 Final selection to the Games team is dependent on receipt of relevant information required by CGW such as the CGF Eligibility form and Team Member Agreement.

## **8. Nomination and Selection Appeals Process – Swimming and Diving**

- 8.1 Swimmers / divers who do not receive an email confirming their nomination from the National Performance Director by the respective date/time stated in 7.2 should consider themselves as not being included in the list of nominations to CGW. Confirmation of this can be sought by emailing the Swim Wales National Performance Director.
- 8.2 Those swimmers / divers who are not included in the list of nominations to CGW will have the right to appeal their non-nomination. Appeals shall only be considered if they address the selection process, clarification of fact or provide new and relevant information / evidence. Grounds for appeal do not include; eligibility, health, or performances achieved outside the nomination policy (please refer to section 3.1 – 3.4).
- 8.3 All non-nomination appeals must be received, in writing **by email**, including the grounds upon which the appeal is made, to the Swim Wales National Performance Director at [ross.nicholas@swimming.org](mailto:ross.nicholas@swimming.org)
- For Swimming, this must be done by 12.00 midday on 25<sup>th</sup> April 2022. Any appeals will be passed directly onto the Independent Appeals Official for review, and in all instances, Swim Wales will respond in writing **by email** to the swimmer by 6pm on the 28<sup>th</sup> April 2022, notifying them of the outcome of the Appeal Process.
  - For Diving, this must be done by 12.00 midday on 4<sup>th</sup> May 2022. Any appeals will be passed directly onto the Independent Appeals Official for review, and in all instances, Swim Wales will respond in writing **by email** to the swimmer by 6pm on the 5<sup>th</sup> May 2022, notifying them of the outcome of the Appeal Process.
- 8.4 Any swimmer /diver not included for nomination may not appeal their non-nomination directly to the CGW.
- 8.5 Swimmers / divers nominated by Swim Wales but not selected by CGW will have the right of appeal to the CGW, following their non-selection. Full details of the selection appeals process are detailed in the CGW Selection Handbook (available on the CGW website).

## 9. Para Swimming selection process

- 9.1 The selection of Para-Swimmers by CGW will be based on the **CGF ATHLETE ALLOCATION SYSTEM**, which has been agreed by the IPC and the CGF. Full details of the athlete allocation system for Para Swimming and associated information can be found in Appendix A.
- 9.2 Only athletes identified and invited under this process will be considered for selection.
- 9.3 The maximum slot allocation for each individual event is eight swimmers, and a maximum of three swimmers per nation can be selected for each individual event.

9.4 Relay teams must be compiled from swimmers who have already gained selection to individual events, and a maximum of one team per nation can be selected for each relay event.

## **10. Staff selection process**

10.1 The final complement of team staff attending the Games will depend upon team numbers and composition and will be determined by CGW in consultation with Swim Wales.

10.2 A Team Manager for Swimming, Diving and Para Swimming will be appointed by CGW in consultation with Swim Wales.

10.3 The Swim Wales National Performance Director will act as the team leader for Swimming, Diving and Para Swimming.

10.4 Following the conformation of athlete selection by CGW, coaching and support staff will be appointed to the Commonwealth Games Swimming, Para Swimming and Diving Team by the Team Leader (Swim Wales National Performance Director) in consultation with CGW. Confirmed coaches and support staff will be expected to play a full part in the preparation of the Team as identified by the Swim Wales National Performance Director.

10.5 Coaches must hold the minimum of a UKCC Level 3 qualification or equivalent

10.6 There will be no appeal process for staff selection.

## **11. Force Majeure and Covid-19**

11.1 "Force Majeure" means any act, event, omission, cause or circumstance not within the reasonable control of Swim Wales, CGW, or the CGF, including but not limited to any strike, lockout or other industrial action, any civil commotion or disorder, riot, invasion, war or terrorist activity or threat of war or terrorist activity, any action taken by a governmental or public authority of any kind (including, without limitation, not granting a consent, exemption, approval or clearance), any fire, explosion, storm, flood, earthquake, subsidence, epidemic, pandemic or other natural physical disaster. In the event of such Force Majeure affecting the application of this Nomination and Selection policy, Swim Wales shall have the sole discretion, in consultation with CGW, to invoke any reasonable amendments it considers are required which are in line with the purpose of this Nomination and Selection policy and shall not be considered to be in breach of this policy or otherwise liable for any such failure or delay in the performance of such obligations within this policy. The time for performance of such obligations shall be extended accordingly.



11.2 The COVID-19 pandemic continues to evolve rapidly and the government's advice and measures to protect the public and manage the impact on the economy are changing frequently. Therefore, Swim Wales cannot foresee how the COVID-19 pandemic will affect this policy. Should it be required, Swim Wales shall have the sole discretion, in consultation with CGW, to invoke any amendments it considers are required which are line with the purpose of this policy and shall not be considered to be in breach of this policy or otherwise liable for any such failure or delay in the performance of such obligations within this policy because of a issues caused by COVID-19.



**Table 1: Swimming nomination standards**

<b>MALE NOMINATION TIMES</b>	<b>EVENT</b>	<b>FEMALE NOMINATION TIMES</b>
00:22.20	50 FREESTYLE	00:25.04
00:49.01	100 FREESTYLE	00:54.49
01:48.12	200 FREESTYLE	01:59.03
03:50.25	400 FREESTYLE	04:12.27
	800 FREESTYLE	08:39.62
15:10.34	1500 FREESTYLE	
00:25.33	50 BACKSTROKE	00:28.22
00:54.51	100 BACKSTROKE	01:00.83
01:59.04	200 BACKSTROKE	02:11.53
00:27.90	50 BREASTSTROKE	00:31.29
01:00.13	100 BREASTSTROKE	01:07.98
02:11.00	200 BREASTSTROKE	02:26.16
00:23.92	50 BUTTERFLY	00:26.34
00:52.19	100 BUTTERFLY	00:58.48
01:58.79	200 BUTTERFLY	02:10.81
02:00.22	200 INDIVIDUAL MEDLEY	02:13.03
04:18.06	400 INDIVIDUAL MEDLEY	04:43.06
03:17.17	4 X 100 FREESTYLE RELAY	03:40.54
07:14.80	4 X 200 FREESTYLE RELAY	08:01.89
03:36.04	4 X 100 MEDLEY RELAY	04:03.10
<b>MIXED EVENTS AND NOMINATION TIME</b>		
MIXED 4 x 100 MEDLEY RELAY		03:51.34
MIXED 4 X 100 FREESTYLE RELAY		03:30.68

**Table 2: Diving nomination standards**

	<b>EVENT</b>	<b>NOMINATION SCORE</b>
<b>MALE</b>	1m SPRINGBOARD	354.30
	3m SPRINGBOARD	401.53
	10m PLATFORM	404.20
	3m SYNCHRO	357.93
	10m PLATFORM SYNCHRO	380.50
	<b>EVENT</b>	<b>NOMINATION SCORE</b>
<b>FEMALE</b>	1m SPRINGBOARD	258.44
	3m SPRINGBOARD	292.33
	10m PLATFORM	310.71
	3m SYNCHRO	256.36
	10m PLATFORM SYNCHRO	289.34
	<b>EVENT</b>	<b>NOMINATION SCORE</b>
<b>MIXED</b>	3m MIXED SYNCHRO	290.80
	10m MIXED SYNCHRO	288.88

**NOMINATION AND SELECTION POLICY GENERAL CONDITIONS**

**A. Eligibility**

- A1. The eligibility criteria of the Commonwealth Games Federation (CGF), must be met by all nominees. For details please refer to the Commonwealth Games Wales Selection Handbook (available on the CGW website).
- A2. Be Swim Wales registered.
- A3. Have completed a Selection Acceptance Form to confirm they will be available to participate by the deadline to be imposed by Swim Wales. Failure to do so will be

interpreted as non-availability by Swim Wales. Selection Acceptance Forms will be provided by Swim Wales to qualifying team members.

- A4. Be available to fulfil all team commitments from the time of nomination through to the Games.
- A5. Comply with any other Commonwealth Games Federation eligibility criteria from time to time, including in respect of nationality and/or anti-doping.

## **B. Team commitments**

All team members will be required to:

- B1. Comply with the Swim Wales Code of Conduct. A breach of the Swim Wales Code of Conduct may result in de-selection from the team.
- B2. Adhere to all prescribed travel arrangements which might involve different travel dates to other members of the team.
- B3. Abide by media protocols of the Swim Wales Programme and CGW. Athletes must only speak to the media about their own performances and group coaches must only comment on performances of swimmers in their group. The National Performance Director may discuss performances of the entire team. Swimmers must not publicise any information in relation to selection-related matters until authorised to do so by the Team Leader.
- B4. Make themselves available for all team activities designated by the National Performance Director (including but not limited to preparation camps and staging camps). No team member will be allowed to leave a national team camp or undertake any activities that are not directly relevant to the team camp programme; this includes any external media, sponsor or social activities. Failure to attend the required activities could result in withdrawal from the team following consultation with the Team Wales Commonwealth Committee. Under exceptional circumstances, written approval to be excluded from activities may be given by the National Performance Director.
- B5. Comply with Swim Wales, FINA and Team Wales swimwear regulations whilst competing at the Commonwealth Games 2022.

## **C. Withdrawals and replacements**

- C1. If for any reason a selected Team Member is unable or unwilling to fully comply with the Team Commitments they may be withdrawn from the team following consultation with CGW.



- C2. Team Members becoming unfit due to illness or injury at any time following their nomination by Swim Wales and prior to the end of the registration process, must notify Swim Wales immediately and will be required to undertake a full medical examination (which may include fitness (land/water) and/or medical tests) by Medical staff. This may result in the Team Member being de-selected from the team at the complete discretion of the National Performance Director following consultation with CGW.
- C3. Replacement of Team Members withdrawn from the team prior to the end of the registration process will be considered at the complete discretion of the National Performance Director following consultation with CGW if viewed to be in the best interest of the overall team performance. Where Team Members are de-selected from the Team following the end of the registration process, any replacement decisions shall be made at the discretion of CGW (in consultation with the National Performance Director) in accordance with the Commonwealth Games Federation Late Athlete Replacement Policy.

## APPENDIX A: Athlete allocation system – Para Swimming

### 2022 Commonwealth Games - Birmingham - 28 July – 8 August 2022

#### PARA SWIMMING - World Para Swimming (WPS)

The information in this Athlete Allocation System is accurate as at 01 October 2021 but remains subject to change. As a result of the unique and extenuating circumstances caused by COVID-19 and the subsequent impact on international sporting calendars, the CGF and World Para Swimming will be closely monitoring this Athlete Allocation System to determine if any changes are necessary.

For the avoidance of doubt, the CGF and World Para Swimming reserve the right to amend this Athlete Allocation System in any manner, and in their sole and absolute discretion, should it be deemed necessary to ensure a fair qualification pathway for all Athletes.

#### 1 OVERVIEW

The Para Swimming Athlete Allocation System includes two (2) key methods of qualification:

1. **World Para Swimming World Rankings**  
(Ranking period 31 December 2020 to 18 April 2022)
2. **Bipartite Invitation**  
World Para Swimming and CGF Bipartite Invitation

#### 2 MEDAL EVENTS (14)

Men's Medal Events (6)	Eligible Sport Classes
• 200m Freestyle S14	• S14
• 50m Freestyle S13*	• S11 - 13
• 100m Butterfly S10	• S9 - 10
• 100m Backstroke S9	• S8 - 9
• 100m Breaststroke SB8	• SB7 - 8
• 50m Freestyle S7	• S6 - 7

Women's Medal Events (6)	Eligible Sport Classes
• 200m Freestyle S14	• S14
• 50m Freestyle S13	• S11 - 13
• 200m IM SM10	• SM9 -10
• 100m Freestyle S9	• S8 - 9
• 100m Breaststroke SB6*	• SB5 - 6
• 100m Backstroke S8	• S7 - 8

Mixed Medal Events (2)	Eligible Sport Classes
Mixed 4 x 100m Freestyle Relay S14*	<ul style="list-style-type: none"> <li>The relay team must include two (2) male and two (2) female eligible athletes already entered in individual events.</li> <li>All athletes must have an S14 Sport Class.</li> </ul>
Mixed 4 x 100m Medley Relay 34 point*	<ul style="list-style-type: none"> <li>The relay team must include two (2) male and two (2) female eligible athletes already entered in individual events.</li> <li>All athletes must be selected from Sport Classes S1 – 10.</li> <li>The relay team must have a maximum cumulative point score of 34 points. The cumulative point score is determined by combining the Sport Classes of all four (4) relay team athletes (in the stroke that they will swim). For the avoidance of doubt, the sport class of an individual athlete is worth the actual number value of the stroke they are swimming (i.e. sport class S6 is worth 6 points; sport class S10 is worth 10 points, SB9 is worth 9 points, etc.).</li> </ul>

\*The CGF will conduct a formal review and analysis of the above Para Swimming medal events in accordance with the CGF Event Viability Policy to determine their viability against the required minimum depth of field and CGA/regional representation requirements. For the avoidance of doubt, following this review the CGF reserve the right to remove these medal events at their sole and absolute discretion.

### 3 ATHLETE ALLOCATION SYSTEM (PARA SWIMMING)

#### a) Allocations per Event

Men's Medal Events	Maximum Possible Slot Allocations
• 200m Freestyle S14	• 8
• 50m Freestyle S13	• 8
• 100m Butterfly S10	• 8
• 100m Backstroke S9	• 8
• 100m Breaststroke SB8	• 8
• 50m Freestyle S7	• 8

Women's Medal Events	Maximum Possible Slot Allocations
• 200m Freestyle S14	• 8
• 50m Freestyle S13	• 8
• 200m IM SM10	• 8
• 100m Freestyle S9	• 8
• 100m Breaststroke SB6	• 8
• 100m Backstroke S8	• 8

Mixed Medal Event	Maximum Possible Slot Allocations
• Mixed 4 x 100m Freestyle Relay S14	0 (must be from within existing slot allocations)
• Mixed 4 x 100m Medley Relay 34 point	0 (must be from within existing slot allocations)

The maximum possible slot allocation does not necessarily reflect the maximum field size, as in accordance with the process outlined below and subject to approval by CGF and World Para Swimming, eligible athletes that have obtained a slot allocation may enter all events in which they are eligible to compete in. No additional slot allocations will be distributed for the Mixed Relays, relay teams must be made up of existing athletes that have been allocated a slot for individual medal event(s).

#### b) Maximum Number of Athletes by Commonwealth Games Association (CGA)

Gender	Event Specific
Men	3 per event
Women	3 per event
Gender	Event Specific - Relays
Mixed	1 Team per CGA per relay event

#### 4 QUALIFICATION FRAMEWORK

World Para Swimming World Rankings	Bipartite Invitation
Qualification slots shall be drawn from the World Para Swimming World rankings as at 18 April 2022 and issued to the CGA in the name of a specific athlete for allocation and are therefore non-transferable.	Bipartite Invitation slots may be issued to athletes' of widely and regularly practising CGAs. Such invitation slots will be issued to the CGA (in the name of a specific athlete)for allocation and are therefore non-transferable.
Slot-Allocation	Slot-Allocation
CGA by Athlete by Name	CGA by Athlete by Name

## 5 QUALIFICATION PATHWAY

### a) World Para Swimming World Rankings

The World Para Swimming World Rankings will be used to allocate slots to the top seven (7) ranked athletes per medal event.

- CGA Nations will be extracted from the World Para Swimming World Rankings to create the Commonwealth-adjusted Ranking List as at 18 April 2022.
- CGAs will be eligible to qualify a maximum of three athletes per event and the Commonwealth-adjusted Ranking List will be amended to reflect this maximum representation per event.
- In the event the final slot of qualification has been achieved by more than one athlete with the same result, World Para Swimming and the CGF will at their sole discretion determine who receives the final slot.
- In the event a CGA is unable to accept the award of any and/or all slots earned via this method, the slot(s) will be redistributed via the Reallocation of Unused Qualification Slots Process.
- For the avoidance of doubt, only results achieved by athletes at World Para Swimming Recognised Competitions are eligible for World rankings. The qualification period is as follows:

- 31 December 2020 to 18 April 2022

The World Para Swimming competition levels are defined in the World Para Swimming Rules and Regulations. The World Para Swimming Rules and Regulations and competition calendar can be found on the World Para Swimming Website: [www.paralympic.org/swimming](http://www.paralympic.org/swimming)

In the case of Great Britain, Crown Dependencies and British Overseas Territories, results attained by British athletes at World Para Swimming Recognised Competitions (i.e. competitions where athletes must compete for their IF affiliated-organisation) shall be attributed to their eligible CGA for the purposes of the Commonwealth-adjusted Ranking List.

### b) Bipartite Invitation

In recognition of widely and regularly practicing Para Swimming athletes who have not otherwise earned a slot-allocation, one Bipartite Invitation slot per event may be issued.

Applications for Bipartite Invitation slots are to be submitted by the CGA in accordance with the prescribed deadline. It is at the sole and absolute discretion of World Para Swimming and the CGF to allocate a Bipartite Invitation slot in an instance where no application has been received.



Athletes to be considered by the Bipartite Commission shall have competed in at least one (1) World Para Swimming Recognised Competition within the qualification period of 31 December 2020 to 18 April 2022.

Where an athlete has not competed in at least (1) World Para Swimming Recognised Competition within the qualification period, but would otherwise be deemed eligible, the Bipartite Commission may grant an exemption on the grounds of extenuating circumstances.

CGAs may request this consideration when applying for the Bipartite Invitation slot.

These slots are non-transferable and in the event the CGA is no longer able to accept the Bipartite Invitation slot it will be redistributed at the sole and absolute discretion of the Bipartite Commission with consideration for the factors listed below.

Allocation of Bipartite Invitation slots are made at the sole and absolute discretion of World Para Swimming and CGF. In making these decisions, the Bipartite Commission will consider factors including but not limited to:

- Regional representation within the event at the end of the qualification period.
- Depth of field and strength of competition.
- Demonstrated previous levels of performance commensurate to participation in the Commonwealth Games but an athlete has not otherwise attained qualification.
- Extenuating circumstances that may have resulted in an eligible athlete being unable to register a result within the qualification period.

### c) Confirmation Process of Allocated Slots

At the close of the qualification period, the following procedure will be implemented:

- CGF will advise CGAs in writing of the slots attained from the World Para Swimming World Rankings;
- CGAs will confirm in writing their intention to accept the slots attained drawn from the World Para Swimming World rankings;
- All slots awarded via the World Para Swimming World Rankings qualification pathway will be issued to the CGA for allocation;
- These slots are binding to the event and athlete that attained the slot;
- CGAs to nominate to CGF for a Bipartite Invitation slot;

- Bipartite Commission to determine the allocation of Bipartite Invitation slots;
- CGF to advise CGAs of the Bipartite Invitation slots attained;
- CGAs to confirm their intention to accept the Bipartite Invitation slots offered.

#### d) Reallocation of Unused Qualification Slots Process

Any qualification slots that are not used by the CGA will be reallocated to the next highest ranked eligible athlete (respecting the maximum CGA representation per event). Prior to reallocation, ranked CGAs will initially be asked to confirm their interest in receiving the reallocation of unused qualification slots. Where there are no eligible athletes remaining on the World Para Swimming World Rankings, remaining slots may be reallocated at the sole discretion of the CGF and World Para Swimming. The CGF and World Para Swimming reserve the right not to reallocate the slot, in the case that the reallocation process results in the potential award of a slot to an athlete whose performance could compromise the safety and integrity of the competition.

## 6 ATHLETE ELIGIBILITY

To be eligible for endorsement by a CGA, an athlete must:

- Be internationally classified with a 'confirmed' sport class status or 'Review' 2023 or later at the sport entries deadline of 29 June 2022;
- Hold an active World Para Swimming Licence for the 2022 Season;
- Have achieved a valid result in at least one (1) World Para Swimming Recognised Competition within the qualification period of 31 December 2020 to 18 April 2022 in the event(s) in which they intend to compete in\*;

\*World Para Swimming and CGF may consider any valid, personal, and or extenuating circumstances for not being compliant with the above eligibility requirements. All decisions made by World Para Swimming and CGF are final with no opportunity for protest or appeal;

- Not be currently under disqualification or suspension by the CGF, or their respective Affiliated CGA or IPC or under the World Anti-Doping Code;
- Have complied with all applicable rules and regulations of the CGF, IPC, World Para Swimming and the World Anti-Doping Code as may be modified and applied by the Federation to ensure that the overriding principles of the Commonwealth Games are observed. In the case of any inconsistency, CGF rules and regulations will prevail;
- Have met the CGF's eligibility regulations in accordance with the CGF Constitution;

- Have complied with the minimum age regulations as stipulated by World Para Swimming.

## 7 TIMELINES

31 December 2020	World Para Swimming qualification commences
27 January 2022	Deadline for B2022 to receive Entry by Number information
01 March 2022	CGA deadline to submit Bipartite Invitation applications to CGF
18 March 2022	Deadline for B2022 to receive accreditation application forms submitted by CGAs
April 2022	Pre-Delegation Registration Meetings
18 April 2022	World Para Swimming Qualification period closes
By 25 April 2022	CGF to confirm with CGAs qualified slots
By 25 April 2022	CGF to confirm with CGAs Bipartite Invitation slots
By 02 May 2022	CGA deadline to confirm acceptance of qualified places
By 06 May 2022	Re-allocation of returned places
29 June 2022	Deadline for B2022 to receive Entry by Name information
July 2022	Delegation Registration Meetings

## BIPARTITE COMMISSION

### 1 Governance

- 1.1 The membership of the CGF/World Para Swimming Bipartite Commission shall comprise of the CGF Sports Director (or appointed designate) and the Head of World Para Swimming (or appointed designate).
- 1.2 All Bipartite Invitations will be approved by the CGF Executive Board.

### 2 Purpose

- 2.1 The purpose of the Bipartite Commission will be to assess, evaluate and make recommendations to the CGF Executive Board on the award of Bipartite Invitation slots.



## APPENDIX B

# The Commonwealth Games Council for Wales Privacy Notice

1. Important information and who we are
2. The data we collect about you
3. How is your personal data collected?
4. How we use your personal data
5. Disclosures of your personal data
6. International transfers
7. Data security
8. Data retention
9. Your legal rights
10. Glossary

### INTRODUCTION

Welcome to the privacy notice of The Commonwealth Games Council for Wales.

The Commonwealth Games Council for Wales respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and will tell you about your privacy rights and how the law protects you.

Please use the Glossary to understand the meaning of some of the terms used in this privacy notice.

### 1. IMPORTANT INFORMATION AND WHO WE ARE

#### PURPOSE OF THIS PRIVACY NOTICE

This privacy notice aims to give you information on how The Commonwealth Games Council for Wales collects and processes your personal data.

We do not knowingly collect data relating to children.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

#### CONTROLLER

The Commonwealth Games Council for Wales is the data controllers and we are responsible for your personal data.

The Commonwealth Games Council for Wales has appointed a data protection lead (DPL) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the data protection lead using the details set



out below.

## CONTACT DETAILS

Our full details are: The Commonwealth Games Council for Wales

Name or title of DPL: Mr Chris Jenkins, Chief Executive.

Email address: [cjenkins@teamwales.cymru](mailto:cjenkins@teamwales.cymru)

Postal address: Commonwealth Games Wales, Lower Glyntaff, University of South Wales, Glyntaff, Pontypridd, CF37 4BD

Telephone number: 01443 483009

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## 2. THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

For the purposes of our relationship with you, we may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

Personal details including name, date of birth, identity and contact information.

Family and lifestyle details.

Financial details.

Payment details.

Identity data.

Sponsorship details.

Performance data

We may also collect **Special Categories of Personal Data** about you. This includes details about your health and genetic and biometric data.

## IF YOU FAIL TO PROVIDE PERSONAL DATA

Where we need to collect personal data by law, or under the terms of our agreements with you or on your behalf and you fail to provide that data when requested, we may not be able to perform the agreement we have with you.

## 3. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

**Direct interactions.** You may provide us with your personal data by meeting with us in person, by corresponding with us by post, phone, e-mail or otherwise.

**Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:

- Press reports and social media;
- Sponsors;
- National Governing Bodies;
- Team Managers;
- The Commonwealth Games Federation / Organising Committee;
- UK anti-doping;
- Your medical professionals;

Commonwealth Games Wales has access to the Plus 1% database. This database is owned by Association of Multisports Organisations (AMO) and is hosted in New Zealand.

We will have access to any data you add to this database. That information is shared with Commonwealth Games Wales pursuant to the explicit consent of the team members and also pursuant to their legitimate and contractual interests.

## 4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- to facilitate our selection processes;
- to facilitate your participation in any games or competitions;
- to carry out our obligations arising from any contracts / agreements entered into and to provide you with the information, products and services that you request from us;
- to notify you about changes;
- to generate statistics;
- for marketing and press relations;

- to obtain kit and sponsorship;
- to promote the Commonwealth Games Council for Wales;
- to comply with all regulatory requirements placed upon us such as anti-doping rules;
- Supporting network and system security;
- Detecting and preventing fraud;
- In your legitimate interests and ours where appropriate;

For special categories of data, we will use your data in the following circumstances;

- Your explicit consent by virtue of any contract signed by you.
- To protect your vital interests

Other than for special categories of data, we do not generally rely on consent as a legal basis for processing your personal data other than in relation to sending any marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

#### PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To facilitate your participation / involvement in any games / competitions or selections	(a) Identity (b) Contact (c) Health	Performance of a contract  In your legitimate interests to facilitate your participation.  With your consent / explicit consent  Necessary to comply with a legal obligation
For marketing, sponsorship and press relations	(a) Identity (b) Marketing and Promotions	Performance of a contract  In your legitimate interests to raise your profile and that of the team / the Commonwealth Games Council for Wales.

<p>To manage our relationship with you which will include:</p> <p>(a) Notifying you about changes to our terms or privacy policy</p> <p>(b) Asking you to leave a review / complete a questionnaire</p> <p>(c) To provide you with marketing materials and event notifications.</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Marketing and Communications</p>	<p>(a) Performance of a contract with you</p> <p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests (to keep our records updated)</p> <p>(d) Consent for e-mail marketing</p>
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## MARKETING

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

## OPTING OUT

You can ask us to stop sending you marketing messages by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a legal service we have agreed to provide you with.

## CHANGE OF PURPOSE

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 5. DISCLOSURES OF YOUR PERSONAL DATA

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- Medics such as doctors and physiotherapists;
- Team managers;
- UK Anti-doping;
- Foreign Governments for the purposes of visa and immigration requirements;
- The Commonwealth Games Federation / Organising Committee;
- The press / media outlets;



- Kit sponsors or suppliers;
- Professional advisors, such as lawyers and consultants.
- UK Government bodies or officials.
- Third-party service providers, such as providers of:
  - IT system management;
  - information security;

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 6. INTERNATIONAL TRANSFERS

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented;

We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see [European Commission: Adequacy of the protection of personal data in non-EU countries](#).

Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see [European Commission: Model contracts for the transfer of personal data to third countries](#).

Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see [European Commission: EU-US Privacy Shield](#).

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## 7. DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 8. DATA RETENTION

### HOW LONG WILL YOU USE MY PERSONAL DATA FOR?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the



purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of retention periods for different aspects of your personal data are available in our retention policy which you can request from us by contacting us.

## 9. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.
- Right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact our data protection lead.

### NO FEE USUALLY REQUIRED

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### WHAT WE MAY NEED FROM YOU

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### TIME LIMIT TO RESPOND

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## 10. GLOSSARY

**Legitimate Interest** means the interest of our practice in conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for



compliance with a legal or regulatory obligation that we are subject to.

## YOUR LEGAL RIGHTS

You have the right to:

**Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data’s accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

## APPENDIX C



Commonwealth Games Wales Selection Handbook Birmingham 22



### Commonwealth Games Birmingham 2022

#### Handbook Appendix C

##### Explicit Consent to process Special Categories of Data

Your nomination for selection to participate at the Commonwealth Games is likely to result in CGW being provided with access to your personal data which has been provided to us by your National Governing Body.

Every instance of “processing” of personal data under the General Data Protection Regulation 2016 (‘the GDPR’) requires a ‘lawful basis’.

However, Special categories of particularly sensitive personal information, such as information about your health, racial or ethnic origin or sexual orientation require higher levels of protection and when nomination forms are completed by your National Governing Body and provided to us, it is anticipated that Special Categories of Personal Data will be disclosed. This may include your medical records which will be passed to the selection committee as part of the information provided at 6.14 of the Handbook and we need to have further justification for collecting, storing and using this type of personal information.

Where CGW processes your health or medical data (which is defined as “special category” personal data under the GDPR), it will require your Explicit consent under Article 9(2)(a) of the GDPR.

You have the right to withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide services to you. We will advise you if this is the case at the time you withdraw your consent.

Please see the Privacy Notice attached at Appendix B for further information about how we process personal data.

I consent further to the Data Protection Act 2018 and the General Data Protection Regulation (“GDPR”) that Commonwealth Games Wales shall be collecting, sharing and otherwise processing Personal Data which may include Special Categories of Personal Data (both as defined in the GDPR) about me for the purpose of discharging its functions in the selection process for the Commonwealth Games 2022 to be held in Birmingham, England and otherwise in accordance with the Privacy Notice at Appendix B.

Signed \_\_\_\_\_

Date \_\_\_\_\_