



SWIM WALES  

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# TRAINING & DEVELOPMENT

## POLICIES MANUAL

# Swim Wales, Training & Development Policies Manual

## Introduction

Swim Wales is the National Governing Body for aquatic activities in Wales.

Swim Wales are an Approved Training Centre of Swim England Qualifications courses, operating in Wales.

Swim Wales also deliver a number of workshops and masterclasses in partnership with Sport Leaders, Institute of Swimming, UK Coaching and Disability Sport Wales (DSW).

Swim Wales are keen to develop a skilled and passionate teaching and coaching workforce who are capable of inspiring the next generation of participants to be safe in or around water, adopt healthy lifestyles and, if they wish, develop their skills further in the competitive environment to become the best that they can.

Swim Wales offer teaching and coaching courses in all areas of Wales and through regional networks, liaise closely with clubs and lesson providers to ensure there are sufficiently qualified and skilled teachers and coaches available on poolside throughout Wales.

Swim Wales has a high level of standards and professionalism, and it is essential that we ensure that we are open and transparent with regards to equity and fairness. This policy will apply to all members of the Training & Development workforce including Tutors, Assessors and Internal Verifiers delivering certificated courses.

The following document, contains all the relevant Training & Development Policies. We recommend that you make yourself familiar with these before you begin your training journey.

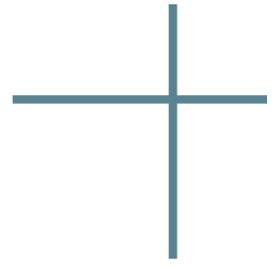
Anyone wishing to contact Swim Wales, Training & Development Team should contact the following

Swim Wales  
Wales National Pool  
International Sports Village  
Swansea  
SA2 8QG

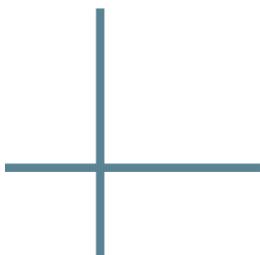
Swim Wales Training & Development  
Tel: 01792 513580  
Email: [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org)

## **Contents**

1. General Terms and Conditions	Pages 5-7
2. Safeguarding Children and Adults at Risk	Pages 9-17
3. Enquiries and Appeals	Pages 18-22
4. General Data Protection Regulation	Pages 24-29
5. Diversity and Equality	Pages 30-34
6. Health & Safety	Pages 35-39
7. Learner Existence and Eligibility Checks (LEE)	Pages 40-42
8. Malpractice & Maladministration Policy	Pages 43-50
9. New and Expectant Mothers	Pages 51-53
10. Plagiarism	Pages 54-56
11. Reasonable Adjustments & Special Consideration	Pages 57-69
12. Recognition of Prior Learning (RPL)	Page 70-73
13. Conflict of Interest	Pages 74-78
14. Whistle Blowing	Pages 79-81
15. Under 18's Duty of Care	Pages 82-84
16. Retention of Records	Pages 85-89
17. Complaints	Pages 90-95
18. Learner Name change	Pages 96-99



# GENERAL TERMS AND CONDITIONS



# General Terms and Conditions Agreement

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	September 2020
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	10/05/2022	Amendments to existing policy

## Introduction

Swim Wales is committed to maintaining the highest standards of governance and conducts its business in an open and transparent manner. The aim of this document and processes is to protect both Swim Wales and their customers by ensuring a clear and transparent understanding for all parties relating to the terms and conditions for course bookings with Swim Wales.

All learners agree to abide by the General Rules and Conditions for the use of the relevant venue/s & all learners take part at their own risk.

Please be advised that any personal belongings for example; mobile phones, laptops and any other valuable items are the responsibility of the individual and are taken at the individual's risk.

All prerequisites for courses can be found on our FAQ section of our website, and in the information which is emailed to you before the course.

Pre-requisites are the responsibility of the learner. You will be asked on the first day of your course to provide evidence that you meet the prerequisites. If pre requisites are not met, you will be asked to leave the course and no refund will be issued.

Learners are expected to attend **all dates** advertised. If you have any problems attending any dates please notify Swim Wales as soon as possible and Swim Wales will look in to possible alternatives/catch up sessions. In addition, please note that additional fees will be incurred if you need a re-assessment and/or additional tutoring sessions. If a learner decides to not attend the course (and does not inform Swim Wales, or drops out mid-course), no refund will be given.

All learners will receive a welcome email from their designated tutor before their relevant course begins, which will include what Swim Wales require from learners in regards to expectations. In addition, it will also outline what a learner should expect from Swim Wales.

Some courses may be co-tutored by a trainee tutor to support the Swim Wales tutor training programme. Throughout all of these occasions, a fully qualified and licensed Swim Wales tutor will be in attendance.

Please note that with regards to our blended and online courses, (that are delivered via Zoom and Google Classroom), learners need to be aware that some travelling will

be required to the nearest available designated centre, for the completion of the practical assessments.

New and expectant mothers should also seek medical advice regarding their suitability to attend a Swim Wales course prior to enrolment. Swim Wales has a legal duty to protect new and expectant mothers from hazards and the possible consequences whilst attending a training programme.

You are required to complete and submit questions 14 and 15 of the "New and expectant mothers Risk Assessment", which must be requested by contacting Swim Wales training, once you have completed your Learner Registration.

Swim Wales Training [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org)

## **Cancellation Policy**

Swim Wales reserve the right to cancel a course at short notice. A course cancellation may be for a number of reasons, however, occasionally we may be unable to sustain a course due to insufficient enrolments. In the event of a cancellation, an alternative option will be offered or a full refund will be issued. Refunds will be issued for the value of the course originally purchased. Refunds will be issued within 30 days

Course times are subject to change. These will be confirmed nearer the course start date through your course welcome email. Swim Wales reserve the right to amend the timetable, the presenter and/or venue to suit the needs of the course.

## **Learner Cancellation and Transfer Conditions**

Please note the following cancellation policy applies should you cancel your place on this course:

- If you cancel more than 31 days prior to the start of the course – a full refund will be issued.
- If you cancel between 15 and 30 days prior to the start of the course – a full refund will be issued minus a 10% administration fee for CPDs/Masterclasses and a 20% fee for all other qualifications
- If you cancel up to 14 days prior to the start of the course (or 7 days prior to a CPD/masterclass) – no refund will be given except in the event of illness / injury (for which a Doctor's/medical note must be provided) or exceptional circumstances, this must be provided in writing.
- Transfer to another course within 14 days prior to the start of the course, or 7 days prior to a CPD/Masterclass, will incur a fee dependent on the course undertaken, Up to 20% of the course price. Transfers will only be issued if the course still meets viability.
- In the event of a cancellation or transfer, the individual must follow up with written confirmation to Swim Wales with their intentions of either cancelling or transferring their place. Individuals should give personal details and full details of which course they booked onto to support ease of administration.

## **CPD (Continual Professional Development) Workshops and Masterclass Terms and Conditions**

In addition to the 'General Terms and Conditions of Booking' and 'Learner Cancellation and Transfer Policy' listed above, the following also applies to all CPD bookings:

- All learner bookings for CPD must be made 7 days prior to the date of the CPD. We are unable to accept requests for bookings for seminars less than 48 hours prior to the commencement of the seminar.
- Those who attend a CPD, but have not booked online/via the Swim Wales Office may not be able to stay and complete the CPD and will not gain a certificate of attendance.
- Should someone else be attending in place of another learner, Swim Wales must be notified of this at least 7 days prior to the seminar taking place - see above cancellation and transfer policy for any applicable charges.

### **Terms and conditions specific to Blended Learning Courses**

Blended learners will adhere to the standard terms when undertaking any learning through our "virtual" learning platforms. When undertaking a blended assistant programme, 100% achievement of the course assessment must be achieved by the date specified in your course confirmation information. If you fail to do this, you will not be able to attend the rest of the course (for example practical assessment), and no refund will be given.

### **Adhering to Pre – Requisites**

It is the learner's responsibility to ensure that they meet the relevant pre-requisites for the course/s they are wishing to attend. This includes minimum age and any qualifications required before starting a course.

For example:

The Swim England Level 2 Teacher (Swimming) qualification learners must hold Swim England Level 1 Swimming Assistant (Teaching) and in addition are required to be a minimum age of 16 years.

### **Required Prior Learning (RPL) Terms and Conditions**

Please refer to the separate policy which is available on our website:

<https://www.swimwales.org/pages/training-development-policies>

### **Monitoring and review of the document**

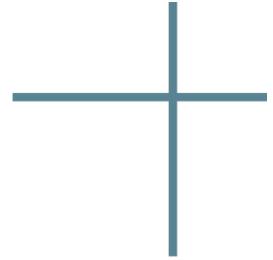
This document and its procedures will be reviewed annually to ensure that it remains fit for purpose. The next document review will take place in March 2023.

Swim Wales Training & Development

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Website: [www.swimwales.org](http://www.swimwales.org)

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# **SAFEGUARDING CHILDREN AND ADULTS AT RISK**



# Safeguarding Children and Adults at Risk

## DOCUMENT STATUS

Prepared by	Barrie Swift
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Review Date	Annually

## DOCUMENT CONTROL INFORMATION

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V5	03/04/2020	Amendments to existing policy
V6	18/09/2020	Amendments to existing policy
V7	02/02/2021	Amendments to the existing policy
V8	12/04/2022	Amendments to existing policy

Swim Wales is committed to safeguarding and promoting the welfare of children young people and vulnerable adults, and ensuring all legal requirements are met. By establishing procedures, we aim to provide all learners with the opportunity to maximise their learning and development within a safe and secure environment. This policy is in addition to Swim Wales Child Safeguarding Policy (SWCSP), Swim Wales Safeguarding Adults Policy and Procedures (SWSAPP) and Swim England Wavepower Policy (2016-19)

In addition, with regards to Adults at Risk one must refer to the following key document

- Social Services and Well-being (Wales) Act 2014

'The Act provides the legal framework for improving the wellbeing of people who need care and support, and carers who need support, and for transforming social services in Wales.'

### **Policy aim and purpose**

Swim Wales wishes to ensure that it maintains the highest possible standards to meet its social, moral and legal responsibilities in order to protect and safeguard the welfare of children, young people and vulnerable adults.

Safeguarding is everyone's responsibility and Swim Wales employees, and educators who, during the course of their employment have direct or indirect contact with children and families and vulnerable adults, or who have access to information about them, have a responsibility to safeguard and promote the welfare of children and adults at risk.

Through promotion of this policy, Swim Wales will provide Swim Wales educators with guidance on identifying potential or suspected abuse and raise awareness of preventative measures to protect the interests of the Swim England qualifications workforce, Swim England Quality Assurance workforce, and Swim Wales representatives.

## **Swim England Licensing Requirements:**

All Educators utilised for the delivery and assessment of Swim England qualifications must hold a current Swim England license. As part of the licensing scheme, the holder will:

- Maintain current technical knowledge and skills of the intended Swim England qualification(s) for delivery
- Complete a Disclosure and Barring Service (DBS) check (previously referred to as a CRB) and update this every three years
- Complete a Swim England approved safeguarding and protecting children in sport course and update this every three years
- Read and understand the relevant Code of Ethics and retain valid tutor insurance.

## **Approved Training Centre (ATC) Requirements**

- Only use Tutors/Assessors who, hold a current Swim England Tutor license
- Ensure all workforce members have read and understood Swim Wales Child Safeguarding Policy/ Swim Wales Safeguarding Adults Policy and Swim England Wavepower 2016-19
- Provide learners with access to Swim Wales Child Safeguarding Policy / Swim Wales Safeguarding Adults Policy and Swim England Wavepower 2016-19
- Adopt safeguard procedures through codes of conduct for workforce members, learners and staff (also including parents and participants)
- Provide a safe environment for learners to maximise learning and development

There are some key documents that

### **Definition of safeguarding**

There are many aspects that are considered within safeguarding. These are clearly defined in the following two statutory guidance documents (which are managed & updated by the government and available online)

- Keeping Children Safe in Education
- Working Together to Safeguard Children

To summarise safeguarding is:

- Where a child is suffering significant harm, or likely to do so, action should be taken to protect that child. (Section 47 and 44 of the Children Act 1989)
- Where action should be taken to promote the welfare of a child in need of additional support, even if they are not suffering harm or at immediate risk. (Section 17 of the Children Act 1989)

A child is defined as under the age of 18 years.

Definition of an adult at risk is as follows:

- An adult who is experiencing or is at risk of abuse or neglect
- Has needs for care and support

- As a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it

### **Definitions**

There are four types of child abuse.

They are defined in the UK Government Working Together guidance as follows:

- Physical abuse
- Emotional abuse
- Sexual abuse
- Neglect

Bullying is not defined as a form of abuse in Working Together but there is clear evidence that it is abusive and will include at least one, if not two, three or all four, of the defined categories of abuse. For this reason it has been included in this policy.

There are five types of abuse for adults at risk

- Physical abuse
- Emotional abuse
- Sexual abuse
- Neglect
- Financial abuse

### **Physical abuse**

Physical abuse is deliberate, physical harm to an individual, or the wilful and neglectful failure to prevent physical harm or suffering. Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child or adult at risk.

### **Emotional Abuse**

Emotional abuse is the persistent emotional maltreatment of an individual such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children/adults that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate.

Symptoms of this can include limitation of learning and exploring or prevention of the individual's participation to normal social interaction.

It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child/adult participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing the individual frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

## **Sexual Abuse**

Sexual abuse involves forcing or enticing a child/young person/adult to take part in sexual activities, not necessarily involving a high level of violence, whether or not the individual is aware of what is happening. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Sexual abuse involves forcing or enticing a child/young person/adult to take part in sexual activities, whether or not they are aware of what is happening. These activities may involve physical contact (including penetrative or non-penetrative acts) or non-contact activities (including looking at or involving the individual in the production of pornographic material or watching sexual activities, or encouraging the individual to behave in sexually inappropriate ways).

## **Neglect**

Neglect is the persistent failure to meet an individual's basic physical, emotional and/or psychological needs, which is likely to result in significant harm. Types of neglect may include failure to provide adequate food, clothing, shelter (i.e. exclusion from the home or abandonment), failure to protect the individual from physical harm or danger, failure to provide access to medical care or treatment and failure to provide adequate supervision (i.e. childminder).

## **Financial abuse**

While the Care Act 2014 definition is clear, financial abuse take many forms. It's a type of abuse that can start subtle and is often hard to detect.

When defining financial abuse, we know there are many elements at play. It is true that financial abuse often involves or is associated with:

- Someone taking or misusing someone else's money or belongings for their own gain
- Harming, depriving or disadvantaging the victim
- Controlling someone's purchases or access to money
- Often associated with other forms of abuse
- Doesn't always involve a crime like theft or fraud

## **Bullying (including cyberbullying)**

Bullying may be defined as deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves. It can take many forms, but the three main types are physical (e.g. hitting, kicking, theft), verbal (e.g. racist or homophobic remarks, threats, name calling) and emotional (e.g. isolating an individual from the activities and social acceptance of their peer group).

The damage inflicted by bullying can frequently be underestimated. It can cause considerable distress to children to the extent that it affects their health and development or, at the extreme, cause them significant harm (including self-harm).

## **Indicators of abuse**

Recognising abuse is not easy. It is not your responsibility to decide whether or not abuse has taken place or if an individual is at significant risk of harm from someone. You do however, have both a responsibility and duty, as set out in your organisation's safeguarding protection procedures, to act in order that the appropriate agencies can investigate and take any necessary action to protect the individual.

The following information should help you to be more alert to the signs of possible abuse. The below tables provide a number of indicators or abuse, however please note that these list are not exhaustive.

### **Physical Abuse**

Most children will collect cuts and bruises as part of the rough-and-tumble of daily life. Injuries should always be interpreted in light of the child's medical and social history, developmental stage and the explanation given. Most accidental bruises are seen over bony parts of the body, e.g. elbows, knees, shins, and are often on the front of the body.

Some individuals, however, will have bruising that is more than likely inflicted rather than accidental. Important indicators of physical abuse are bruises or injuries that are either unexplained or inconsistent with the explanation given, or visible on the 'soft' parts of the body where accidental injuries are unlikely, e.g. cheeks, abdomen, back and buttocks. A delay in seeking medical treatment when it is obviously necessary is also a cause for concern, although this can be more complicated with burns, as these are often delayed in presentation due to blistering taking place sometime later.

<b>Physical indicators</b>	<b>Emotional indicators</b>
Unexplained bruising	Fear of parents being approached for explanation
Repeated injuries	Flinching when approached or touched
Black Eyes	Reluctance to get changed
Injuries to the mouth	Depression
Torn or bloodstained clothing	Aggressive behaviour or severe outbursts
Burns or scalds	Withdrawal behaviour
Bites	Running away from home
Fractures	
Inconsistent stories or excuses	

### **Emotional Abuse**

Emotional abuse can be difficult to measure, as there are often no outward physical signs. There may be a developmental delay due to a failure to thrive and grow, although this will usually only be evident if the child puts on weight in other circumstances, for example when hospitalised or away from their parents' care. Even so, individuals who appear well-cared for may nevertheless be emotionally abused by being taunted, put down or belittled. They may receive little or no love, affection or attention from their parents or carers. Emotional abuse can also take the form of children not being allowed to mix or play with other children.

<b>Emotional Indicators</b>
Neurotic behaviour such as sulking, rocking, hair twisting
Being unable to play
Sudden speech disorders
Self-harm

Fear of making mistakes
Delays in terms of emotional progress
Fear of parent being approached with regards to behaviour

## Sexual Abuse

Adults who use children to meet their own sexual needs abuse both girls and boys of all ages, including infants and toddlers. Usually, in cases of sexual abuse it is the child's behaviour that may cause you to become concerned, although physical signs can also be present. In all cases, children who tell about sexual abuse do so because they want it to stop. It is important, therefore, that they are listened to and taken seriously.

It is also important to remember that it not just adult men who sexually abuse children – there are increasing numbers of allegations of sexual abuse of children against women and sexual abuse can also be perpetrated by other children or young people.

Physical indicators	Emotional indicators
Bruising or bleeding near genital area	Unexplained changes in behaviour
Pain or itching in genital area	Bedwetting, having nightmares
Discomfort when walking or sitting down	Substance or drug abuse
Stomach pains	Not allowed to have friends
Vaginal discharge or infection	Sexual knowledge beyond their age
Pregnancy	Acting in a sexually explicit way towards adults
Sexually transmitted diseases	Not allowed to have friends
	Eating problems such as overeating, anorexia
	Informing that they have secrets they cannot tell

## Neglect

Neglect can be a difficult form of abuse to recognise amongst individuals, yet have some of the most lasting and damaging effects on children.

Physical indicators	Emotional indicators
Constant hunger, stealing food etc.	Having few friends
Loss of weight or constantly underweight	Mentioning being left alone
Constant dirty or smelly	Complaining of being tired all of the time
Inappropriate clothing	Failing to make medical appointments

## Bullying

Bullying is not always easy to recognise as it can take a number of forms. An individual may encounter bullying attacks that are:

- physical: pushing, kicking, hitting, pitching and other forms of violence or threats
- verbal: name-calling, sarcasm, spreading rumours, persistent teasing
- emotional: excluding, tormenting, ridiculing, humiliating.

### Persistent bullying can result in:

- depression
- low self-esteem
- shyness
- poor academic achievement
- isolation
- threatened or attempted suicide

### **Signs that a child may be being bullied can be:**

- coming home with cuts and bruises
- torn clothes
- asking for stolen possessions to be replaced
- losing dinner money
- falling out with previously good friends
- being moody and bad tempered
- wanting to avoid leaving their home
- aggression with younger brothers and sisters
- doing less well at school
- sleep problems
- anxiety
- becoming quiet and withdrawn

### **Responding to a disclosure of abuse**

#### **Always**

- Listen carefully and stay calm
- Let the individual talk and allow them time to say what they need to say
- Reassure the individual that they were right to say something
- Explain that you must pass the information onto the designated responsible officer but that confidentiality will be maintained
- Explain to the individual what will happen next
- Reassure the individual that it will be dealt with appropriately
- Make a detailed note of the date, time, place, comments made by the individual

#### **Never**

- Question or interview the individual unless seeking clarification
- Make promises you cannot keep
- Rush into actions which may be inappropriate
- Take sole responsibility, always pass information to the designated officer

### **Making referrals**

Should a member staff, educator, Swim England qualifications workforce or learner at the delivery site suspect or have concerns about possible abuse, the concern must be reported to the Head of Governance & Safeguarding Officer at Swim Wales, who will in turn follow internal procedures for reporting the case to Children's Social Care Services and other relevant bodies.

Should suspicion or concern be raised about a member of the Swim England Qualifications Workforce, Swim England Quality Assurance workforce, or educator, the allegation must be reported immediately to Swim Wales through completion of the *allegations form* addressed for the attention of the Swim Wales Training & Development Manager. Upon receipt of the allegation, Swim Wales will carry out an investigation in line with the safeguarding policy.

### **Measures to protect against false allegations of abuse**

Protection against false allegations

- It is important for individuals involved with the delivery and assessment of Swim England qualifications to take steps to ensure that they are not put in a position where an allegation of abuse can be made against them.

These steps include:

- maintaining a register at all times for learners, including lateness or absences
- maintaining a register for participants where required for practical elements of a qualification
- following appropriate procedures in the event of lateness or absence of a learner and/or participant
- working in an open environment where easily visible to others
- remaining in the pool area until all participants have been collected or are continuing to be supervised by an appropriate member of staff
- avoiding unnecessary physical contact with learners and/or participants unless to prevent a danger to themselves or others
- avoiding first aid treatment unless delay could prove life threatening; this must always be carried out by the responsible First aid Officer and with another adult present
- avoiding unaccompanied time with learners and/or participants
- avoiding suggestive remarks or acting inappropriately familiar with learners and/or participant reporting potential concerns, allegations or abuse made by learners and/or participants to the responsible welfare officer
- refraining from inviting or allowing learners and/or participants to socialise with them outside of the learning environment
- refraining from providing personal information to learners and/or participants (i.e. home address, telephone number)

### **Who to Contact of you have an issues with Safeguarding**

Anyone with relevant concerns can contact the following via phone or email (please see relevant contact details below)

Zita Cameron, Swim Wales, Head of Governance & Safeguarding Officer  
Swim Wales, Wales National Pool, Sketty Lane, Swansea, SA2 8QG

Telephone No: 01792 513641

Mobile: 07834946470

Email: [governance@swimming.org](mailto:governance@swimming.org)

Email: [welfare@swimming.org](mailto:welfare@swimming.org)

In the absence of the above officer please contact the following:

Swim Wales Training: Swim Wales Training [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org)

Please remember the Out of Hours Contacts:

NSPCC Child Protection Helpline – 0808 800 5000

Child Line – 0800 1111

### **Monitoring and review**

This policy and its procedures will be reviewed annually to ensure it remains fit for purpose and reflects the legal obligations for the safeguarding requirements.

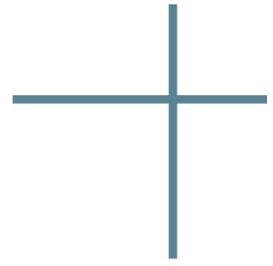
The next policy review will take place in March 2023.

Swim Wales Training & Development

Tel: 01792 513580

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# ENQUIRIES AND APPEALS POLICY



# Enquiries and Appeals Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	April 2018
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V5	23/10/2019	Amendments to existing policy following guidance from SEQ
V6	02/04/2020	Amendments to existing policy
V7	01/04/2021	Amendments to existing policy
V8	10/04/2022	Amendments to existing policy

**Swim Wales** aims to ensure that all assessment decisions are fair, consistent and based on valid judgements, however acknowledges that there may be occasions when a learner wishes to question a decision made.

### **Policy aim and purpose**

#### **Swim Wales will ensure:**

- Assessments are conducted by staff that have the appropriate qualifications, knowledge, understanding and skills
- Assessment evidence produced by learners has been authenticated according to the requirements of the qualification
- The consistency of assessments is secured through internal and external verification.

**Everyone has the right to appeal; therefore this policy has been established to define the stages of appeal and the procedures to follow. The policy aims to provide guidance on:**

- The method by which an enquiry or appeal should be made
- Who the enquiry or appeal should be directed to
- The time frames for an enquiry or appeal.

#### **Swim Wales will accept appeals in relation to the following areas:**

- Appeals against results of assessment decisions
- Appeals against the outcome of an investigation of malpractice or maladministration
- Appeals against decisions made in relation to access arrangements or special consideration.

In the first instance, learners wishing to appeal against results must follow the internal appeals process through Swim Wales. Only when the learner continues to remain dissatisfied with the outcome should they contact the Swim England Qualifications (SEQ).

### **Stage 1: Enquiry**

Should a learner be dissatisfied with an assessment result or the individual should submit a written request for the case to be reviewed.

**When submitting a request, the individual must ensure the following information (depending on the nature of the enquiry) is provided:**

- Venue of the Swim Wales Course
- Learner's full name
- Title of qualification or unit(s) and date of assessment
- Date evidence submitted for internal and/or external verification
- Nature of the enquiry
- All original copies of evidence relating to the enquiry

### **Enquiries regarding assessment decisions**

If a learner wishes to contest an assessment result, the learner may apply to Swim Wales for a second opinion. This must be requested in writing and within 20 working days of results notification. A fee of up to £25.00 will be chargeable, upon which Swim Wales will ask the tutor to review the evidence submitted. A report will be produced detailing the findings and whether the original decision is upheld.

Swim Wales will acknowledge receipt of the enquiry within 5 working days of receipt of the enquiry.

Swim Wales will endeavour to notify the learner within 20 working days of the outcome. If Swim Wales are unable to provide outcome within 20 working days, Swim Wales will inform the individual of the alternative anticipated outcome date.

Swim Wales is not obliged to disclose any information that is deemed to be in breach of confidentiality or any other legal duty.

All enquiries should be sent to Swim Wales Training  
[swimwalestraining@swimming.org](mailto:swimwalestraining@swimming.org)

**Fees:** If after an enquiry the original decision is upheld, all fees will be charged to the learner. If the original decision is overruled then all charges made will be refunded.

### **Stage 2: Formal Appeal**

If the centre or learner remains dissatisfied after receiving the outcome of the enquiry, they can pursue a stage 2 appeal against the decision. All appeals must be made in writing to Swim Wales and within 20 working days of receipt of the enquiry outcome.

The following fees will be applied to the individual:  
The maximum amounts that will be charged are £75.00 per assessment component for the initial appeal investigation.

All formal appeals should be sent to Swim Wales Training:  
[swimwalestraining@swimming.org](mailto:swimwalestraining@swimming.org)

Swim Wales will acknowledge the formal appeal within 20 working days of receipt of the formal appeal. Swim Wales will appoint an independent verifier to review the evidence submitted (including all relevant documents) taking into account the learners comments and assessors reports before making a decision and submitting relevant report.

On completion of the relevant report, Swim Wales will inform the individual within 20 working days. In the event that the verifier is unable to complete their investigations and determine an outcome within 20 working days, Swim Wales will inform the individual and will advise of the extent of any delay

**Fees:** If after an enquiry the original decision is upheld, all fees will be charged to the learner. If the original decision is overruled then all charges made will be refunded.

### **Stage 3: Appeal Hearing**

If, following the outcome of an appeal, the individual still remains dissatisfied with the decision, the third and final stage will be for the appeal to be referred by an independent person/panel. The learner must inform Swim Wales in writing within 20 working days of receipt of the Stage 2 review.

The following fees will be applied to the individual:

The maximum amounts that will be charged are £150 for any subsequent appeal hearing.

All enquiries should be sent to Swim Wales Training  
[swimwalestraining@swimming.org](mailto:swimwalestraining@swimming.org)

All original work and documentation (including learner's course work, as well as the assessors & internal verifiers) will be reviewed as part of the process. The stage 3 person/panel will review the application and decide if there is an appeal case to be heard or not.

A report of the hearing will be provided to the learner and Swim Wales representative within 20 working days of the hearing.

The appeal hearing is the third and final stage of the appeals process, therefore the decision that arises from this stage will be final and will be no longer applicable to challenge.

Please note: The appeals process is not directly concerned with making judgements about the quality of a learners work as this is the responsibility of the Assessor and Internal Verifier.

Appeals do not normally involve further re-marking or re-validation of work unless the initial appeals investigation suggests that procedures were not followed during the enquiry stage.

There may be occasions where Swim Wales may not be able to respond fully within timescales indicated. Where this is the case Swim Wales will keep the learner advised on progress and response expectations.

**Fees:** If after an enquiry the original decision is upheld, all fees will be charged to the learner. If the original decision is overruled then all charges made will be refunded

**Appendix 1: Appeals Form**

This form should be completed by the individual appealing. Please give as much detail as possible when completing the form, if further evidence is required you will be asked to add additional commentary.

<b>Full Name</b>	
<b>Address</b>	
<b>Telephone Number</b>	
<b>Email Address</b>	

<b>Swim England Qualifications Approved Centre</b>		
<b>Qualification title</b>		
<b>Type of allegation</b>	- Complaint against centre service(s)	Y/N
	- Appeal against assessment decision(s)	Y/N
	- Report of child/vulnerable adult abuse	Y/N
	- Report of suspected malpractice	Y/N
	- Complaints against Swim Wales Customer Services	Y/N
	- Other (please specify)	Y/N
<b>Details of the allegation (continue on a separate page if required)</b>		

<b>Declaration</b>
<i>I confirm that the information in this form is accurate, to the best of my knowledge, and that the centre will provide arrangements in accordance with the guidance given by Swim Wales.</i>

<b>Signature</b>	
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<b>Date</b>	
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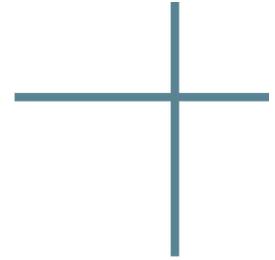
***Please return to Swim Wales, Training & Development Department, Wales National Pool, International Sports Village, Swansea SA2 8QG.***

**Monitoring and review**

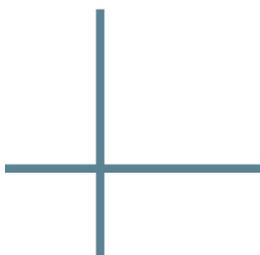
This policy and its procedures will be reviewed annually to ensure it remains fit for purpose, reflects the types of appeals that may arise and how the process for application is managed, in accordance with the requirements set out by the qualification regulator, Ofqual.

In addition, should Swim Wales be notified by the qualification regulator, Ofqual, of failures that have been identified in the assessment process of another awarding organisation, Swim Wales will reflect and review its own processes to ensure a similar failure will not occur.

The next policy review will take place in March 2023



# **GENERAL DATA PROTECTION REGULATION (GDPR)**



# General Data Protection Regulation (GDPR)

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	April 2018
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	12/02/2019	Amendments to existing policy
V3	02/04/2020	Amendments to existing policy
V4	18/09/2020	Amendments to existing policy
V5	10/04/2022	Amendments to existing policy

**Swim Wales** is committed to ensuring confidentiality and safe storage of personal or sensitive data for all individuals engaged with any activity concerning the assessment, delivery and award of Swim England qualifications.

This policy applies to the processing of personal data in manual and electronic records kept by Swim Wales in connection with its Business Development functions described below. It also covers the Company's response to any data breach and other rights under the General Data Protection Regulation (GDPR).

### **Policy aim and purpose**

The GDPR forms part of the data protection regime in the UK, together with the new Data Protection Act 2018 (DPA 2018). The main provisions of this apply, like the GDPR, from 25<sup>th</sup> May 2018.

The GDPR 2018 has been introduced as part of Government legislation in order to define the law on the processing of personal or sensitive data of individuals to maintain their rights to privacy. Non-compliance to the GDPR can lead to complaints being made to the Information Commissioners Office (ICO).

This policy has been designed to highlight the types of information which could be considered as personal or sensitive, as well as ensure that the processing (including the concepts of obtaining, recording, retrieval, consultation, holding, disclosing and using) of personal or sensitive data by Swim Wales is managed in a safe and confidential manner.

### **Definition of data**

Data refers to information about an individual (referred to as the 'Data Subject') that may be used or processed by a training organisation (referred to as the 'Data Controller') in order to carry out activities involved within the assessment, delivery and award of qualifications. Data can be identified by two categories:

- **Personal data**

This is information that relates to an identifiable person who can be directly or indirectly identified from that information, for example, a person's name, identification number, location and online identifier.

- **Sensitive personal data**

This is data which relates to an individual's health, sex life, sexual orientation, race, ethnic origin, political opinion, religious beliefs, and trade union membership. It also includes genetic and biometric data (where used for ID purposes) as well as an alleged commission of any offence, criminal proceedings or convictions.

"Data processing" is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Swim Wales makes a commitment to ensuring that personal data, including special categories of personal data and criminal offence data (where appropriate) is processed in line with GDPR and domestic laws and all its employees conduct themselves in line with this, and other related, policies.

Where third parties process data on behalf of Swim Wales, the Company will ensure that the third party takes such measures in order to maintain the Company's commitment to protecting data.

In line with GDPR, Swim Wales understands that it will be accountable for the processing, management and regulation, and storage and retention of all personal data held in the form of manual and digital records.

## **The seven principles of the GDPR**

The GDPR Policy defines the following seven principles which must be adhered to in order to comply with the law and protect the privacy of the Data Subject.

### **1. Lawfulness, fairness, and transparency**

Personal data must be processed lawfully, fairly, and transparently with regards to the data subject (person to whom the data belongs to). To do this lawfully, the processing must meet the criteria for lawful processing as laid out in the GDPR. To achieve this fairly, the data processed must correlate with how it has been described. By informing the data subject of what, how (in an easy to understand and accessible means), and why their data will be processed ensures that you are transparent with regards to the processing of their data. Small print will no longer do! But rather targeted techniques ensuring the issues and risks are highlighted. This gives genuine control and choice to the data subject and equates to being transparent and fair.

The GDPR emphasizes this principle as a core principle whereas the DPD touches on it as a forethought for the data controller to process data transparently. Organizations could incorporate more accessible and straightforward privacy policies to promote the rights of the individuals.

## **2. Purpose limitations**

Personal data can only be collected for specified, explicit, and legitimate purposes. This data can only be used for those described purposes and no other, without further consent first received. Do what you say and say what you mean!

The DPD reflects this principle in a similar way. However, the GDPR widens the scope by allowing processing of other categories such as processing for public interest and scientific purposes.

## **3. Data minimisation**

Only collect the personal data that is necessary for the purpose of the business function. If you don't need it, don't collect it — ever! The data needs to be adequate, relevant, and limited to what is necessary. This plays an adjacent role with purpose limitation, too (principle No. 2).

## **4. Accuracy**

Personal data must be kept accurate and current. All necessary steps must be taken to achieve this. No inaccurate data should be kept and any errors in data should be rectified as soon as they become known. The DPD requires the same criteria. Though, the GDPR builds on this to include that the erasure or rectification of inaccurate personal data must be done without delay.

## **5. Storage limitation**

Swim Wales will not retain the data no longer require it for the purposes defined and agreed for processing. Securely remove the data when it is no longer necessary.

The GDPR adds to the list of exceptions for this principle. The GDPR allows longer storage time of data in the cases of data processing for public interest and scientific purposes. This is added to the exemption displayed under the DPD for longer storage time for processing data for statistical or historical purposes.

## **6. Integrity and confidentiality**

Integrity, confidentiality, and availability are fundamental to security! The confidentiality and integrity of the personal data must always be maintained. Access must also be controlled to achieve this.

The necessary organizational and technical measures must be used to achieve principle No. 6. The personal data must be appropriately protected (encryption is a technical measure to achieve this). If the data is encrypted it remains confidential and maintains its integrity even if it falls into the wrong hands.

The breach impact is drastically reduced for both organizational and individuals whose data it is. Additionally, measures must be taken to protect against unlawful processing, accidental loss as well as the destruction or damage of personal data.

## **7. Accountability and compliance**

Not only do you need to ensure compliance with the above six principles, you must be able to demonstrate this compliance, too. It is probably the most important of the principles as data controllers need to take responsibility for compliance as well as demonstrate it.

### **Complying with the GDPR Policy**

#### **Swim Wales must ensure that:**

- All members of staff, External Verifiers, Centre Reviewers, Educators, Volunteers, Members, Suppliers and Contractors, whether permanent or temporary, have access to this policy and understand the seven principles of the Act
- All forms or documents which collect personal or sensitive data include a Data Protection Statement
- All records are kept securely i.e. locked away or password protected.
- No data is used for the purposes of marketing unless the individual provides written consent
- Any emails that are sent to more than one individual are Bcc'd (blind copied)
- No personal data is disclosed, written or verbal, to anybody outside of Swim Wales, unless provided with written acknowledgment from the individual to do so. For example, disclose personal data to Swim England Qualifications (SEQ) in order for customers to be certificated.
- Only nominated members of staff have access to personal data and understand how to comply with the Act.
- All learner details that are sent to SEQ and relevant tutor are password protected.
- Achievement data is not used for any other purpose than those permitted in this policy, including for marketing or financial gain.
- If you are below the age of 16, you might wish to discuss this privacy notice with your parent or legal guardian.

### **Data protection statement**

Below is an example of a data protection statement which will be available on documentation produced by Swim Wales Training & Development which collects personal data. Swim Wales will use your personal data for the purpose of your involvement in data collection and I understand that by submitting this form, I am consenting to receiving information about the data collection by post, email, SMS/MMS, online or telephone unless stated otherwise.

### **Personal Learning Record**

The Personal Learning Record is an internet-based register of learners and achievement data, designed to assist learners with their personal learning development. It allows learners to view their education and training qualifications in one place. A Unique Learner Number (ULN) is required to access the Personal Learning Record and is completely unique to the learner.

The Approved Centre, Swim Wales, is responsible for to ask learners if they have an existing ULN and wish us to include it on the data to SEQ, and then have an opt in statement for anyone who wishes Swim Wales to create one.

### **Privacy notices**

Under the Data Protection Act, relevant individuals have a right to be informed whether Swim Wales processes personal data relating to them and to access the data that Swim

Wales holds about them. Requests for access to this data will be dealt with under the following summary guidelines:

- A form on which to make a subject access request is available from Swim Wales National Safeguarding Officer. The request should be made to this appointed person.
- Swim Wales will not charge for the supply of data unless the request is manifestly unfounded, excessive or repetitive, or unless a request is made for duplicate copies to be provided to parties other than the employee making the request
- Swim Wales will respond to a request without delay. Access to data will be provided, subject to legally permitted exemptions, within one month as a maximum. This may be extended by a further two months where requests are complex or numerous.

Relevant individuals must inform Swim Wales immediately if they believe that the data is inaccurate, either as a result of a subject access request or otherwise. Swim Wales will take immediate steps to rectify the information.

### **Example of a privacy notice**

The below wording should be included in all learner application systems and registration forms so that they are notified that their achievement data will be processed. Some of the information you supply will be used by Swim Wales to inform the relevant Awarding Organisations of your achievement for certification purposes.

### **Breach notification**

Where a data breach is likely to result in a risk to the rights and freedoms of individuals, it will be reported to the Information Commissioner within 72 hours of Swim Wales becoming aware of it and may be reported in more than one instalment.

Individuals will be informed directly in the event that the breach is likely to result in a high risk to the rights and freedoms of that individual. If the breach is sufficient to warrant notification to the public, Swim Wales will do so without undue delay.

### **Monitoring and review of the policy**

This policy and its procedures will be reviewed annually, to ensure that it remains fit for purpose and reflects the requirements as set by the Data Protection Act and how the use of data is managed.

Swim Wales keeps records of its processing activities including the purpose for the processing and retention periods in its Business Development Team. These records will be kept up to date so that they reflect current processing activities.

### **Data Protection Officer**

Swim Wales's Data Protection Officer is Zita Cameron.

She can be contacted at

Swim Wales

Wales National Pool

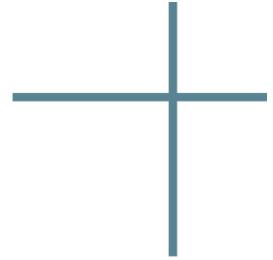
International Sports Village

Swansea

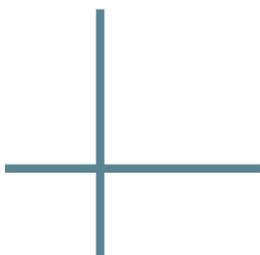
SA2 8QG

Telephone No: 01792 513641

Zita Cameron [Zita.Cameron@swimming.org](mailto:Zita.Cameron@swimming.org) The next policy review will take place in March 2023



# DIVERSITY & EQUALITY POLICY



# Diversity & Equality Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	April 2018
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	12/02/2019	Amendments to existing policy
V3	16/05/2019	Amendments to existing policy
V4	02/04/2020	Amendments to existing policy
V5	18/09/2020	Amendments to existing policy
V6	12/04/2022	Amendments to existing policy

**Swim Wales** is committed to the principles and practices of equal opportunities as a service provider. All Swim Wales members of staff, Internal Verifiers, Centre Reviewers, Educators, Volunteers, Members, Suppliers and Contractors, whether permanent or temporary (referred to as "Stakeholders") are responsible for the promotion and advancement of this policy.

We recognise the need to acknowledge the diversity of provision and are committed to the elimination of discrimination on the grounds of religion, belief, race, ethnicity, gender, age, marital or civil partnership status, pregnancy and maternity, sexual orientation, gender reassignment, disability, ability, occupation, political opinion, those with / without dependents or on any other grounds or status (referred to as "protected characteristics").

### **Policy aim and purpose**

We will not tolerate any unlawful discrimination or other unfair treatment (Appendix 1), whether intentional or unintentional, direct or indirect towards any Learner. Therefore this policy has been produced with the aim to prevent and address discrimination through the establishment of handling procedures for evaluating and / or investigating allegations of harassment, bullying or grievances, incurring corrective action via sanctions and / or penalties where required.

### **Objectives**

To ensure equality, diversity and inclusive practices are implemented across the breadth of Swim Wales operations, the following objectives have been developed to ensure the continued monitoring of qualifications for any feature which may present a disadvantage for a Learner with protected characteristics.

### **Swim Wales will:**

- Ensure this policy is effectively communicated across the governance and management structure of the organisation via inductions, orientations, continuous development and appraisal system
- Ensure continual review of the effectiveness of this policy in line with Equalities Law, taking prompt actions to rectify any deficiencies
- Ensure the policy is current, published and available to all.

#### **Swim Wales will:**

- Ensure all educators publish and implement equal opportunities policies that operate in parallel to that of this policy
- Promote fair access to units and / or qualifications, ensuring all satellite centres are aware of and comply with the Swim England Qualifications (SEQ) Reasonable Adjustments and Special Considerations Policy
- Encourage reporting of allegations of direct / indirect discrimination, harassment, bullying or victimisation through the appropriate channels and handle this effectively in accordance with the Swim Wales Complaints Policy
- Recruit, train and deploy suitable Internal Verifiers to facilitate and monitor compliance with the eligibility criteria contained within the Swim England Qualifications (SEQ) Approved Training Centre and Qualification Application Form
- Effectively manage risk and performance across all activity, ensuring corrective action where required to maintain the commitment to equality and diversity across the awarding function
- Maintain quality records, analysing and reporting on data (inclusive of age, gender, ethnicity and disability) to monitor and evaluate diversity in order to ensure equality and eliminate unlawful discrimination or other unfair treatment.

#### **Ensure that there are no barriers to entry of units and Swim England Qualifications. A process is in place to consult with relevant Learners, Third Party Representatives and/or appropriate advisors to ensure:**

- Units and qualifications are developed to promote inclusivity and diversity
- Entry requirements to registration are appropriate to the intended purpose of the unit or qualification
- The aims and learning outcomes of the unit or qualification are relevant and appropriate for their intended purpose and are expressed in clear, unbiased language
- The assessment criteria are relevant and appropriate to the intended purpose of the unit or qualification and, as like the aims and learning outcomes, are expressed in clear, unbiased language
- The requirements of practical demonstration of the unit or qualification are clearly and appropriately outlined. The rationale for such requirements is to be made clear and explicitly justified in terms of maintaining the integrity of the unit or qualification.
- Signposts to the Swim England Qualifications (SEQ) Reasonable Adjustments and Special Considerations Policy are clearly communicated where such barriers are identified
- Those barriers identified are alleviated and mitigated whilst maintaining the integrity and purpose of the unit or qualification

- Should any instances arise outside of Swim England Qualifications (SEQ) protocol, a process of consultation with the concerned Learner, Third Party Representative and/or the AC will be conducted
- All details of how effects of identified barriers will be alleviated and mitigated will be recorded in line with the stipulated policy.

### **Monitoring and review of the policy**

This policy will be reviewed annually to ensure it remains fit for purpose and complies with the requirements of Equalities Law in relation to all Swim England available qualifications.

The next policy annual review will take place in March 2023

Swim Wales Training & Development

Tel: 01792 513580

[www.swimwales.org](http://www.swimwales.org)

### **Appendix 1: Terms of Reference**

Unlawful discrimination can take any of the following forms.

<b>Bullying</b>	The misuse of power or position to persistently criticise, humiliate or undermine an individual's confidence.
<b>Direct Discrimination</b>	Treating someone less favourably than you would treat others because of a protected characteristic.
<b>Indirect Discrimination</b>	Applying a provision, criterion or practice which, on the face of it, applies equally to all but in practice can disadvantage individuals with a particular protected characteristic. Such requirements or conditions are lawful only if they can be objectively justified.
<b>Harassment</b>	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. The Swim England Qualifications (SEQ) is committed to ensuring that its Stakeholders are able to conduct their activities free from harassment.
<b>Victimisation</b>	Subjecting someone to a detriment because he or she has 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).

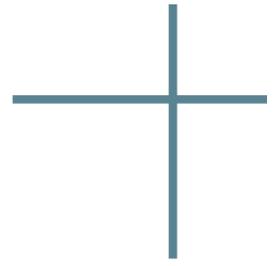
### **Protected Characteristics**

The Equality Act 2010 refers to 9 Protected Characteristics:

- **Age** - discrimination because of their actual or perceived age. For example, a requirement for job applicants to have worked in a particular industry for ten years may disadvantage younger people.
- **Disability** - Under the Equality Act 2010 a person is classified as disabled if they have a physical or mental impairment which has a substantial and long-term effect on their ability to carry out normal day-to-day activities. Swim Wales are also obliged to make reasonable adjustments to accommodate a worker with a disability, including adjustments to working arrangements or physical changes to the premises or equipment.
- **Gender** - discrimination because of their actual or perceived sex. For example, a requirement that job applicants must be six feet tall could be met by significantly fewer women than men. In very limited circumstances, there are some jobs which can require that the job-holder is a man or a woman. This is known as an 'occupational requirement'.
- **Gender Reassignment** - discrimination based on gender re-assignment, whether actual or perceived. This may include implementing a procedure that forces individuals to disclose that they have undergone gender reassignment.
- **Pregnancy and Maternity** - Discrimination as a result of being pregnant or taking maternity or adoptive leave.
- **Race/Ethnicity** - Discrimination on grounds of race, colour, nationality, and ethnic or national origins. For example, requiring all job applicants to have GCSE Maths and English: people educated in countries which don't have GCSEs would be discriminated against if equivalent qualifications were not accepted.
- **Religion, Belief and Culture** - Discrimination because of any religion, religious or philosophical belief, or lack of belief. Whilst Swim Wales are not obliged to give employee's time off or facilities for religious observance, but will try to accommodate this whenever possible.
- **Sexual Orientation** - Discrimination because of actual or perceived sexual orientation, including lesbian, gay and bisexual individuals, as well as discrimination against heterosexual people. Swim Wales will ensure that all conditions of service, benefits and opportunities are open to all regardless of their sexual orientation.
- **Marriage and Civil Partnerships** - Same-sex couples who register as civil partners have the right to equal treatment with married couples.

*Swim Wales regards bullying, discrimination, harassment and victimisation, as described above, as serious misconduct. Any concerns highlighted concerning equalities will be taken seriously and appropriate measures, including disciplinary action, may be brought against any Stakeholder who unlawfully bullies, discriminates against, harasses or victimises any other person.*

Swim Wales Training & Development  
 Tel: 01792 513580  
[www.swimwales.org](http://www.swimwales.org)



# HEALTH & SAFETY POLICY



# Health & Safety Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	April 2018
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	12/02/2019	Amendments to existing policy
V3	02/04/2020	Amendments to existing policy
V4	18/09/2020	Amendments to existing policy
V5	02/02/2022	Amendments to existing policy

**Swim Wales** is committed to ensuring the health and safety of all of its employees and any other individual involved with Swim England Qualifications (SEQ). Swim Wales is committed to complying with the requirements of the Health & Safety at Work Act (1974) and accompanying protective legislation in respect of the health, safety and welfare of its employees. Swim Wales also recognises its duty of care as far as it is reasonably practicable under common law in respect of the health, safety and welfare of its learners and others affected by our operations

### **Policy aim and purpose**

The aim of this policy is to enable all employees and individuals involved with SEQ to be aware of potential hazards within the working environment and allow them to identify methods of minimising risk to themselves and to others. Swim Wales strives to develop, promote and maintain a high standard of health, safety and welfare. In order to achieve this, Swim Wales will provide sufficient training and advice to those individuals, thus ensuring that those individuals are suitably up skilled.

### **Activities in place to maintain health and safety**

Swim Wales has a number of processes in place to ensure the safety and wellbeing of all involved with Swim England Qualifications:

- Identifying and assessing health and safety risks arising from work activities, providing adequate control measures and regular reviews to maintain a safe working environment
- Supporting high standards of communication, training and continuing professional development of all employees and individuals involved with Swim England Qualifications
- Providing and communicating health and safety laws, rules and guidelines in relation to their employee obligations and health and safety
- Recording and investigating incidents, accidents and cases of work-ill health, in order to prevent reoccurrence and become a 'learning organisation'
- Maintaining a business continuity plan to minimise disruption in the event of a disaster within one of the used premises

- Reviewing and revising this policy at regular intervals and in any case to be reviewed annually by the responsible officer.

### **Areas of high risk**

It is imperative that a risk assessment is carried out on the potential hazards that may occur within the working environment. Swim Wales has identified the below high risk areas for its employees and consultants and therefore has advised the following:

### **Working alone within the organisations premises**

There may be times when it is necessary to be within the organisations premises outside of normal working hours. In order to ensure that this situation is managed as safely as possible, the following guidelines are issued:

- The responsibility for health and safety not only rests with the employer but also the employee
- Where possible, individuals should aim to reduce the likelihood of this situation from arising. If this is not possible, the following action should be taken:
- The individual should take responsibility for their own health and safety by ensuring that someone is aware of where the individual is working and the time they should be expected to finish
- Should the individual decide to remain beyond the expected time, contact should be made with the notified person that there has been a change in schedule
- The individual must ensure they do not carry out activities for which they have not received appropriate training, refrain from lifting excessive weight or ascending ladders and avoid using lifts whilst alone within the premises.

### **Working alone within another organisations premises**

**Occasionally a consultant may be required to visit a Centre's premises; in this instance, the following guidelines are issued:**

- The individual must adhere to the Centres health and safety guidelines whilst in the premises
- It is essential that the individual is familiar with the fire safety procedures within the premises and ensure they are aware of fire escape routes in case of emergency
- The individual must ensure they do not carry out activities for which have not been requested by the Swim England Qualifications (SEQ).
- The individual must refrain from lifting excessive weight or ascending ladders.

### **Fire safety**

- Electrical equipment must be utilised in a safe and sensible way, ensuring electrical sockets are not over loaded and that electrical equipment is turned off overnight
- Wedging open a fire door is a breach of the Regulatory Reform Order 2005 and is a criminal offence
- The fire detection system and emergency lighting at key exits must be tested at regular intervals by the responsible officer
- In the event of a fire alarm, all individuals must exit the premises via the nearest fire exit and gather in the designated fire assembly point
- In the event of failure of the fire detection system, individuals may manually operate this by breaking the glass covering a fire call point to prompt the evacuation process
- The use of fire extinguishers should only be used if necessary to clear an escape route to the exit

- In the event that an individual is based at another Centre, it is essential that they familiarise themselves and relevant colleagues/learners with the Centres own fire safety policy.

### **Electricity at work**

- All portable electric items used within the premises must be tested by law to ensure that they are safe to use
- Do not remove the testing label from any electrical equipment as this is proof that testing has taken place
- Do not bring electrical appliances into the premises unless there is a current test label confirming that it has been tested to the required standard

### **Lifting heavy objects**

There are risks of back injury or injury due to dropping of a heavy object.

### **First aid**

All facilities used by Swim Wales, must be able to provide adequate and appropriate first aid equipment, facilities and personnel to ensure that those individuals within the learning environment are able to receive immediate attention in the event of accident of injury.

To determine what is adequate or appropriate will depend entirely on the individual centre as to the number of first aiders required, what should be included in the first aid box and whether a first aid room is required. An assessment should be carried out of first aid requirements to determine what to provide.

### **Safety of educators and learners maintenance**

Prior to running any courses the Swim Wales Educator will be provided with the relevant site specific and risk assessment materials by Swim Wales, Training & Development Team. They will also be provided with the relevant contact details for the site that will be used for their course.

This will allow them to familiarise themselves with the delivery site facilities and carry out any risk assessments appropriate to the course that they are delivering (whether or not they have previously delivered a course at that site).

Swim Wales Educators and learners alike will follow the site documentation and relevant guidance during the course. The educators will look systematically at each area with the aim of identifying any hazards or risks & consider if any additional safety measures or 'controls' need to be implemented to reduce the risks further.

If there are any elements that are raised as a risk, the educator will complete the relevant Swim Wales Risk Assessment form and return to Swim Wales Training as soon as possible. In addition, they will need to notify and liaise with the relevant site contact to raise any such concerns.

In addition, Swim Wales Educators will also complete the mandatory signing in/out form for each session they deliver.

### **Record keeping**

In the event of accident or injury during the delivery or assessment of a Swim England qualification, the Swim Wales (through the relevant educator) have in place procedures

for recording details relating to the incident. These should be recorded in an HSE-approved accident book with records kept for at least three years after the accident or injury.

### **Monitoring and review**

This policy and its procedures will be reviewed annually, to ensure it remains fit for purpose and reflects the types of health and safety issues that may arise and how those risks are managed.

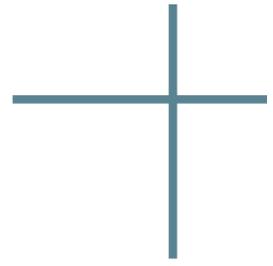
The next policy review will take place in March 2023

Training and Development

Tel: 01792 513580

[www.swimwales.org](http://www.swimwales.org)

Swim Wales Training [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org)



# **LEARNER EXISTENCE AND ELIGIBILITY CHECKS (LEE) POLICY**



# Learner Existence and Eligibility Checks (LEE) Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	April 2018
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	12/02/2019	Amendments to existing policy
V3	02/04/2020	Amendments to existing policy
V4	18/09/2020	Amendments to existing policy
V5	10/04/2022	Amendments to existing policy

## Learner Existence and Eligibility Checks (LEE) Policy

Swim Wales Educators must check that the learners attending courses are who they say they are (Learner existence) and that they meet the entry requirements (Learner eligibility). The eligibility and existence of all learners on a course must be established at the start of their programme.

### Learner Existence

Identification should be photographic, however it is acknowledged that sometimes this is not possible. Please refer to the list below which are examples of identification that Swim Wales deem acceptable:

- Passport
- Driving licence
- ID card or other form of national ID
- Bus Pass/Rail Card
- National Insurance Card
- Photographic security pass for current place of employment
- Armed Forces service ID
- Birth certificate (and corresponding marriage certificate if applicable)

If the learner is not able to produce appropriate photographic identification, they should make contact with Swim Wales to discuss options

### Learner Eligibility

In order for a learner to be eligible to attend any Swim Wales course leading to certification of a Swim England qualification, they need to hold the relevant entry requirements as detailed in the qualification specification.

Learners must provide evidence of their prerequisite on the first face-to-face delivery day of their course. The course educator will verify the validity of the evidence, make a note on the LEE Audit document and, where appropriate and in accordance with GDPR, take a copy of the evidence as well.

Swim Wales, if called upon need to provide evidence to the Swim England Qualifications (SEQ) that they conduct check to ensure learners fulfil the pre requisites of the Swim England Qualification. Each Swim Wales course will be subject to a LEE Audit check.

Swim Wales reserve the right to withhold application to the Swim England Qualifications for certification until evidence that both existence and eligibility checks have taken place.

Please note: Swim England Qualifications do not need to see the evidence that the learners submit to fulfil the LEE audit requirements, just evidence that Swim Wales is undertaking the required checks on each course.

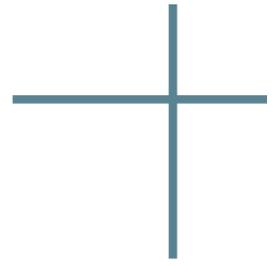
This policy will be reviewed annually to ensure it remains fit for purpose and complies with the requirements of Swim England available qualifications.

The next policy review will take place in March 2023

Swim Wales Training & Development

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[www.swimwales.org](http://www.swimwales.org)



# **MALPRACTICE & MALADMINISTRATION POLICY**



# Malpractice & Maladministration Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	April 2018
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	12/02/2019	Amendments to existing policy
V3	02/04/2020	Amendments to existing policy
V4	18/09/2020	Amendments to existing policy
V5	12/05/2022	Amendments to existing policy

**Swim Wales** is committed in its service provision to offer standards of the highest quality ensuring continued and full compliance with the General Conditions of Recognition - Ofqual & Qualification Wales.

### **Policy aim and purpose**

The aim of this policy is to safeguard the integrity and credibility of Swim Wales, to ensure that any potential malpractice and maladministration is identified, prevented, corrected and/or, mitigated in every aspect of the delivery, development and assessment of Swim England qualifications. This policy provides a robust and transparent framework for the identification and management of malpractice and maladministration by:

- Providing the means to identify and resolve malpractice and maladministration
- Establishing clear standards for dealing with malpractice and maladministration
- Reducing the possibility of malpractice and maladministration

This policy applies to Swim Wales, Swim Wales qualification workforce, all employees of Swim Wales, learners and any other involved in the development, delivery and assessment of Swim England qualifications.

### **Definition of Malpractice and Maladministration**

**Malpractice** is any deliberate or neglectful act which undermines the integrity and validity of assessment and the certification. Examples of malpractice can be found in appendix 1.

**Maladministration** is any activity which results in unintended non-compliance with administrative regulations and requirements. Recurring instances of maladministration may be considered serious enough to be treated as malpractice. Examples maladministration can be found in appendix 1.

## **Investigation and Management of Malpractice and Maladministration**

The procedures in place by Swim Wales, coupled with quality controls (Internal Verification and Teaching & Learning Observation Visits), have been carefully designed to monitor arrangements and ability to competently deal with preventing and investigating any instances of malpractice or maladministration.

Swim Wales has established a process for investigating alleged cases that have been raised, which comprises five stages:

- **Stage 1:** Notification of an alleged case of malpractice or maladministration
- **Stage 2:** Management and Investigation of the allegation
- **Stage 3:** Report
- **Stage 4:** Management of confirmed cases of malpractice or maladministration
- **Stage 5:** Appeals

On all occasions when information regarding an allegation is received by Swim Wales against a Swim Wales representative, it will be treated as a potential case for malpractice or maladministration until an outcome has been derived through the investigation stage.

Where there are grounds to suspect malpractice or maladministration against a Swim Wales representative, that individual risks suspension of their duties and an investigation by Swim Wales of professional misconduct.

Where there are grounds to suspect malpractice or maladministration at a Swim Wales course, registrations and learner certification may be suspended until the investigation has been completed and, if necessary, any sanctions applied.

Where there are grounds to suspect malpractice or maladministration against a Learner, certification may be suspended until the investigation has been completed and, if necessary, any sanctions applied.

### **Stages of Investigation**

#### **Stage 1: Notification of a suspected case of malpractice or maladministration**

Swim Wales is responsible for any matters relating to the conduct of the learner or tutor whilst undertaking the qualification. The centre will investigate the allegation in compliance with our published policy and procedures.

Notification of the allegation must be submitted through the *Allegation Form* (appendix 2), accompanied by any supporting information for review.

Evidence, along with the completed Allegation Form, should be sent to the Swim Wales Training & Development Manager via Swim Wales Training @ [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org). If the allegation relates to the Swim Wales Training & Development Manager notification of the suspected malpractice or maladministration should be sent to the Swim Wales Board Chairperson.

Once the *Allegation Form* has been received, Swim Wales will check that the required information has been submitted, acknowledge receipt (within 5 working days) and record the details on the *Allegations Register*. In all cases Swim Wales will protect the identity of the informant.

### **Stage 2: Management and Investigation**

The Training & Development Manager will review all information provided and conclude if there is a case of malpractice or maladministration. If the investigation involves the Training & Development Manager an appropriate independent reviewer will be appointed to examine the allegation.

During the investigation there may be:

- A request for further information
- Interviews conducted with individuals involved in the investigation in person or by telephone

Pending the outcome of the investigation, Swim Wales may apply sanctions as detailed in the Swim England Qualifications Sanctions Policy.

### **Stage 3: Report**

Swim Wales will provide feedback within 28 working days of acknowledgement of the allegation form being received.

In some cases the investigation may take longer, for example, if a centre visit is required. In such instances all concerned parties will be advised of the revised timescale.

Swim Wales satellite centres are expected to fully cooperate with all investigations and requests for information. If this does not happen Swim Wales satellite centre approval may be withdrawn.

Where applicable, Swim Wales will inform the Swim England Qualifications (SEQ) who will, in turn, inform the regulatory authority, Ofqual or Qualifications Wales of any investigation.

In cases where certificates are deemed to be invalid, Swim Wales will inform the Swim England Qualifications (SEQ) and the SEQ will inform Swim Wales of any actions that need to be taken.

### **Stage 4: Appeals**

Swim Wales has an appeals procedure that can be applied if there is disagreement in the outcome of a malpractice / maladministration investigation. An appeal must be based on reasonable grounds which relate directly to the case in question. The following would be accepted as reasonable grounds:

- The case was not dealt with using the published policy and procedure
- Further evidence (including medical evidence) has come to light which changes the basis of the decision

The following do not, by themselves constitute grounds for an appeal:

- The individual did not intentionally cheat
- The individual has an unblemished academic record
- The individual could lose a university place
- The individual regrets his/her actions

Swim Wales reserves the right to reject an appeal at this point if there is not any further evidence to consider or if the grounds for the appeal are weak or unjustified.

Further information on appeals may be found in the *Appeals Policy*.  
The next policy review will take place in March 2023

Swim Wales Training & Development  
Tel: 01792 513580

[www.swimwales.org](http://www.swimwales.org) or email [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org)

**Appendix 1: Examples of Malpractice and Maladministration**

The following situations are examples (but not exhaustive) of malpractice or maladministration; to decide which one depends on whether the actions are deliberate (malpractice) or unintentional (maladministration).

Unacceptable evidence	Inappropriate, offensive or obscene material in assessment evidence
Collusion/Collaboration	Working collaboratively with other learners beyond what is permitted
Plagiarism/Copying	<ul style="list-style-type: none"> <li>• Unacknowledged copying from published sources (including the internet)</li> <li>• Incomplete referencing</li> <li>• Copying from another learner (including the misuse of IT)</li> </ul>
False Declarations	<ul style="list-style-type: none"> <li>• Making a false declaration of authenticity</li> <li>• Theft of somebody else’s work to pass it off as the learners own</li> </ul>
Inauthentic Evidence/Tampering	<ul style="list-style-type: none"> <li>• Destruction of work</li> <li>• Claiming to have lost learners work</li> <li>• Alteration or falsification of results, documents assessments, including pre-requisite certificates</li> </ul>
Personation	<p>Use of the wrong name or identification number (such as registration number / candidate number)</p> <ul style="list-style-type: none"> <li>• Impersonating another individual</li> <li>• Arranging to be impersonated</li> </ul>
Financial Fraud	<ul style="list-style-type: none"> <li>• Attempting to obtain certificates fraudulently</li> <li>• Attempted Bribery</li> </ul>
ATC Notification Failure	<ul style="list-style-type: none"> <li>• ATC failure to notify, investigate and / or report to SEQ allegations of suspected malpractice</li> </ul>

	<ul style="list-style-type: none"> <li>• ATC failure to take action as required by SEQ as detailed in this document, or to co-operate with SEQ investigations</li> </ul>
Assessor / Tutor Discretion Failure	<ul style="list-style-type: none"> <li>• Giving improper assistance to learners</li> <li>• Vocationally Related Qualifications (VRQ's) observations by non-competent staff</li> </ul>
External Consultant Failure	<p>External Consultant Failure</p> <ul style="list-style-type: none"> <li>• External consultant incompetence</li> <li>• Deception</li> <li>• Failure to disclose a Conflict of Interest</li> </ul>
ATC Failure	<ul style="list-style-type: none"> <li>• Failure to carry out delivery, assessment or internal verification in accordance with SEQ requirements</li> <li>• Failure to use licensed tutors / assessors</li> </ul>
Failure to meet the ATC SLA	<ul style="list-style-type: none"> <li>• Failure to adhere to SEQ administration requirements (such as learner registrations)</li> <li>• Insecure storage of assessment materials</li> <li>• Failure to disclose a Conflict of Interest</li> <li>• Failure to meet learner pre-requisites</li> </ul>
SEQ Failure	Failure to carry out development, monitoring or awarding activities in accordance with SEQ requirements and regulatory requirements

### **Appendix 2: Allegation Form**

Important information should include information relating to the person submitting the Allegation Form. If you are a learner, please indicate this clearly under the informant role.

Full Name	
Role	
Address	
Telephone number	
Email address	

Swim Wales Satellite Centre	
Qualification Title	

Details of the allegation (continue on a separate page if required)	
------------------------------------------------------------------------	--

Declaration
I confirm that the information in this form is accurate, to the best of my knowledge, and that the centre will provide arrangements in accordance with the guidance given by SEQ.

Signature	
Date	

Please return to Swim Wales Training & Development Manager, Allegations, Wales National Pool, Sketty Lane, Swansea, SA2 8QG or email: [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org)

**Appendix 3: Maladministration / Malpractice Event Record**

Swim Wales Approved Centre Maladministration / Malpractice Event Record

Satellite Centre	
Key Contact	
Date of Event	
Description of the event	
Additional Commentary from the Satellite Centre (not mandatory)	
Risk	
Maladministration or Malpractice	
What actions will Swim Wales Approved Centre put in place to ensure safe certification	

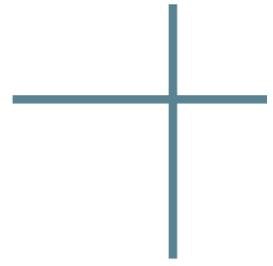
Satellite Centre Key Contact Signature		Date	
Swim Wales Approved Centre Signature		Date	
Number of maladministration events in last 24 months including this event		Number of malpractice events in last 24 months including this event	

Please note: Swim Wales do not need to see the evidence that the learners submit to fulfil the LEE audit requirements, just evidence that the AC is undertaking the required checks on each course.

This policy will be reviewed annually to ensure it remains fit for purpose and complies with the requirements of Swim England Qualifications.

Swim Wales Training & Development  
Tel: 01792 513580  
[www.swimwales.org](http://www.swimwales.org)

Swim Wales Training [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org)>



# **NEW AND EXPECTANT MOTHERS POLICY**



# New and Expectant Mothers Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	August 2019
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	02/04/2020	Amendments to existing policy

### Summary

This document considers practical safety precautions for learners who are expectant or new mothers, i.e. women who have given birth in the last six months or who are breast feeding.

No two pregnancies are the same and therefore new and expectant mothers should always seek medical advice regarding their suitability to attend training courses prior to enrolment.

Tutors need to take account the individual's capability to carry out the tasks associated with all aspects of the course work they are attending with regard to their safety and without risk to their health.

### Hazards

All tutors must conduct a risk assessment of the hazards that new and expectant mothers may face and be proactive through their course delivery to ensure they are managed or reduced. Typical hazards may include:

- Abdominal impact
- Manual handling
- Posture/time on poolside
- Pressurised atmospheres
- Vigorous exercise
- Dehydration
- Noise
- Course hours
- Rest areas
- Heat

### Action

Swim Wales has a legal duty to protect new and expectant mothers from hazards and the possible consequences whilst attending a training programme. Tutors must conduct a thorough risk assessment and devise appropriate safe working practices in conjunction with the needs of the learner. Remembering that every case should be treated individually and that existing risk assessments in place at the delivery site need to form part of the risk reduction strategy.

The following risk assessment needs to be completed for all courses where applicable. Swim Wales will inform the tutor prior to the course starting if any learners have indicated that they are a new mother or expectant mother. The form needs to be returned to Swim Wales (by the learner) at least 2 weeks prior to the course start date and subsequently by the tutor in advance of the course commencing.

### **Notes for learner**

Your tutor will complete a risk assessment in line with your individual needs prior to the course starting, based on questions 1 – 15 below. You are required to complete questions 14 and 15 at least two weeks prior to the course starting and to submit them accordingly in line with the Swim Wales terms and conditions. You may also comment on any other questions if you think it relevant – especially questions 4, 5, 8 and 9.

If you need to complete the relevant form or have any concerns regarding your attendance on the course please contact us:

Swim Wales Training [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org) or Tel: 01792 513580

### **Monitoring and review of the policy**

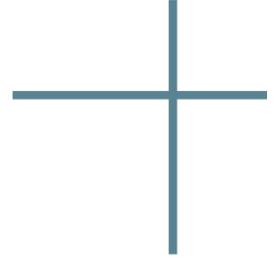
This policy and its procedures will be reviewed annually to ensure that it remains fit for purpose and reflects the types of reasonable adjustments or special consideration that may arise, and how access arrangements are managed in accordance with the requirements of Equalities Law.

The next policy review will take place in September March 2023

Swim Wales Training & Development

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# PLAGIARISM POLICY



# Plagiarism Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	April 2018
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	12/02/2019	Amendments to existing policy
V3	02/04/2020	Amendments to existing policy
V4	12/04/2022	Amendments to existing policy

### **What constitutes plagiarism or cheating?**

All work, including lesson plans, written tasks/activities, evaluation forms, that you submit as evidence to contribute towards the achievement of any Swim England Qualifications course should be your own and completed using your own words. If you simply copy and paste work from other sources you will commit plagiarism, which is not acceptable and means that you are submitting the work and words of others and passing them off as your own.

### **Examples of plagiarism:**

- Copying from the learner guide
- Copying from another learner
- Using text downloaded from the internet
- Copying text gained from a lecture or PowerPoint presentation
- Passing your own work to another student allowing them to use your work
- Learners working too closely together to complete written tasks/activities may give unfair advantage (collusion)

As part of your Swim England Qualifications course you will have signed a declaration confirming that all work submitted as part of your evidence is your own, so it is important to take care to ensure you always use your own words and phrases in your work, particularly for your written tasks and activities.

**The temptation to plagiarise can arise when learners do not allow sufficient time for the background reading required to complete each written task.**

**These tasks have a two-fold purpose:**

1. Provide the assessor with the opportunity to gauge your knowledge and understanding of the subject and judge if your work meets the verb and content as specified within the qualification specification.
2. Assist the learner in understanding the topic and aid learning in the overall subject matter. If learners submit work that is not their own they deny themselves a valuable learning opportunity and this can be counter-productive to the overall goal of understanding the topic in question.

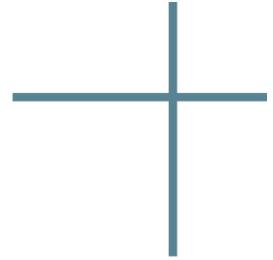
It is fully understood that most learners will not wish to take this negative approach to their learning. However the purpose of this policy is to ensure that learners understand that Swim Wales will not accept this approach at any time.

The next policy review will take place in March 2023

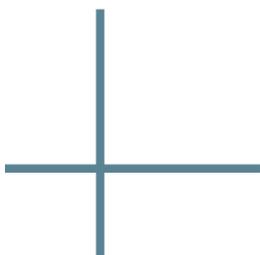
Swim Wales Training & Development

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# **REASONABLE ADJUSTMENTS AND SPECIAL CONSIDERATION POLICY**



# Reasonable Adjustments and Special Consideration Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	April 2018
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	12/02/2019	Amendments to existing policy
V3	03/04/2020	Amendments to existing policy
V4	18/09/2020	Amendments to existing policy
V5	13/05/2022	Amendments to existing policy

Swim Wales endeavours to make sure that there are no unnecessary barriers to qualification assessment and aims to ensure that the requirements and methods used are flexible enough to enable the widest range of learner access to Swim England accredited qualifications, as well as fairly and reliably demonstrate their competence for attainment.

### **Policy aim and purpose**

This policy has been established to facilitate access to assessment and qualifications for learners who are eligible for adjustments in the range of assessments applied across Swim England Qualifications (SEQ). Adjustments are set out in two categories:

**Reasonable adjustments:** This is where measures are put in place for a learner who is disadvantaged as a result of a disability or other individual circumstances. The impact of this is assessed prior to the start of the qualification by Swim Wales.

A Reasonable Adjustment may be unique to the individual Learner and may not be included in the list of Access Arrangements within this policy. Whether an adjustment will be considered reasonable will depend on a number of factors which will include, but are not limited to:

- The needs of the Learner
- The effectiveness of the adjustment
- The cost of the adjustment
- The likely impact of the adjustment upon the Learner and other Learners

Please note that an adjustment will not be approved if it involves unreasonable costs to Swim Wales, unreasonable timeframes or effects the integrity of the assessment.

**Special consideration:** This is where measures are put in place for a learner who is disadvantaged as a result of a disability or other individual circumstances at the point of assessment. The impact of this is assessed at the point of assessment.

Swim Wales recognise the following Special Considerations categories, whereby the Learner has:

- An illness
- An injury
- A temporary disability, learning need or medical condition
- Experienced some other event outside of their control

Access Arrangements as described in this policy can be applied to Learners for the following Special Considerations categories, whereby the Learner has:

- An illness
- An injury
- A temporary disability, learning need or medical condition

The timing of assessments for SEQ qualifications remain flexible, so Learners are able to progress at a rate that is appropriate to their ability as long as they achieve within the registration period.

Therefore if a Learner is too ill to complete an assessment, alternative timings can be offered by Swim Wales, without notification to SEQ unless this is going to be outside of the Learners registration period. In order to support Swim Wales with allowing an alternative assessment opportunity for the Learner at a later date SEQ will accept requests for reasonable extensions to Learner registrations for any Special Consideration category (subject to any previously set qualification end dates).

There may be exceptional circumstances whereby SEQ make a Special Consideration decision for a particular qualification and / or cohort of Learners, such as automatic registration extension whereby there is an extraordinary situation that is outside of the Learner, Swim Wales or SEQ control.

There may be Learners that experience a situation whereby it would be appropriate to consider Special Considerations that are not referenced in this policy. Adjustments which may be applied after an assessment where the Learner has encountered exceptional circumstances that have disadvantaged them during their assessment or if their performance in an assessment has been, or is likely to have been, affected by mitigating or adverse circumstances beyond their control. In such instances the Swim Wales will contact SEQ for advice, guidance and approval.

**Therefore, this policy aims to:**

- Describe the practice for dealing with identification, justification and recording of data
- Identify individual roles and responsibilities
- Explain how to manage those reasonable adjustments or special consideration implemented in accordance with Equalities Law

### **Approved Centre (Swim Wales) recruitment**

It is vital that Swim Wales recruit with integrity onto Swim England accredited qualifications, whilst ensuring Learners are provided with accurate information and the correct advice for the qualification they have chosen to pursue. The recruitment process should include the assessment and identification of the Learner's potential to successfully achieve their chosen qualification. Such assessment must identify, where appropriate, the support that will be made available to the Learner to facilitate access to the assessment.

Where the recruitment process identifies that the Learner may not be able to demonstrate attainment, thus gain achievement in parts of assessment, this must be communicated to the Learner clearly from the onset. A Learner may still decide to proceed with pursuing a qualification and not be entered for all or part of the assessment.

### **Swim Wales must ensure Learners are aware of:**

- The range of options available, including any access arrangements that may be necessary, to enable the demonstration of assessment criteria attainment
- Any restrictions on progression routes to the Learner as a result of not achieving all or part of the qualification.

### **Therefore, Swim Wales shall:**

- Make sure that all relevant personnel have had training to ensure that they are aware of access related issues, protocol and procedure
- Explain the learning programme requirements and assessment criteria clearly to the Learner
- Establish early contact with the Learner in order to identify any potential barriers / restrictions to qualification entry, delivery or assessment and determine if reasonable adjustment is required
- Use specialist advice in identifying Learner's disabilities, where required
- Ensure buildings, assessment sites and resources used for delivery and assessment are accessible to all Learners, as far as practical
- Ensure appropriate equipment and personnel are available for selected adjustments to assessment, in accordance with this policy, such as electrical equipment or any assistive personnel (e.g. Reader, Scribe, Practical Assistant)
- Ensure adjustments made are justified, permitted and agreed with the Swim England Qualifications and the level / type of assistance provided is appropriate
- Record and securely retain all adjustment requests and decisions made within each Learner file
- Consider what reasonable adjustments future Learners may need and make appropriate provision in advance

### **Reasonable Adjustments**

The Equality Act 2010 requires awarding organisations to lessen or remove the effects of a 'substantial (*meaning more than minor or trivial*) disadvantage' during assessment. It is important to note that not all arrangements will be practical in particular situations as the Learner may not need, nor be allowed, the same adjustment for all assessments.

All possible, practical steps must be taken to apply reasonable adjustments and promote equality of access for Learners who are placed at a 'substantial disadvantage' in comparison to other Learners without a disability or difficulty. Where

applied, these arrangements **must not** affect the reliability or validity of assessment criteria and outcomes, nor must they give the Learner an unfair assessment advantage over other Learners undertaking the same or similar qualifications.

**By way of example, arrangements permissible are inclusive of, but not limited to, the following:**

- Modifying assessment materials, such as large font, word version, colour etc.
- Providing appropriate assistance during assessment, such as a Scribe, Reader, Practical Assistant or Interpreter
- Using assistive technology, mechanical and electronic aids, such as computer software which scans but does not encode or interpret assessment questions
- Alternative ways of presenting responses, such as word processor
- Allowing for extra time for completion of assessed work.

**Eligibility and application of reasonable adjustments**

A Learner does not have to be disabled (as defined by the DDA) to qualify for a reasonable adjustment, nor will every Learner who is disabled be entitled to reasonable adjustment. Allowing the application of a reasonable adjustment is dependent on how it will facilitate the Learner's access to assessment.

**Reasonable adjustments may take on a number of forms, however may only be granted where adjustment does not:**

- Affect the validity or reliability of the assessment
- Give the Learner in question an unfair advantage over other Learners taking the same or similar assessments
- Influence the final outcome of the assessment decision.

Swim England Qualifications expects Swim Wales to apply reasonable adjustments in a clear, transparent and unbiased manner. All reasonable adjustments made must be recorded using the Swim England Qualifications *Reasonable Adjustments Notification Form* (Appendix 1).

Once completed, these must be held by Swim Wales in the relevant Learners file and should be available at all times for scrutiny, when requested, by Swim England Qualifications. All reasonable adjustments are subject to meeting the requirements of the appropriate specification and assessment criteria for Swim England Qualifications. It is the responsibility of the Swim Wales, Key Contact to ensure any access arrangement implemented by Swim Wales, on behalf of the Learner, is based on firm evidence highlighting the barrier of assessment.

**Swim Wales will not be required to apply to the Swim England Qualifications for reasonable adjustments requested, however must:**

- Only make reasonable adjustments that are in line with this policy
- Record all reasonable adjustments made on the Swim England Qualifications Reasonable Adjustments Notification Form (Appendix1)
- Keep all notification forms within the appropriate Learner's file
- Make all notification forms available to the Swim England Qualifications as required.

### Requesting reasonable adjustments from the Swim England Qualifications

In the event a Learner’s need for access is in doubt and Swim Wales unaware of the provision which should provide, Swim Wales will contact the Swim England Qualifications officer responsible for advice and guidance. If the adjustment requested is not appropriate, the Swim England Qualifications will source and provide an alternative method to enable the Learner to demonstrate competence.

### Assessing achievement

Where reasonable adjustments are applied, Swim Wales must ensure achievement is given only for the skills demonstrated by the Learner and that the reasonable adjustments applied do not compromise the outcomes of the assessment (as identified within eligibility and application of reasonable adjustments).

Where reasonable adjustments are applied, Swim Wales is required to evaluate the outcomes on behalf of the Learner via completion of the evaluation section of the Swim England Qualifications *Reasonable Adjustments Notification Form* (Appendix 1) and retain within the appropriate Learners file. The Swim England Qualifications will monitor the application of reasonable adjustments applied through the centre review process.

In the event Learners are not satisfied with the access arrangements made by Swim Wales, they should report their concerns to Swim Wales and further ensure it is reported formally to the Swim England Qualifications where, upon receipt, it will be reviewed and acted upon should corrective action be required.

### Inappropriate use of reasonable adjustments

If Swim Wales misuses this policy, the Swim England Qualifications will take appropriate action. Such action may range from advice and action for Swim Wales, through to the implementation of steps to manage assessment malpractice.

### Special Education Needs & Disability (SEND)

**Swim Wales notes that a statement of SEND does not automatically qualify the Learner for a reasonable adjustment as:**

- The SEND statement may not contain a recent assessment of needs
- The reasonable adjustment may compromise assessment.

### Synopsis of reasonable adjustments

Type of need	Learners special needs	Reasonable adjustments
Sensory and physical needs	Visual Impairment	OCR scanners Low vision aid Prompter Reader
		Large Print Modified enlarged format A4-A3 Modified language Tactile diagrams Voice activated computer
		Prompter
		Colour naming

	Hearing Impairment	BSL Communicator Live Speaker
		Amplification equipment Coloured overlays Transcriber (transcript of tape)
		Additional tapes/CD/DVD Speech/screen reading software
	Physical disabilities (e.g. dyspraxia)	Practical Assistant Reader Scribe Voice activated software Word processor
	Illness/ injury/ medical	Coursework extension Enable a competent person to conduct the demonstration
	Psychological	Alternative accommodation/venue
<b>Communication and foreign language needs</b>	First language is not English	Provision of qualification specifications and assessment materials in appropriate manner where applicable.
<b>Cognition and learning needs</b>	Dyslexia	Photocopy onto coloured paper Word processor
	Learning difficulties	Reader Prompter
	Handwriting difficult to decipher	Transcriber Word Processor

***The following assistive personnel and equipment may be used in the application of reasonable adjustments provided by Swim Wales:***

<b>Communicator</b>	A Communicator may be used to interpret Learner responses in British Sign Language (BSL).
<b>Practical Assistant</b>	A Practical Assistant may be used to undertake practical tasks at the instruction of the Learner during the assessment.
<b>Prompter</b>	A Prompter may be used with the Learners who have little or no sense of time, to draw their attention back to the assessment task.
<b>Reader</b>	A Reader may be used to read, all part or only certain words of the assessment material, as requested by the Learner, as well as read the Learners written response.

<b>Scribe</b>	A Scribe may be used to write down or type the Learners answers exactly as spoken during the assessment.
<b>Transcriber</b>	A Transcriber may be used to produce a transcript after completion of assessment, to assist the Assessor in the assessment of the Learner work where handwriting is illegible or responses are in Braille/BSL.
<b>Word processor</b>	A word processor may be used by Learners whose disability impairs their handwriting or if it illegible. Work must be signed by the Learner, completed and printed within the deadline set.

All assistive equipment and personnel used are required to be contained within the reasonable adjustments framework for the best interests of the Learner and to prevent disadvantaging others who are not affected by any difficulties or particular needs.

Deliberate exploitation of reasonable adjustments to affect the assessment outcome or enable the Learner to unfairly achieve the qualification constitutes malpractice and an investigation will be conducted.

### **Special consideration**

Any special consideration granted cannot remove the difficulty experienced by the Learner at the time of assessment and can only be a relatively small adjustment to ensure the integrity of the assessment is not compromised. Learners who have fully prepared for the assessment and successfully completed the whole qualification, but whose performance during assessment is affected by adverse circumstances outside of their control, will be eligible for special consideration.

### **It is important to note that it may not be possible to apply for special consideration in instances where:**

- Assessment requires the demonstration of practical competence
- Criteria have to be met fully
- Units/qualifications confer license to practice.

A special consideration must not give the Learner an unfair advantage, nor must its use cause the user of a certificate to be misled regarding a Learners achievement. The Learners result must reflect real achievement in assessment and not potential ability.

To this end, special consideration can only be a small post-assessment adjustment to the outcome result. Responsibility for approving special considerations lies with the Swim England Qualifications. The decision made will be based on various factors, which will vary from Learner to Learner, and from one subject to another. These

factors may include the severity of the circumstances, the date of assessment, and the nature of the assessment.

### **Eligibility and application of special consideration**

**A Learner who is fully prepared and present for a scheduled assessment may be eligible for special consideration if:**

- The Learners performance in an assessment is affected by adverse circumstances beyond the Learners control (e.g. injury, recent temporary illness, accident, bereavement, serious disturbance at the time of the assessment)
- The Learner missed a component of the assessment or was not present at the time of the assessment and has been disadvantaged due to circumstances beyond their control
- Accidental events related to the organisation of the assessment or the provision of access arrangements affected the Learners performance
- Alternative arrangements agreed prior to assessment proved inappropriate or inadequate
- Sufficient differentiation is shown between the parts of assessment to which the special consideration was applied, and other parts of the qualification which have been achieved, to conclude that the Learner could have performed more successfully during the assessment.

**Learners will not be eligible for special consideration if:**

- A component of the assessment is missed due to personal arrangements, including holidays or unauthorised absence
- All components of the assessment were missed without a viable reason
- The Learner fails to request access arrangements on time
- Preparation for a component is affected by difficulties during the qualification (e.g. disturbances through building work, permanent illness/disability, lack of proper facilities, changes in or shortages of staff, or industrial disputes)
- The application for special consideration is submitted without the relevant evidence to demonstrate that the Learner's performance has been affected at the time of the assessment by a particular condition.

**The following are examples of circumstances that may be eligible for special consideration (this is not exhaustive):**

- Terminal illness of the Learner
- Terminal illness of a parent
- Recent bereavement of a member of immediate family
- Serious and disruptive domestic crises leading to acute anxiety about the family
- Incapacitating illness of the Learner
- Severe car accident
- Recent traumatic experience such as death of a close friend or distant relative
- Flare up of severe congenital conditions such as epilepsy, diabetes, severe asthma attack
- Recent domestic crises
- Recent physical assault trauma
- Broken limb on the mend.

Unlike reasonable adjustments, there are no circumstances whereby Swim Wales can apply its own special consideration. Applications must be made directly to the Swim England Qualifications.

### **Requesting special consideration**

Swim England Qualifications expects Swim Wales to put arrangements in place to enable a Learner, in extenuating circumstances, to complete assessment and thus achieve the qualification. Only when this is unsuccessful should an application for special consideration be made. All applications for special consideration may only be made on a case by case basis and thus separate applications must be made for each Learner.

Applications for special consideration should be submitted to the Swim England Qualifications ( [courseadmin@swimenglandqualifications.com](mailto:courseadmin@swimenglandqualifications.com) ).

### **To ensure effective processing of the application Swim Wales shall submit:**

- Swim England Qualifications Special Consideration Application Form
- The Learner's personal achievement record
- Evidence to support the application such as a medical certificate, a doctor's letter, a statement from the Tutor/ Assessor or any other appropriate information.

Applications must be submitted to Swim England Qualifications (via the Key Contact) within seven calendar days of the assessment having taken place. Following receipt of the application, Swim England Qualifications will confirm receipt within two working days and will usually give a decision within a further 10 working days.

Where a case is complex, Swim England Qualifications will inform Swim Wales if a decision cannot be made within the timescale specified. During the processing of an application, Swim England Qualifications will only liaise with Swim Wales Key Contact making the claim on behalf of the Learner, and not with the Learner or their designated third party. It is important to note that special consideration applications will not be considered where Learner achievement has been claimed and certificated.

An extension to a Learner's registration period may be required as a direct result of a special consideration request. Where Learners are eligible in line with these arrangements and who have made an appropriate request, this will be granted. Where special consideration is granted, the outcomes are required to be monitored.

In the event Learners are not satisfied with Swim England Qualifications decision or the arrangements made by Swim Wales, they should report their concerns via this mechanism and corrective action will be taken (if appropriate).

### **Conferment of Aegrotat awards**

Swim England Qualifications will consider applications from Learners who, for medical reasons (temporary illness or indisposition) or compassionate reasons have been unable to take or complete the usual assessment requirements, to be recommended for an aegrotat awarded qualification. Aegrotat awards may be issued to a Learner where there is sufficient evidence that, if not for illness or other valid cause, the Learner would have reached the standard required.

A Learner who, in the opinion of Swim Wales, has satisfactorily completed all the requirements of a qualification but due to medical or compassionate reasons has been unable to take or complete assessments, and evidently will not have the opportunity to take further assessments in future for valid reasons, may be considered eligible for an aegrotat award.

Alternatively, the Learner may be granted the opportunity, on Swim England Qualifications recommendation, to take or complete the assessment at the next available, suitable date. Learners affected by illness or other sufficient cause, after they have completed 75% of the qualification or completed and passed all components of the assessment and before the end of the final assessment, may complete Swim England Qualifications *Special Consideration Request Form* (Appendix 2) to apply for an aegrotat award which will be evaluated in accordance with the following eligibility requirements.

**Learners may be eligible for an aegrotat award if all the following conditions have been fulfilled and the required evidence is provided:**

- The Learner was prevented, by illness or other sufficient cause, from beginning or completing the assessment(s)
- The Learner has met all requirements of the qualification
- The Learners performance and work during the qualification has been satisfactory
- The Learner has provided relevant evidence, including sufficient medical certification in the case of illness /injury, or appropriate documentation in other cases
- The Learner submitted Swim England Qualifications Special Consideration Request Form (Appendix 2) to apply for an aegrotat award
- The Learner is unlikely to be able to complete the qualification at a subsequent date (relevant evidence must be provided where possible)
- The Learner has received a statement from Swim Wales which proves the Learners performance is satisfactory, that the Learners prior performance demonstrates that they would have passed but for the illness / event occurring
- The Learner has submitted their record of achievement.
- Learners must be made aware that if they are affected by extenuating circumstances over the whole period of the qualification, they will be not issued an aegrotat award.

**Procedure for the issue of an aegrotat award**

Learners taken ill prior to or during the period of an assessment must contact their Medical Practitioner immediately and obtain a medical certificate / evidence, which should be forwarded without delay to Swim England Qualifications via email ([courseadmin@swimenglandqualifications.com](mailto:courseadmin@swimenglandqualifications.com)), accompanied by the completed Swim England Qualifications *Special Consideration Request Form* (Appendix 2) for attention of the responsible officer. This is required to be forwarded prior to any assessment being considered by an Assessor. This will then be handled in line with the special consideration procedure and outcomes. Learners taking assessments, who wish for compassionate circumstances to be taken into account, should provide details within the request to enable a full evaluation of the situation to be conducted.

**Monitoring of access arrangements**

In responding to requests for reasonable adjustments or special consideration, we aim to ensure that the arrangements made will be valid, reliable and applied to

accurately reflect the Learner's competence to meet qualification assessment outcomes. On this basis, we will continually monitor the application of access arrangements to verify Learners are not given an unfair advantage over Learners without particular needs.

In accordance with our continual strive for quality development, Swim England Qualifications monitors and evaluates the effectiveness of our access arrangements procedure annually to ensure that the requirements of current legislation and Learners particular needs are met.

### **Complying with this policy**

Swim Wales should note that failure to comply with the requirements contained within this policy may lead to assessment malpractice, which will impact on the Learners result.

### **Failure to comply is defined as any, or all, of the following:**

- Where applicable, putting in place arrangements without Swim England Qualifications approval
- Exceeding the allowance given by Swim England Qualifications
- Agreeing delegated adjustments that are not supported by evidence
- Failing to maintain records
- Failing to report delegated adjustments when requested to do so by Swim England Qualifications
- Implementing delegated adjustments that affect the validity and reliability of assessment, compromises the outcomes of assessment or gives the Learner in question an unfair advantage over other Learners undertaking the same or similar assessment.

### **Right to appeal**

Where Swim Wales fails to agree with a Swim England Qualifications decision made in respect of this policy, the Centre has the right to appeal. Appeals shall be submitted to Swim England Qualifications within 14 working days of receipt of the decision from Swim England Qualifications. Upon receipt of an appeal, Swim England Qualifications will acknowledge receipt within three working days and adjudicate within a further 28 working days.

Detail of the appeals process for Swim England qualifications is detailed within the Swim England Qualifications *Enquiries and Appeals Policy*.

### **Pregnant Candidates**

The learner should declare this at the earliest opportunity and complete the relevant form accordingly, and then discuss before and again on the first day of the course with the educator. This is especially important for Health and Safety reasons and should they be taken ill whilst attending a course. This will be kept confidential if the learner wishes.

The educator (with Swim Wales support) should complete a risk assessment (see attached in tutor resources) and support process for the course, agreed and signed by both the learner and educator.

Additional details including checking whether the course venue has any additional expectations, relevant policies and procedures will be adhered to.

### **Monitoring and review of the policy**

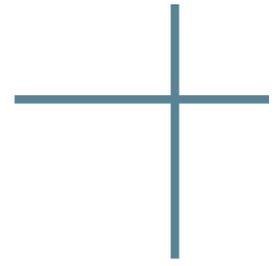
This policy and its procedures will be reviewed annually to ensure that it remains fit for purpose and reflects the types of reasonable adjustments or special consideration that may arise, and how access arrangements are managed in accordance with the requirements of Equalities Law.

The next policy review will take place in March 2023

Swim Wales Training & Development

Tel: 01792 513580 [www.swimwales.org](http://www.swimwales.org)

Swim Wales Training [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org)



# RECOGNITION OF PRIOR LEARNING POLICY



# Recognition of Prior Learning Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	April 2018
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	12/02/2019	Amendments to existing policy
V3	03/05/2019	Amendments to existing policy
V4	14/06/2019	Amendments to existing policy
V5	03/04/2020	Amendments to existing policy
V6	18/09/2020	Amendments to existing policy
V7	14/01/2022	Amendments to existing policy

## Recognition of Prior Learning (RPL)

This policy sets out how and when RPL can be used as a method of assessment for our qualifications. **RPL** is a method of assessing you against the current Swim England qualifications taking into account previous qualifications and teaching/coaching qualifications.

It is ideal for individuals who have experience of teaching or coaching.

- If you have experience of teaching or coaching then RPL is best for you. RPL can also take account of other qualifications. Please see the following as a guide.

	<b>RPL</b>
Take into account previous qualifications?	✓
Allow you to only complete certain units?	✓
Take into account your teaching/coaching experience?	✓
Take into account any other work including volunteering?	✓
Take into account competitive swimming experience?	✓
Award credit towards a RQF qualification?	✓
Potentially award enough credit to be awarded a full qualification?	✓

## RPL Pathway

1. Submit a request to Swim Wales
2. We confirm whether RPL is the appropriate route for you
3. We confirm that you are suitable for RPL and assign an assessor for you
4. The assessor will contact you to discuss your experience and will ask you some core questions
5. Once successful, learner will pay one off fee to Swim Wales
6. Swim Wales will then confirm revised fee for the relevant course

# Swim Wales RPL Application Form

PLEASE USE BLOCK CAPITALS AND ENSURE ALL INFORMATION IS ACCURATE AND LEGIBLE\*.

Recognition of Prior Learning (RPL) is a method of assessment that considers whether learners can demonstrate that they can meet the assessment requirements for a unit through knowledge, understanding or skills they already possess and do not need to develop through a course of learning.

Learners will not be exempt from undertaking a practical assessment where applicable.

To apply for RPL assessment, learners/centres must submit:

- A completed RPL application form
- Copies of all prior learning evidence including certificates, qualifications specifications, witness statement where applicable.
- If successful with your application, payment of the RPL assessment will be £50.00. Overall cost of the course you wish to attend, will be determined by evidence provided in relation to the relevant qualification specification.

Enquiries regarding an application or to submit an application, all of the above must be submitted to: [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org)

On receipt of a completed RPL application form including prior learning evidence and payment Swim Wales will review the application, undertake the assessment and respond with feedback within 20 working days.

## Contact Details

Contact Name	
Approved Training Centre Name (Where Applicable)	
Address	
	Postcode
Email Address	
Contact Number	

## Recognition of Prior Learning

If you are applying for multiple qualifications/unit(s), please use a separate application for each qualification/ unit(s)

Name of Qualification/ Unit(s) seeking RPL for:		
Qualification Name	Awarding Body	Date of Certification

Additional Evidence: (please list other supporting evidence which is being submitted, such as witness statements, unit certificates, qualification

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Applications cannot be assessed without prior learning evidence including certificates, qualification specifications, and witness statement where applicable. Please note; when applying for RPL using an existing qualification, assessment cannot be undertaken without the existing qualification learning outcomes and assessment criteria.

I confirm all the information above is correct, completed to the best of my knowledge and all supporting evidence submitted.

Full Name	
Signature	
Date	

### Contact Details:

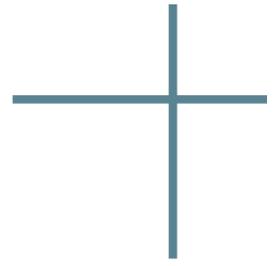
Swim Wales Training & Development

Tel: 01792 513580

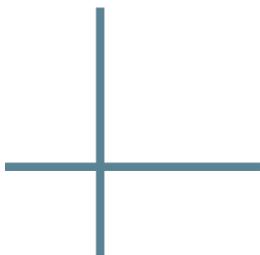
Swim Wales Training [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org)

The next policy review will take place in March 2023

[www.swimwales.org](http://www.swimwales.org)



# CONFLICT OF INTEREST POLICY



# Conflict of Interest Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	April 2018
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	12/02/2019	Amendments to existing policy
V3	20/05/2019	Amendments to existing policy
V4	02/04/2020	Amendments to existing policy
V5	18/09/2020	Amendments to existing policy
V6	12/04/2022	Amendments to existing policy

The aim of Swim Wales, as a Swim England Approved Training Centre is to ensure that learners are accurately and securely certificated. As a service provider, and across its education & training function, Swim Wales is committed to ensuring individuals engaging with any activity concerning the development, delivery and award of Swim England qualifications for the awarding organisation, in partnership with the awarding organisation or on behalf of the awarding organisation do so confidentially, honestly, fairly and with integrity, objectivity, due skill, care and diligence.

### **Policy aim and purpose**

This policy has been established to safeguard the integrity and credibility of Swim Wales services and functions, and to promote public confidence in the objectivity and impartiality of

The policy will:

- Draw attention to potential Conflict of Interest (COI) situations
- Establish clear standards for dealing with COI
- Reduce the possibility of COI in relation to Swim Wales
- Provide the means to identify and resolve COI

This policy has been designed as a general policy and reference point.

This policy applies to all Swim Wales staff and other individuals that interact or potentially interact with Swim England Qualifications.

### **Definition of a COI**

A COI is a situation in which an individual, has competing interests or loyalties

COI can arise in a variety of circumstances, for example:

- An assessor/educator may have a friend, relative or member of their staff on their course
- The same can be true for an Internal Verifier (IV) and/or they may be close friends with the assessor whose work they are verifying.

**Therefore, such competing interests can make it difficult for individuals to Fulfil their duties because it may:**

- Impair the individual's objectivity, or
- Create an unfair advantage for any person or organisation
- Place the organisation's credibility at risk

**Identification and management of conflicts of interest**

All individuals are entitled to manage their own affairs in privacy; however when those affairs give rise to actual or potential detriment to the nature of Swim Wales business, attention should be drawn to it.

Any individual who considers there may be an actual, potential or perceived COI must subscribe to the *Conflict of Interest Register* by completing a *Conflict of Interest Declaration*, monitored by the Swim Wales Training & Development Manager, declaring any interest, whether direct or indirect, which may have or is expected to have, an impact upon activities. Examples include where someone:

- Is likely to make a financial gain, or avoid a financial loss
- Has an interest in the outcome of a service provided
- Is employed by the same business as a customer

The COI must be declared, where possible, prior to engaging with any activity. If a COI is not known prior to engaging with any Swim England qualification then the person who may have the COI must withdraw from the activity and seek clarification from Swim Wales by completing the declaration.

If the COI is as a result of a change of circumstances, this will need to be recorded on a *Change of Circumstances* form. Swim Wales will review all declarations and inform those involved of the decision in a timely manner.

**Confidentiality**

Confidentiality must be assured at all times. Therefore those involved must not:

- divulge any confidential information acquired to any person not authorised by Swim Wales
- use any confidential information in any personal undertaking

**Monitoring & Review**

This policy will be reviewed annually to ensure it remains fit for purpose and reflects the types of conflicts and interests that may arise, and how those conflicts and interests are managed.

The next policy review will take place in March 2023

Swim Wales Training & Development

Tel: 01792 513580

[www.swimwales.org](http://www.swimwales.org)

**Appendix 1: Conflict of Interest Declaration**

This form is to be completed by all individuals engaging with the development, delivery or award of Swim England accredited qualifications and/or other Swim England Qualifications (SEQ) service. Individuals must declare any interests, direct or indirect, competing professional or personal interests that may conflict with the interests of the Swim England Qualifications (SEQ), or if no conflict of interest is known, this must also be declared.

<b>Details of person making the declaration</b>	
Full Name	
Address	
Contact Number	
Email	

**Information for declaration must include:**

- The type of interest
- The nature of the interest
- A description of all parties involved in the interest (financial or non-financial), and any other relevant information.

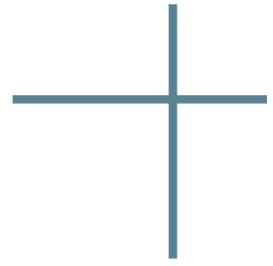
<b>Declaration</b>

*N.B: Please continue on a separate sheet of required and ensure all information is collated together when submitted.*

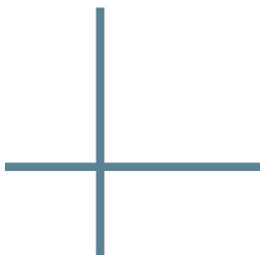
The information you provide will be retained and filed confidentially and will be respected as far as possible; the information will only be shared with those with a need to know. I acknowledge the above interests exist and that I will inform the Swim England Qualifications (SEQ) in the event that there is any change in my circumstances.

<b>Signed:</b>		<b>Date</b>	
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# WHISTLE BLOWING POLICY



# Whistle Blowing Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	April 2018
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	12/02/2019	Amendments to existing policy
V3	03/04/2020	Amendments to existing policy
V4	10/04/2022	Amendments to existing policy

## Introduction

Swim Wales wishes to conduct all business with integrity at all times. Swim Wales actively encourages the reporting of any working practices that are dangerous, illegal, unethical or fraudulent and to protect those reporting these.

Swim Wales understands that at times things go wrong and mistakes can be made. A culture of reporting and transparency in such instances is encouraged so that immediate action can be taken to remedy any mistakes or wrong doing and that policies, procedures and practices can be amended to ensure future appropriateness.

## What is Whistle Blowing?

A whistle-blower is someone who reports suspected wrong doing at work. This is officially called 'making a disclosure in the public interest'.

Wrongdoing may include:

- Putting someone's health and safety is in danger
- Damaging the environment
- A criminal offence
- The organisation isn't obeying the law
- The organisation is not meeting regulatory requirements set by Ofqual in the General Conditions of Recognition.
- Covering up wrongdoing.

A whistle-blower is protected by the law and will not be treated detrimentally or dismissed as long as the reporting is in good faith, not malicious or for personal gain. If reporting is malicious or for personal gain there is no protection by law.

A whistle-blower is not expected to investigate any potential wrong doing but to refer it for Swim Wales to investigate further. Reporting of Whistle blowing anyone associated with the Swim Wales can report any potential wrongdoing at any time.

This includes internal staff, associates, anyone associated with any satellite centres, learners, educators and verifiers. To report a potential wrong doing please report to the Swim Wales, Training & Development Manager, through Swim Wales Training [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org)

1. All reports of potential wrong doing will be treated seriously.
2. The report will be promptly and fairly investigated.
3. Any wrong doing that involves criminal activity will be reported to the police.
4. The whistle-blower may be interviewed and asked to provide a written witness statement setting out the nature and details of the report and the basis for it. Whistle-blowers will be asked to disclose as much supporting evidence as possible to ensure timely and effective investigation.
5. Whistleblowing can be anonymous. Swim Wales will endeavour to process this in the same way as if the identity of the whistle-blower is known however it may not always be possible to investigate or substantiate anonymous disclosures as fully.
6. The length and scope of the investigation will depend on the subject matter of the report. A specific time frame is not stated given the potential diversity of reports.
7. Once the investigation has been completed, you will be informed in writing of the outcome, together with our conclusions and decision in a timely manner. However, the need for confidentiality may mean you are not given specific details of the investigation or actions taken.
8. Swim Wales may on completion of the investigation report the matter to an appropriate external agencies including Ofqual.
9. If, on conclusion of the above stages, that appropriate action has still not been taken, you may then report the matter to the proper authority in good faith. The Act sets out a number of prescribed external bodies or persons to which qualifying disclosures may be made. These include HM Revenue & Customs (HMRC), The Financial Services Authority (FSA), Office of Fair Trading (OFT), Health & Safety Executive (HSE) and the Environment Agency.

## **Confidentiality**

Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, in order to effectively investigate a disclosure, we must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the disclosure. If it becomes necessary to disclose your identity, we will make efforts to inform you that your identity is likely to be disclosed. In order not to jeopardise the investigation, you are also expected to keep the fact that you have raised a concern, the nature of the concern and the identity of those involved confidential.

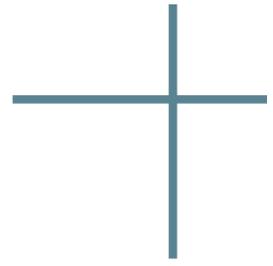
## **Monitoring and review of the policy**

This policy and its procedures will be reviewed annually to ensure that it remains fit for purpose and reflects the types of reasonable adjustments or special consideration that may arise, and how access arrangements are managed in accordance with the requirements of Equalities Law.

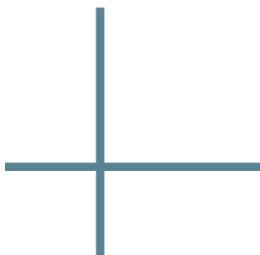
The next policy review will take place in March 2023

Swim Wales Training & Development

Tel: 01792 513580 [www.swimwales.org](http://www.swimwales.org)



# UNDER 18'S DUTY OF CARE POLICY



# Under 18's Duty of Care Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	July 2019
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	03/04/2020	Amendments to existing policy
V3	18/09/2020	Amendments to existing policy

**Swim Wales** has a duty of reasonable care for all learners attending their Swim England Qualification courses and Swim Wales masterclasses. A learner who has not yet reached their 18th birthday is classed as a child under the Children Act 1989. A child who is 16 or over living independently or in further education does not change his/her right of entitlement to services or protection under the Child Act 1989.

This document sets out the boundaries of responsibility for your child during all Swim Wales courses and seeks to confirm arrangements for lunch breaks and travel to and from the course.

Parents of all learners under the age of 18 will be required to complete a Swim Wales Loco Parentis form, clearly stating contact details and consent where applicable.

When your child arrives to begin their course the tutor will have responsibility for their welfare for the duration of the training course at the training venue.

Tutors will arrive at the training venue in reasonable time to set up for the delivery of the course. If learners under the age of 18 years arrive early for the training they will be unsupervised at the training venue until the course commences as detailed in the course timings.

Swim Wales needs to make your attention to the details provided regarding the venue and refreshments available. Where learners have not brought their own refreshments they may wish to leave the venue to purchase off site, in this circumstance the course tutor will operate a signing in/out sheet for the duration of the course for all learners.

Should a learner fail to return to the training after a break, the course tutor will contact the emergency contact details as provided, in the Loco Parentis section of the Learner Registration form.

Some of Swim Wales training venues operate communal changing rooms and learners may be left unattended during changing times.

It is recognised that learners aged 16 or over will in most cases travel to and from the training venue independently. Once learners have left the venue they will cease to be under the supervision of the tutor.

For learners under the age of 18, Swim Wales would advise that parents/carers arrange collection/drop off of their child in line with the course timetable in a punctual manner and that in the event of delay they inform the course tutor.

Should any changes be made to the course timetable, i.e. finishing early, the course tutor will inform the learners in advance so that necessary transport arrangements can be made. Should parents be satisfied for their child under 18 to travel to the venue independently we would kindly request that parents/carers advise the tutor/Swim Wales of this arrangement before commencement of the course.

Parents/Guardians will be required to confirm the following on completion of the Learner Registration Form **prior to the commencement of the course**:

- Permission for their child to leave the training venue during relevant break and lunch times
- Confirm travel arrangements for their child
- Permission for the Swim Wales Tutor may wish to use photographic/video and auditory evidence for the learner's development and assessment purposes.
- Permission for their child to receive follow up information on future courses and workshops.

#### **Monitoring and review**

This policy and its procedures will be reviewed annually, to ensure it remains fit for purpose and reflects the types of health and safety issues that may arise and how those risks are managed.

The next policy review will take place in March 2023

Training and Development

Tel: 01792 513580 [www.swimwales.org](http://www.swimwales.org)

# Swim Wales Training and Development Retention of Records Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	June 2021
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	02/02/2022	Amendments to existing policy

### 1. General

1.1 This policy is for use by Swim Wales to ensure we are retaining evidence in a fair and consistent manner.

1.2 As an Approved Training Centre (ATC) for Swim England Qualifications (SEQ), we must maintain rigorous quality assurance and control arrangements as outlined in the General / Standard Conditions of Recognition by our Regulators, Ofqual and Qualification Wales (Regulators).

1.3 This includes keeping records of learners' registration, achievements, internal verification and ensuring that the specified levels of attainment set for our qualifications remain consistent over time and between similar qualifications.

### 2. ATC Retention of Records

#### Learner Data

2.1 Registration records must be retained for all Learners registered with SEQ and should include details required by SEQ for registering a Learner. They must be retained and made available to us and / or our Regulators for up to five years following registration.

This information may include:

- Date learners started their qualification (e.g. course / cohort start date)
- Learner name, ULN (where applicable) and date of birth
- Learner contact details
- Evidence of Learner eligibility
- Evidence of Learner pre-requisites (if applicable)
- Date Learners were registered with us
- Date certificates were claimed by the ATC
- Learner Outcome

In addition, Swim Wales in line with the relevant SEQ policy are required to retain various records dependent upon the type of course related documentation, for example:

- Learner and workforce data - for up to 'five years'
- Summary of assessment decisions - up to one year
- Learner evidence - a recommendation to keep this for up to six months
- IV records - up to one year

### **Workforce Data**

2.2 As an ATC we are required to retain and make available to SEQ and/or Regulators for up to five years following Learner registrations.

This information may include:

- Name of all individuals involved in the teaching, learning, assessment and internal verification of the Learners
- Role they undertook (e.g. Tutor and / or Assessor or IV)
- Evidence of any appropriate / required qualifications
- Evidence of any appropriate licenses (such as the Swim England Educator License (if applicable))

### **Learner Samples**

2.3 There should be a minimum sample of one complete Learner portfolio for each qualification the ATC delivers each year. The portfolio must be a copy rather than the original, and the Learner's written agreement for its retention must be obtained. They must be retained and made available to us and / or our Regulators if requested.

### **Assessment Evidence**

2.4 As an ATC we are required to retain and make available to SEQ and/or Regulators for up to one year following registration.

This information may include:

- A copy of the Assessment Task versions used (including references to how they are mapped to Learning Outcomes / Assessment Criteria)
- Summary of assessment decisions to include formative and summative decisions and when and by whom the decisions were made

### **Learner Portfolios**

2.5 Learner work is the property of the Learner and therefore cannot be retained indefinitely. However access may be required by the ATC, SEQ and/or Regulators for purposes of appeal, audit or on-going monitoring.

It is advisable to either retain copies of Learner work (e.g. portfolios) and / or require Learners to keep their work for a short period (e.g. up to six months) following final outcomes and/or the issuing of certificates.

### **Internal Quality Assurance Records**

2.6 As an ATC we are required to retain Internal Quality Assurance Records. They must be retained and made available to SEQ and/or our Regulators for up to one year following registration.

This information may include:

- Internal Verification / Quality Assurance Sampling Plans
- Internal Verification sign-off of Assessment Tasks (if applicable)
- Internal Verification reports
- Standardisation activities

### **3. Retention of Evidence By SEQ**

3.1 SEQ will retain and make available to our Regulators the following evidence:

- Registration records of all Learners from all ATCs indefinitely
- Records of all final results and details of all certificates issued to registered Learners indefinitely
- Qualification documentation (including specifications) for each qualification for a minimum of three years after the qualification has been withdrawn
- Assessment materials created for each qualification for a minimum of three years after the qualification has been withdrawn
- Records of ATC monitoring activities, such as those relating to initial approval, centre review and external verification for all ATCs for a minimum of five years
- Records of external moderation for all Learners for a minimum of five years
- Records of all reasonable adjustments, special considerations, complaints, conflicts of interest, enquiries and or appeals for a minimum of three years
- Any other appropriate data as described in the Group Privacy Policy

### **4. Data Protection (Incorporating GDPR)**

The retention of any information and evidence described above should always be in line with the requirements of current Data Protection Legislation and General Data Protection Requirements and aligned to the individual organisations related policies and procedures.

### **5. Quality Assurance**

5.1 This document supports Condition A5.

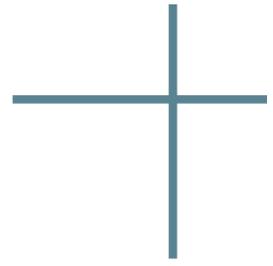
5.2 This document is reviewed biennial, or earlier to ensure it continues to meet our needs and those of our Regulators.

## **Monitoring and review**

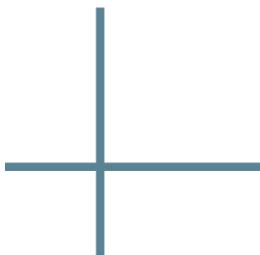
This document and its procedures will be reviewed annually to ensure that it remains fit for purpose. The next document review will take place in March 2023

Swim Wales Training & Development Tel: 01792 513580 [www.swimwales.org](http://www.swimwales.org)

Email: [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org)



# COMPLAINTS POLICY



# Complaints Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	April 2018
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	12/02/2019	Amendments to existing policy
V3	02/04/2020	Amendments to existing policy
V4	18/09/2020	Amendments to existing policy
V5	28/10/2021	Amendments to existing policy
V6	10/04/2022	Amendment to existing policy

**Swim Wales** is committed in its service provision to offer standards of the highest quality. Working to continually achieve this benchmark assists in the maintenance of quality assurance standards and ensures compliance with stipulated statutory regulations.

Swim Wales aims to provide an efficient and effective service to all, however, whilst every care is taken to ensure high quality services, we acknowledge there may be occasions where we potentially fall short of expectations and individuals are not entirely satisfied.

One of the ways in which we can continue to improve our service is by listening and responding to feedback from our customers and stakeholders, and in particular by responding positively and putting mistakes right.

### **Policy purpose**

We are committed to providing individuals directly affected by our services with the opportunity to feedback on whether or not we have met the standards set. It is recognised that customers must have the confidence that they will be listened to, therefore, all feedback received, both positive and negative, will be acknowledged.

Any expressions of dissatisfaction will be reviewed, and will be treated as a complaint. Please note that some customer complaints will be dealt informally over the phone, whilst others will require a more formal investigation.

### **Definition of a complaint**

A complaint is an expression of dissatisfaction about the standard of service, actions or lack of action by Swim Wales, a member of its staff or a representative, affecting an individual customer or a group of customers. Complaints may relate to a failure on the

part of Swim Wales to perform to an agreed or reasonable standard, or to follow its own policies or procedures.

Dissatisfaction can be associated with the service provided or with the way an individual perceives he or she has been treated by a Swim Wales member of staff or representative, which may or may not be justified and may or may not be associated with professional misconduct.

### **Policy aim**

The aim of this policy is to provide a clear, structured process highlighting who can make a complaint '*the complainant*', how they would make a complaint and what Swim Wales will do to seek resolution to the complainant's satisfaction.

### **Therefore we aim to ensure that:**

- Making a complaint is as easy as possible
- We treat a complaint as a clear expression of dissatisfaction with our service, which calls for an immediate response
- We deal with it promptly, politely and, when appropriate, confidentially
- We respond in the right way - for example, with an explanation or an apology where we have got something wrong, or information on any action taken
- We learn from complaints, use them to improve our service, and review annually our complaints policy and procedures.

### **Equality of access and treatment**

Through the publication of this policy on our website, within our qualification resources, individuals can access information about the complaints procedures. We are committed to ensuring all individuals have equal access to this information and the opportunity, where possible, to communicate with us in any way.

Complaints will be treated impartially and in confidence (within our legal obligations). They will also be treated sensitively, recognising individual needs. We may however decline to deal with those complaints received that are: abusive, persistent correspondence or those that have been through the full process and resolved appropriately.

Please note that complaints about the following are all dealt with under our Enquiries and Appeals Policy

- Independent assessment decisions
- External moderation decisions
- Actions taken as a result of confirmed malpractice/maladministration
- Refusal to grant Reasonable Adjustment or Special Consideration

### **Who can make a complaint?**

Complaints can be made by an individual customer or group of customers (who claim to be the person(s) in relation to whom the cause of dissatisfaction took place, or have

been adversely affected by it or have witnessed it) or someone acting on his or her behalf, referred to as 'third parties'.

Please Note: Third parties submitting a complaint on behalf of the complainant may only do so with written permission to represent the complainant and their interests, which must be presented to, and accepted by, Swim Wales. In the first instance, those individuals wishing to complain about services provided, need to address their concern directly with Swim Wales.

### **How to make a complaint Informal process**

We recognise most individuals who are dissatisfied will want someone to address a problem as quickly as possible; therefore an informal approach is appropriate.

#### **Our aims with an informal approach are to:**

- Resolve informal concerns quickly
- Keep matters low-key
- Enable mediation between the complainant and the individual to whom the complaint has been referred.

The cause of the dissatisfaction may be resolved immediately; therefore the complainant should contact the Swim Wales for an informal discussion, of which we will aim to resolve the concern by providing an explanation and, where appropriate, an apology or some other desirable outcome. If concerns cannot be satisfactorily resolved informally then the formal complaints procedure should be followed. It might be necessary to ask for further information to ensure that the complaint is correctly understood, thoroughly investigated and that a comprehensive response is provided.

### **Formal process**

#### **Stage 1**

Formal complaints must be made in writing - marked for the attention of the Swim Wales Training & Development Manager who will assume responsibility for the initial investigation. These must be sent to Swim Wales Training @ [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org)

Complaints should be made within one month of the occurrence or within 10 working days of an unsatisfactory outcome of a complaint to an ATC.

#### **When submitting a complaint, the complainant(s) must provide the following information:**

- Name, address and contact details
- Reasons for your complaint and your expectations of the outcome as succinctly as possible.
- All supporting information regarding the complaint including dates, locations and witnesses if appropriate
- Details of any previous attempts to resolve the identified dissatisfaction
- Please do not submit any additional supporting documentation until requested to do so.

Swim Wales will acknowledge the complaint via email within five working days of receipt, record details on the *Complaints Register* and begin investigations into the cause of dissatisfaction.

A response, inclusive of an explanation and resolution, will be provided to the complainant within 28 working days of the initial complaint acknowledgement. To ensure a fair and thorough investigation is conducted, this duration will be dependent on the nature and severity of the complaint received.

### **Stage 2**

Swim Wales will identify an appropriate member of the Senior Management Team, who will receive the complainant's expression for further investigation. Acknowledgement of further investigation will be provided to the complainant in writing, within ten working days of receipt of the Stage 2 complaint, and detail who the complaint has been referred to for investigation.

The member of Senior Management, of whom the complaint has been referred, will conduct a further investigation into the cause of dissatisfaction. Upon cessation of their investigations, the member of Senior Management will communicate directly with the complainant and provide, within 28 working days of the Stage 2 complaint initial acknowledgement, an explanation of their conclusions and a resolution (if appropriate).

As per the condition specified in Stage 1, the duration of the investigation will be dependent on the nature and severity of the complaint and at this stage, the complexity of response required. In some cases the investigation may take longer and in such instances, the complainant will be advised of the revised timescale.

If the complainant continues to remain dissatisfied with the response provided by Senior Management he/she may pursue Stage 3 of the complaint process and submit an appeal. Otherwise the complaint will be deemed to have been resolved.

### **Stage 3**

Any appeal pursued must be done so in line with the Swim Wales Appeals Policy with specific reference to a Stage 2 appeal. All appeals must be received in writing, within 10 working days of receipt of the complaint outcome from Senior Management.

### **Contact details for Swim Wales**

**The contact details for Swim Wales are as follows:**

**Post to:** Swim Wales Training & Development Manager, Wales National Pool, International Sports Village, Swansea, SA2 8QG

**Telephone:** 01792 513580

**Email:** [swimwales-training@swimming.org](mailto:swimwales-training@swimming.org)

**Website:** [www.swimwales.org](http://www.swimwales.org)

### **Contact details for the Swim England Qualifications (SEQ)**

**Post:** Swim England Qualifications (SEQ) Responsible Officer, Sport Park,

3 Oakwood Drive, Loughborough, LE11 2UA

**Telephone:** 01509 640493

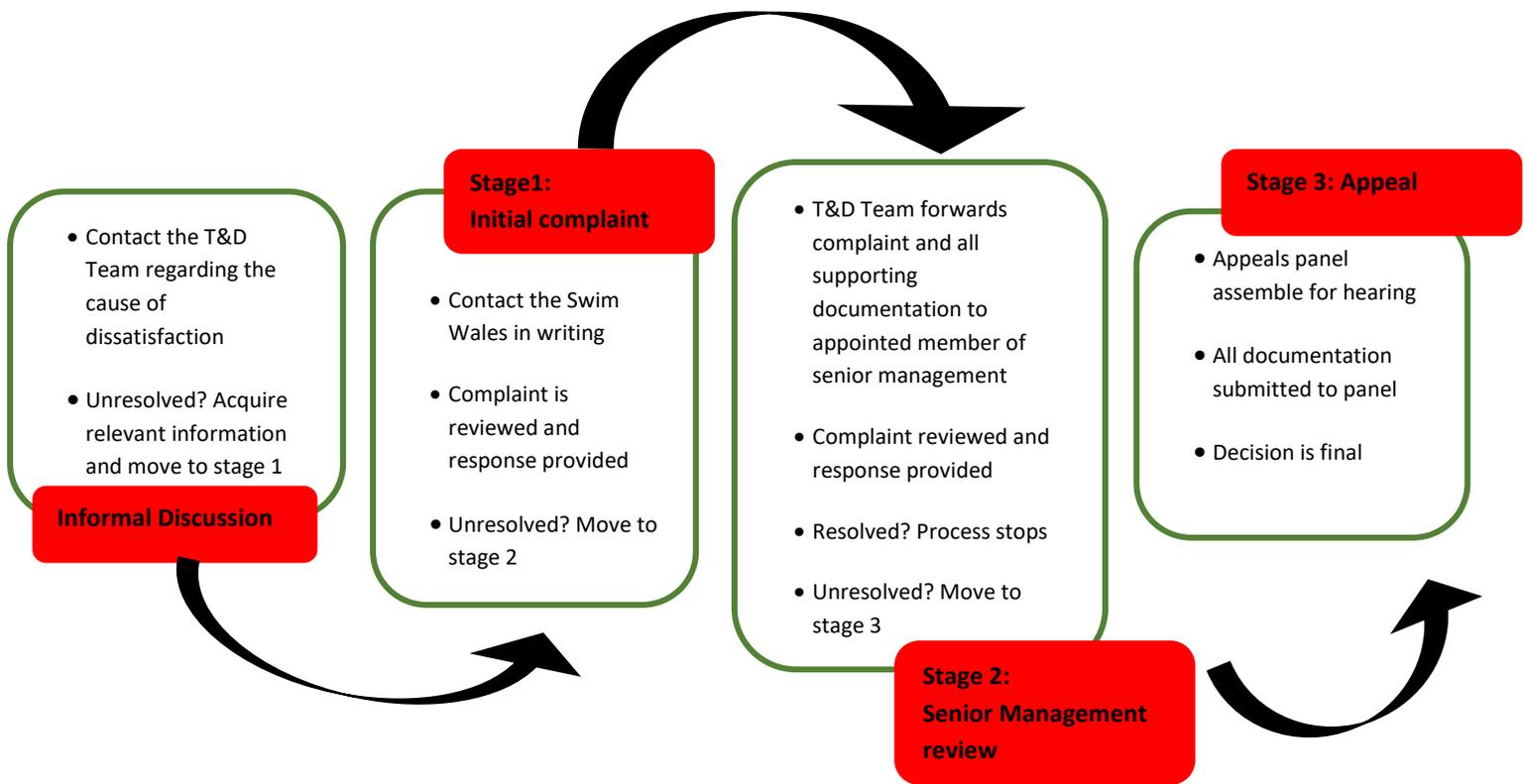
**Email:** [qualityassurance@swimenglandqualifications.com](mailto:qualityassurance@swimenglandqualifications.com)

**Website:** [www.swimenglandqualifications.co.uk](http://www.swimenglandqualifications.co.uk)

### Monitoring & Review

This policy will be reviewed annually to ensure it remains fit for purpose and reflect the types of conflicts and interests that may arise, and how those conflicts and interests are managed.

The next policy review will take place in March 2023.



# Swim Wales Training and Development Learner Name Change Policy

## DOCUMENT STATUS

Prepared by	Barrie Swift
Original Document produced	April 2022
Review Date	Annually

## DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes

**Swim Wales** is committed in its service provision to offer standards of the highest quality. This document sets out the policy and associated procedures to be followed to enable learners the opportunity to change their name on official Swim Wales/Awarding Bodies' records and documentation.

The policy and associated procedures support compliance with the Data Protection Act 2018, the General Data Protection Regulation (GDPR) 2016 and relevant equality and diversity legislation including the Gender Recognition Act 2004 and the Equality Act 2010.

### **Policy purpose**

In an attempt to eliminate fraudulent learner applications and to protect the integrity of qualifications issued by the Swim England Qualifications (SEQ), the Learner Name Change Policy seeks to ensure that the names of learners on the relevant records database, accurately reflects those shown on official identity documents.

With regards to certification for attending any Swim England Qualifications (SEQ) course, Swim Wales will adhere to the following policy guidelines, as outlined by the awarding body.

### **1. General**

- 1.1 Once Swim England have issued a certificate, the certificate becomes the property of the Learner. However, Swim England Qualifications (SEQ) retain electronic records in order to enable us to perform our role, as is detailed in our Data Protection Policy and Privacy Policy.
- 1.2 It is imperative that all Learners ensure that the certificate they receive from SEQ has the correct name spelling and any issues are notified to us and their

Approved Training Centre (Swim Wales) immediately. All incidents regarding name errors on certificates will be dealt with under the Malpractice Policy.

- 1.3 The purpose of this policy is to ensure that SEQ are able to mitigate challenges and difficulties that can be experienced by Awarding Organisations in relation to certificate fraud, whilst also ensuring that we are able to respond to appropriate requests from previous Learners that have achieved our qualifications.
- 1.4 For the majority of Learners that change their name, they are able to demonstrate that a certificate is theirs with other supporting evidence, for example a passport that matches their current name along with a deed poll that includes their previous name that matches their certificate. As such we do not change names on our electronic records or previously issued certificates simply as a result of for example marriage or any other legal change.
- 1.5 However, we appreciate that there are times when a previous Learner may not be able to use such evidence and doing so could put them in an unnecessary compromised position or potentially even at risk.
- 1.6 In addition, under the General Data Protection Regulation (UK) GDPR, we will also consider requests in relation to a right to rectification. For example, due to unforeseen circumstances, a Learner did not contact us or their Approved Training Centre (Swim Wales) and as such there is a spelling error on our historical electronic records and as such the certificate. The error can be proven but means that the Learner is currently unable to legitimately prove that their certificate is theirs along with their supporting evidence that for example results in an employer being unable to validate their achievements.

## **2. Learner Name Change Examples**

- 2.1 Examples of when SEQ would consider a change of name on our electronic 13 records and as such a subsequently previously issued certificate are as a result of:
  - Gender reassignment
  - A person who is under the protection of the courts
  - Under GDPR in relation to the 'right to rectification' for an individual to have their inaccurate data rectified

## **3. Learner Name Change Requests**

- 3.1 Each request SEQ receive will be treated in confidence and will be considered on an individual basis.

- 3.2 SEQ would expect any request to be supported by evidence and legal identity evidence that legitimately proves the name change beyond reasonable doubt.
- 3.3 As a result of SEQ electronic records being updated, SEQ would issue replacement certificates. These would be issued at the relevant replacement certificate fee which can be found in the SEQ Fees document available on the following website <https://swimenglandqualifications.com/our-policies/>
- 3.4 SEQ would also request that the Learner returns any existing certificates to them or provides electronic evidence that they have been appropriately destroyed.
- 3.5 To request a change in name, please email [qualityassurance@swimenglandqualifications.com](mailto:qualityassurance@swimenglandqualifications.com) with the following details:
- Name (as per the certificate)
  - Date of Birth
  - Address
  - Email Address
  - Rationale for the request (as per section 2.1 above)
  - Supporting evidence

## **Monitoring & Review**

This policy is reviewed annually to ensure that it continues to meet our needs and that of the regulators

The next policy review will take place in March 2023

Swim Wales Training & Development  
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SWIM WALES  
NOFIO CYMRU

# TRAINING & DEVELOPMENT

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