



## Equality and Diversity Policy

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## Equality and Diversity Policy

This document defines the Equality & Diversity Policy for the Approved Training Centre (ATC) Active Swim Limited. Active Swim aims to provide an efficient and effective service to all in delivering qualifications on behalf of Swim England Qualifications (SEQ).

In accordance with the SEQ Equality & Diversity Policy and ATC requirement, Active Swim is firmly committed to the principles and practice of equality, diversity and inclusion in all its functions.

Active Swim is committed to the elimination of discrimination on any grounds, including 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 or without dependents and will not tolerate unlawful discrimination or unfair treatment, whether intentional or unintentional, direct or indirect.

It is responsible for ensuring that all job applicants, employees, volunteers, members, learners, apprentices or other persons within its workforce or using its services (together "Stakeholders") are afforded dignity and respect and in no circumstances subject to unlawful discrimination. It shall strive to promote equality of opportunity for all positively. This Equality and Diversity Policy ("this Policy") applies to all Stakeholders of Active Swim, including third-party contractors.

### Policy Aims and Objectives

Active Swim recognises that we live in a diverse society and will endeavour to ensure that all Stakeholders are given the same opportunities regardless of their Protected Characteristics and socio-economic backgrounds.

Further, Active Swim recognises the external legal obligations and requirements of:

- The Equality Act 2010 and any equivalent legislation (as may be amended) that may be relevant
- The Education & Skills Funding Agency Equality of Opportunity Terms for apprenticeships (if applicable)
- Swim England Qualification requirements for Equality & Diversity

### Scope

This Equality and Diversity Policy ("this Policy") applies to all Stakeholders of the Active Swim, including third-party contractors.

### Legal framework

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

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

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

- **Direct Discrimination:** Treating someone less favourably than others because of a Protected Characteristic.
- **Indirect Discrimination:** Applying a provision, criterion or practice which, on the face of it, applies equally to all but which, in practice, can disadvantage individuals with a

particular Protected Characteristic. Such requirements or conditions are lawful only if they can be objectively justified.

- **Harassment:** Engaging in unwanted conduct relating to a relevant Protected Characteristic or unwanted conduct of a sexual nature where the conduct has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the recipient, or any other individual affected by such conduct. Active Swim is committed to ensuring its Stakeholders can conduct their activities without harassment.
- **Bullying:** The misuse of power or position to criticise persistently or to humiliate and undermine an individual's confidence.
- **Victimisation:** Subjecting someone to a detriment because 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 or in connection with the Equality Act 2010 (or any equivalent legislation).

Active Swim regards discrimination, harassment, bullying or victimisation, as described above, as serious misconduct. All complaints will be taken seriously, and appropriate measures, including disciplinary action, may be brought against any Stakeholder who unlawfully discriminates against, harasses, bullies or victimises any other person.

### **Reasonable Adjustments**

When any decision is made about an individual, the only personal characteristics that may be taken into account are those that are consistent with any relevant legislation and are relevant to the substance of the decision being made.

To satisfy the duty to make reasonable adjustments for relevant persons, learners have an opportunity to disclose additional learning support needs due to disabilities and/or learning difficulties. They will be offered that as part of the application process to enable reasonable adjustments to be made where appropriate.

The duty to make reasonable adjustments includes, where practicable, the removal, adaptation or alteration of physical features if the physical features make it impossible or unreasonably difficult for disabled people to use services. In addition, the ATC must think ahead and address any barriers that may impede disabled people from accessing its service.

Active Swim will consider all requests for adjustments and, where possible, will accommodate reasonable requests and work with disabled Stakeholders to implement any adjustments that will enable them to participate more fully.

### **Governance, Leadership and Management**

Senior management, employees, volunteers, clients, members, suppliers and contractors, whether permanent or temporary, are responsible for the promotion and advancement of this Policy. The following specific responsibilities will apply:

Hamid Anwary is responsible for ensuring that this Policy is implemented, followed, and reviewed when appropriate, that it is enforced, and that any breaches are dealt with appropriately.

### **Implementation and communication**

This Policy will be implemented as follows:

- All tutor and assessor induction and development packs Active Swim sends will contain a policy statement.

- No applicant for any post (including job applicants, consultant advisers and suppliers) will be placed at a disadvantage by requirements or conditions that are not necessary to the job's performance or constitute unlawful discrimination.
- Terms and Conditions of service will be regularly reviewed from an equality and diversity perspective.
- Objectives relating to fair and inclusive practices will form an integral part of staff performance reviews.
- Consultants, advisers and suppliers to the ATC must abide by this Policy. It will be referred to in any service-level agreements, partnership arrangements, or contracts.

This Policy will be communicated in the following ways:

- This Policy will be included in any employee handbook (or equivalent paper or electronic document). Reference will be made to this Policy in any code of conduct. This Policy is for guidance only and will not form part of any employment contract with any Active Swim employees.
- The Policy will be highlighted in all staff inductions.
- A copy of this Policy will be publicly available on the ATC website, and copies in other formats will also be available from the Active Swim Head Office.
- Active Swim will reference a copy of this Policy as part of its contractual agreements with employees, consultants and other service providers.
- Active Swim tutors will have received equality training within 12 months of the policy.

### **Monitoring and Evaluation**

This Policy will remain in force until it is amended, replaced or withdrawn. A review of this Policy will occur as and when required if legislative requirements change, but not less than once every three years. Active Swim will seek advice each time this Policy is reviewed to ensure it continues to reflect the current legal framework and good practice.

### **Complaints Procedures**

To safeguard individual rights under this Policy, any Stakeholder who believes they have suffered inequitable treatment within the scope of this Policy may raise the matter through the appropriate procedure. If it is a complaint regarding this Policy or another policy, Active Swim, the complaint shall be directed to the Key Centre Contact unless otherwise prescribed in that policy.

Appropriate action may be taken against any Stakeholder who is found to have violated this Policy.

For further information, please contact:

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