

THE SWIMMING FORUM

Guidance Booklet for the Management and Delivery of Teaching and Coaching of Swimming

Contributing Authors:

John Lawton
Director of Education, Amateur Swimming Association

Dennis Freeman-Wright
Chief Executive, Institute of Swimming Teachers and Coaches

Garry Seghers
Development Officer, Swimming Teachers' Association

August 2003

THE SWIMMING FORUM

Guidance Booklet For The Management and Delivery of Teaching and Coaching of Swimming

Contents

	Page
Introduction	5
<hr/>	
Part 1 The Teaching/Coaching And Learning Environment	
1.1 The Teaching/Coaching Environment	6-9
a. Safety	6
b. Lifesaving and Pool Supervision	6
c. Programmed and Un-programmed Activities	7
d. Safe Supervision	7
e. Teacher/Coach Lifesaving Ability	7
f. Learning takes Precedence over Teaching/Coaching	8
g. Individuals – Differences and Similarities	8
h. The Professionalism of the Teacher/Coach	9
i. Adaptability	9
j. Use of Assistants and Other Helpers	9
1.2 The Learning Environment	10-12
a. The Facility	10
i. The Environment	10
ii. Hygiene	10
iii. Pupil Hygiene	10
b. Structures and Planning of Sessions	11-12
i. Make Effective Use of the Time Available	11
ii. Build Upon Known and Previously Learned Skills	11
iii. Present Task and Activities in a Variety of Ways	11
iv. Consider Carefully the “Dimension” of Each Task Being Presented	11
V. Length and Frequency of Lessons	12
vi. Recording Progress	12
1.3 Swimmers with Special Needs	12 – 13
Assessment of Needs	13
1.4 Religious and Cultural Considerations	13

Part 2 The Employer and Employee

2.1	Responsibility of the Employee	14
2.2	Responsibility of the Employer	14
2.3	Employment Status	15
a.	Working Times Regulations 1998	15
b.	Part - Time Workers' Directive	15
2.4	Rates of Pay	16
2.5	Swimming Teachers/Coaches and the Unions	16

Part 3 Professional Issues

3.1	Qualifications of the Teacher/Coach	17-18
a.	Initial Training	17
b.	Continuing Professional Development (CPD)	17
i.	How Does CPD Work?	17
ii.	What Topics Can Contribute Towards CPD?	18
iii.	Benefits of CPD	18
3.2	Insurance	18
3.3	Child Protection	19-20
a.	The <i>Protection of Children Act 1999</i>	19
b.	Child Protection Procedures and Guidelines	19
c.	The Criminal Records Bureau	20
3.4	Code of Conduct/Ethics	20

Part 4 Health and Safety and Legal Issues 21

4.1	<i>In Loco Parentis</i> (Latin: 'In place of a parent')	21
a.	Duty of Care	21
4.2	Statute Law	22
a.	General Requirements	22
b.	Legal Consequences	22
4.3	Vicarious Liability (delegated legal responsibility)	22-23
a.	An Act of Omission	22
b.	An Act of Commission	23
c.	An Act by a Pupil	23
d.	Assistants and Helpers	23

4.4	Negligence	23
a.	Defence of Negligence	23
4.5	Activity Risk Assessment	24-25
a.	Principles of Prevention	24
b.	Awareness of Risks	24
c.	Activity Risks	25

Part 5	Reference and further reading	26
---------------	--------------------------------------	-----------

Addresses of Contributing and Endorsing Organisations	27
--	-----------

Introduction

This booklet provides guidance for those involved in the management and delivery of swimming programmes. The information provided is not exhaustive but covers four main areas: -

- The teaching/coaching learning environment
- Employer/employee relationship
- Professional issues
- Health, safety and legal issues

The booklet should be considered alongside other relevant documentation and legislation, some of which is identified in the appendix.

The scope of the swimming, 'from cradle to the grave' is both a strength and a weakness. It is a strength in respect of the opportunities it provides for all ages and creeds and the positive effects on the health of the nation. Its weakness is that the demands made upon swimming facilities by the public, learn to swim, special interest groups, competition and training far outweigh the resources, which are available.

In order to balance these difficult demands swimming pool operators have a responsibility to provide clear guidance and direction in respect of what should and should not be included in the programmes that they offer. The role of swimming development officer and pool manager is therefore critical as they will be charged with working together to develop appropriate programmes and pathways which will be implemented, managed and monitored by pool managers and staff.

This booklet aims to support all those involved in the development and delivery of swimming through the provision of clear guidance on some of the many issues which impact upon provision of swimming programmes.

Part 1

The Teaching /Coaching and Learning Environment

1.1 The Teaching/Coaching Environment

There are generalities and principles, which will apply to most normal lesson situations, with variations occurring when dealing with those individuals and groups identified as requiring special consideration.

a. Safety

The safety of pupils is the overriding factor in all swimming teaching/coaching situations. The overall responsibility for safety in a programme of swimming lessons will probably lie jointly with the pool/facility manager and the programme co-ordinator/director. During lessons it may be the direct responsibility of a Lifeguard. However, each individual teacher/coach is personally accountable for, and must always have, as their main concern, the immediate safety and well-being of the pupils.

This involves an awareness of the nature and extent of these responsibilities, i.e.,

- An intimate knowledge of the pool situation and its risks, including how to access and, if required, operate the emergency action procedures for the pool being used.
- The use of, and response to, emergency signals.
- The insistence of appropriate safe behaviour by all pupils, not only those in their immediate care.
- An understanding of Child Protection issues.

It also involves constant on-going observation of class members with a concern primarily for safety and then for effective teaching/coaching. This means being aware of the whereabouts of each member of the group at all times during the lesson.

The ability to take any emergency action, should this be necessary, is of course vital, but with careful planning and effective control systems in place, such emergency action should be an extremely rare occurrence, particularly during programmed activity.

b. Lifesaving and Pool Supervision

Although teacher/coaches may not be called upon to enter the water to perform a rescue, they may still be required to assist the lifeguard team and will need to control their group as may be necessary according to the situation. Liaison with pool management and a thorough understanding of the pool's **Pool Safety Operation Procedures (PSOPs)** are essential requirements swimming teachers/coaches need to consider imperative in their role.

Where safety provision is undertaken by the swimming teachers/coaches, especially, if several groups divide the pool for use, consideration needs to be given to:

- The delegation of responsibilities
- Whether all teaches/coaches need to hold appropriate lifeguarding awards

c. Programmed and Un-programmed Activities

The publication is about programmed activities, i.e., those with a formal structure, are disciplined, supervised or controlled and continuously monitored from the poolside, e.g., swimming lessons and swimming clubs sessions. ***Managing Health and Safety in Swimming Pools***, a guidance document from the ***Health & Safety Executive and the Sports Council***, indicates that programmed sessions, under certain circumstances, may have fewer lifeguards than un-programmed sessions. Un-programmed activities are non-structured. These are normally controlled and supervised by qualified lifeguards for the health and safety of the participant, as in public sessions.

d. Safe Supervision

The Managing of Health and Safety in Swimming Pools document recommends that everybody providing lifeguarding functions, whether lifeguards or teachers/coaches should hold an appropriate lifesaving award or qualification. A lifeguard may not be required in programmed sessions in a pool where the teaching/coaching of swimming is taking place. In these situations, where the risk is limited due to the nature of the activity, the teacher or coach should have the appropriate teaching/coaching and lifesaving competencies which includes rescue skills, cardiac pulmonary resuscitation (CPR), and have a knowledge of the relevant aspects of the pool safety operating procedures (PSOPs):

- Where teachers/coaches are directly responsible for supervising the swimming pool, performing the role of lifeguards in an un-programmed pool session, they too should have the competencies and skills required of a lifeguard in those circumstances.
- Where *programmed* sessions are the only activity in the pool, teachers/coaches may provide the safety cover on condition that they hold an appropriate swimming teaching/coaching and life saving qualification.
- Where the pool is in *shared use* and clearly divided between *programmed* and *un-programmed* swimming activities, suitably qualified teachers/coaches may take responsibility (both for lifeguard cover and teaching/coaching), but only for the programmed area of the pool and within the agreed ratio of pupils to teacher/coach.
- Where the *shared use* is *not clearly* defined between programmed and un-programmed activities, supervision must be provided in accordance with the pool's normal operating procedures.

Helpers and support teachers/coaches who are *not qualified* can play a valuable role in supporting qualified staff responsible for the safe delivery of programmed pool activities.

e. Teacher/Coach Lifesaving Ability

The risk within programmed sessions, compared with un-programmed sessions, is reduced due to the nature of the activity, so the level of lifesaving ability required for swimming teachers/coaches is not the same as for lifeguards. The skills required are essentially the same, but the level of fitness and swimming ability are not expected to be of such a high standard. Appropriate awards are available that fulfil the requirements for a teacher/coach to be deemed responsible for the safety provision of their group.

f. Learning Takes Precedence over Teaching/Coaching

After safety, the teacher's/coach's major concern is to create circumstances which facilitate "learning by the learner". This implies knowing about the learner and how learning can take place as well as the detail about what has to be learned. Only when these elements are in place should the teacher/coach address the actual procedures involved in teaching/coaching.

All teachers/coaches will benefit from an ongoing process of matching their theoretical understanding and knowledge with their practical experience. At this point, however, the following points merit consideration.

g. Individuals - Differences and Similarities

Although great stress is rightly laid on the differences between people, it is in fact the similarities among groups of individuals, which makes class and group teaching/coaching a practical proposition. By careful planning and organisation, the good teacher/coach will take advantage of these similarities while at the same time having a real concern for each individual and the personal qualities and characteristics which make him or her truly unique. It is the similarity of different individuals' responses to the laws of physics, which form the basis of swimming techniques and enable common objectives and standards to be set at various stages.

In addition, the teacher/coach should also be aware of the ways in which individuals may differ and implications of these differences for the teaching/coaching process.

The key differences are:

- Physique
- Attitude
- Rate of maturation
- Previous experiences
- Intelligence
- Motivation
- Development
- Background

In practical terms for the teacher/coach this means having:

- A clear appreciation and understanding of the technical content involved
- An awareness of the standards of performance achievable at all stages
- A wide range of appropriate practices and progressions related to the skill and relevant to the status of the learners
- A knowledge of how to use the most appropriate equipment to provide the right degree of support in order to correct or develop the performance of a skill
- The capacity to observe the learners' responses to a task and make decisions about what should happen next i.e.,
 - Modify the practice – make it easier or harder
 - Provide more or less support
 - Make another attempt
- The ability to analyse how an activity has been performed, and follow up with judicious praise for some aspect of the performance.

- Some positive suggestions for bringing about an improvement or change, and encouragement to continue aiming to do better.

h. The Professionalism of the Teacher/Coach

Even where the learning situation is ideal, and the teaching/coaching staff have a good background of experience in swimming, probably the most important single factor in determining the effectiveness of a programme, the level of current customer satisfaction and its attractiveness to potential clients is the professionalism of the individual teachers/coaches and their relationships with the learners. One aspect of this is the extent to which teachers/coaches are prepared for the job, as well as the standards by which they work and by which they set their own levels of expectation of their pupils.

Preparation includes:

- A knowledge of the material, i.e., the practices, progressions and teaching/coaching points and of how these will be applied
- An awareness of the learners' status, nature and needs
- Having previously planned sessions available on the poolside for easy reference

Of vital importance are the standards, which teachers/coaches will set for themselves in respect of their own conduct, ethics and even their personal appearance, which should be appropriate for prevailing conditions and the requirements of the programme management. Teachers/coaches must also, however, have standards in terms of their expectation of the application and performance of their pupils. It is unlikely that learners will aspire to achieving their potential if the teacher/coach fails to set standards and guide pupils towards them.

i. Adaptability

The teacher/coach should be able to respond as required to the many different situations, which will arise. These will involve learners of different ages and stages as well as a range of levels and abilities. The good teacher/coach will be constantly seeking ways to improve their own effectiveness by ongoing study and by a process of self-monitoring and self-evaluation.

j. Use of Assistants and Other Helpers

There is no doubt that teaching/coaching and learning can be enhanced by the appropriate use of assistants and other helpers. These can normally be categorised as:

- Those with specific qualifications related to working as an assistant
- Those without qualifications, e.g., a parent

In both the above circumstances the supervising teachers/coaches must themselves be appropriately qualified and must oversee the work of the assistant/helper. Where the person(s) concerned have achieved a qualification then the degree of supervision required might be less than that required for an unqualified helper. Decisions of this nature should be made by the supervising teacher/coach based upon careful observation of the assistant/helper in action. At all times, however, the supervising teacher/coach must be positioned to enable prompt intervention should this be required. The role of the supervising teacher/coach extends beyond the actual lesson time and should include preparation and evaluation. It is essential that the assistant/helper be provided with sufficient guidance to

ensure that the safety and development of those participants working with the assistant/helper is enhanced and not compromised.

1.2 The Learning Environment

Although responsibility for the learning environment normally lies with the programme co-ordinator, it is the responsibility of each teacher/coach to ensure as far as possible that the optimum circumstances are created for positive learning to take place.

a. The Facility

i. The Environment

The aim should be to create a pleasant environment with suitable colour and lighting, controlled noise levels. Sometimes pleasant music will assist.

The atmosphere should be welcoming, yet purposeful, and organised with a friendly reception, informative briefing, a set of standard routines, and efficient changeovers. Pre visits for new customers should be encouraged. Most enlightened managers or programme co-ordinators will give reasonable consideration to any sensible adjustments, which can improve their client service, e.g.,

- Providing an adult viewing area
- Providing access to specific classes for slow learners
- Making additional aids available to individuals with special needs
- Providing alterations to improve the atmosphere or the environment – raising the temperature; varying the use of space; providing extra barriers, notices, directions etc

ii. Hygiene

The *Pool Safety Operating Procedures* (PSOPs) will give guidance on hygiene rules and recommendations that should be implemented for that particular pool, such as showering before entry into the pool. One of the most important hygiene rules is to change out of outdoor shoes before going onto poolside, having separate suitable footwear that is exclusively used on the poolside is essential for the swimming teacher/coach.

iii. Pupil Hygiene

Swimming teaches/coaches should ensure, as far as is reasonably possible, that the pupils have an understanding and follow simple hygiene rules, such as:

- Going to the toilet before swimming
- Showering before and after swimming
- Asking to leave the pool if they require to go to the toilet during the lessons
- Not swimming with open wounds or sores
- Not swimming if unwell
- Avoidance of heavy meals prior to swimming

b. Structures and Planning of Sessions

The timing, organisation, and actual conduct of lessons will vary with a number of different factors and this topic is well covered within other swimming related publications. Some basic points are presented here as reminders for teachers/coaches.

i. Make Effective Use of the Time Available

This is important, not only because the actual lesson time available is usually limited, but also because learning swimming skills chiefly comes about from “doing them” and, with younger people in particular, periods of inactivity cause boredom and distraction, often leading to inappropriate behaviour.

A high activity rate should be aimed for with breaks only to allow necessary rest or to receive instructions, information and feedback. This is not meant to imply a frantic pace, but rather that no time should be wasted by the class or by any individual. The teacher/coach should attempt to quantify how much activity has taken place in each lesson as well as its quality.

ii. Build Upon Known and Previously Learned Skills

For a variety of reasons, individuals will often have either progressed or regressed between lessons, and it is useful to check on this both from the teacher’s/coach’s point of view and for the benefit of the pupils, who will appreciate the opportunity either to revise or to extend previous experiences. This can be checked during the introduction phase and, where appropriate, the individual recording form used for this purpose.

iii. Present Task and Activities in a Variety of Ways

Although, in the first instance, directions and information are usually presented verbally, this should be kept to a minimum while still ensuring that all the necessary material is communicated clearly and concisely.

Where appropriate teacher/coaches should make use of demonstrations, probably by someone in, or closely associated with the group, making certain that everyone is positioned to see the demonstration, preferably standing on poolside, from the most suitable perspective for appreciating its application.

iv. Consider Carefully the “ Dimension” of Each Task Being Presented

Using a combination of **WHOLE** and **PART** practices, pupils should be given an opportunity to attempt as close to the completed skill as is appropriate and safe to do so, based upon their previous experiences and their current standard. This can help create awareness of what is involved, even though the initial attempts may not be completely successful. After presenting the task and initiating practice of it, teachers/coaches should observe the performance and analyse the action. From this the relevant type of feedback can be determined and provided at the most appropriate time giving consideration to:

- General patterns of the desired movement
- Modification of part practices to improve accuracy and precision
- Consolidation or extension by further appropriate practice
- Increasing the range and variation of the movements
- Repeating the process to ensure a degree of success for each individual
- Interaction with the learner by:

- Approving some aspect by giving praise
- Questioning and listening
- Responding with suggestions and/or guidance
- Encouraging continuing application

v. Length and Frequency of Lessons

The length of swimming lessons tends to be determined by organisational, rather than educational priorities, nonetheless, assuming that all of the available time is fully and well used, a thirty-minute lesson is normally adequate during the early stages.

It has been suggested that learners may benefit from having the same number of lessons held more frequently than at longer time intervals. Twice per week is probably most beneficial at the early stage, even if one of these is an actual lesson and the other is a less formal opportunity to practice independently what has been learned and to experiment further. There is anecdotal evidence to suggest that intensive lessons, i.e., one session per day for 2 or 3 weeks, can be very productive in the early stages.

vi. Recording Progress

All swimming teachers/coaches should record progress, or lack of it, for all the pupils in their care. Ideally this should be completed as soon after the lesson as possible. In the normal “time stressed” arrangements, which typify many *learn to swim* programmes this is difficult to achieve. A short break of even 10 minutes after every two lessons, for example, will not only provide this recording opportunity, but will also “refresh” the teacher/coach and lead to greater teaching/coaching effectiveness.

1.3 Swimmers with Special Needs

‘Special needs’ is often referred to in the context of people with a physical impairment or learning difficulties. In the wider context, however, special needs can also apply to those with exceptional talent who may have aspirations to perform at the higher level, whether they be able bodied or disabled.

Swimming needs to cater for all abilities, a challenge for all those involved in the development of programmes and pathways. Whilst this section will focus primarily on those with physical disabilities and learning difficulties it is important to note that for the most talented an appropriate programme is essential if they are to fulfil their potential and aspirations. The Long Term Athlete Development Model for swimming (LTAD) is based on the work of Dr. Istvan Balyi. Developed by the ASA in conjunction with Sport England, it provides a structure and framework that will facilitate the best possible opportunity for individuals to succeed as they progress from grass roots level up to the Olympic Podium. All those involved in swimming teaching/coaching, irrespective of the level of their involvement have a part to play and some understanding of the LTAD will assist in this process. Further information related to LTAD can be found in the appendix.

The integration of people with disabilities to mainstream activities should be accommodated wherever this is appropriate and practical. Consideration must always be given to the needs of all pupils within a group to ensure that where interaction occurs this a positive experience for all concerned. The teacher/coach should be aware of the vulnerability of the special needs swimmer.

Although there is an ever growing involvement of people with disabilities in conventional teaching/coaching classes and swimming club provision, there is still a place for alternative arrangements either long term or on a temporary basis, for participants who require

specialist help, or prefer segregated sessions. A range of provision may be both possible and preferable.

Participation may be:

- Fully integrated
- Integrated and supported
- Specialist disability club

a. Assessment of Needs

Determining the specific needs of any participant is an essential pre-requisite to his/her successful involvement in any swimming session. These may be determined by:

- Direct consultation with the individual or parent
- Swimming background
- Completion of Club registration forms
- Observation on how disability affects swimming style

As with any other swimmers, constant monitoring of progress and achievement of goals should be reviewed on a regular basis.

There are many national organisations covering a wide range of disabilities, which can provide help and guidance.

1.4 Religious and Cultural Considerations

The population of Great Britain is recognised as being a vibrant mix of religions and cultures, which enhance the society in which we live. Inevitably there are areas within Great Britain, which comprises largely the indigenous population, but, even here, religious, if not cultural, variation will exist.

Whilst every effort should be made to accommodate these variations, the safety of the individual, and other pool users, must remain of paramount concern. In situations where religious beliefs prevent, for example, mixed groups bathing, it might be relatively simple task to provide sessions segregated on the basis of gender. However where culture and/or religious beliefs result in, for example, a requirement for the individual to wear clothing, which covers the whole body, the teacher/coach and employer should complete a risk assessment and will need to decide whether the safety of the individual may be compromised. If this is considered to be the case then safety consideration must be the determining factor in deciding whether or not an individual should be allowed to enter the water.

Part 1 – The Teaching/Coaching and Learning Environment is adapted from the ASA National Plan for Teaching Swimming written by Hamilton Smith and John Lawton.

Part 2

The Employer and the Employee

2.1 Responsibility of the Employee

The swimming teacher/coach (in this instance the employee) has responsibility for the teaching/coaching and learning, which occurs during every session. The responsibility starts from the moment the teacher/coach accepts responsibility for the participants to the point at which that responsibility comes to an end. These decisions regarding accepting and discharging responsibility cannot be taken in isolation and must be part of a procedure agreed with the employer and undertaken by all employees. In situations where there appears to be a lack of understanding between the parties involved this should be raised immediately by the teacher/coach to ensure that the safety of the participants is not compromised.

In order that the teachers/coaches may carry out their responsibilities effectively consideration needs to be given to a range of issues including:

- Relevance of the qualifications held by the teacher/coach and the role being carried out
- The currency of the qualifications held in relation to the awarding bodies requirement for Continuing Professional Development (CPD)
- The preparation required for each session, including a session plan, and the subsequent evaluation
- The procedure required to ensure the progress of each included participant is clearly recorded
- The range and condition of the equipment available
- The nature of the poolside clothing required in order to meet the requirement of the employer and in order to demonstrate a professional approach to teaching/coaching
- The safety requirements of the pool where the teaching/coaching is to take place and how these requirements impact upon the lifeguarding qualification required by the teacher/coach

2.2 Responsibility of the Employer

The responsibilities of the employer in relation to the employee are many and varied, but most of them are outside the scope of this document. The following points relate to the action, which the employer can take in order to assist the teacher/coach to deliver a quality service. Consideration should be given to the following:

- Numbers in each group
- Number of teachers/coaches and pupils in and around the pool
- The role of the teacher/coach in relation to lifeguarding requirements e.g., does the teacher/coach have a dual role? (See *Safe Supervision of Swimming Teaching/Coaching*)
- The length of time spent on the poolside by the teacher/coach. It is recommended that each teacher/coach should receive a break of at least 15 minutes following each 2 hours of teaching/coaching
- The time allocated to the teacher/coach for recording the progress of each pupil

- The range, condition and appropriateness of the equipment available
- The requirements for teachers/coaches in relation to appropriateness of poolside clothing
- The overall structure of the scheme and each individual teacher's/coach's role within the scheme

The above are examples of issues, which should be contained within an organisation's *Pool Safety Operating Procedures* (PSOPs).

2.3 Employment Status

Swimming teaches/coaches are one of the following:

- Full-time employees **or**
- Part-time employees on a continuous contract **or**
- Full-time employees or part-time employees on a short fixed-term contract **or**
- Employee of a fixed task contract

If repetitive short fixed-term contracts exceed one year then the swimming teacher/coach will probably be in continuous employment.

National employment legislation and European Union employment directives introduced changes, which often reflect the political ideology of the administration in power.

a. Working Times Regulations 1998

The *Working Times Regulations 1998* and subsequent amendments apply to all swimming teaches/coaches who are employed in the swimming industry. Swimming teachers/coaches who are employed on either short-term or indefinite contracts are entitled to a minimum of:

- 4 weeks paid annual leave or
- Equivalent enhancement if the employee does not work through the school holidays

Irrespective of the length of service a swimming teacher/coach is entitled to:

- A limit on the average working week of 48 hours
- A minimum daily and weekly rest period
- Rest breaks at work

b. Part - Time Workers' Directive

The majority of swimming teachers/coaches work as part time staff. The *Part Time Workers' Directives 2000* ensures that part time employees are treated no less favourably than full-time employees carrying out similar work activities.

This means that for most part-time swimming teacher/coaches in employment, who have full-time colleagues carrying out the same tasks, the following rights apply:

- Paid sick leave pro-rata (statutory or organisational depending on the contract details)
- Access to organisation pension scheme
- Access to organisation maternity, paternity and family rights scheme
- Access to organisation grievance procedures

- Access to organisation pay scheme

(Because Employment Legislation changes frequently it is recommended that up-dated advice and guidance is sought.)

2.4 Rates of Pay

The various teaching/coaching institutes and associations have recommended rates of pay for swimming teaches/coaches. These recommended rates of pay reflect the level of qualifications held by the employer and the variations that should be expected due to market forces and specialist qualifications. Information on published recommended rates of pay can be acquired from any of the organisations associated with this publication (see page inside back cover).

2.5 Swimming Teachers/ Coaches and the Unions

Regardless of the number and variations of organisations that can and do employ swimming teachers and coaches, or the number of hours any individual is engaged with a particular employer, it is recommended that an employee has the backing and support of a relevant representative organisation.

This may be an occupational institute, association and/or Trade Union.

Whilst under current employment legislation, an employee can be represented and/or accompanied by a person/body of their choosing at disciplinary hearings and the like, this does not extend to other issues which affect coaches and teaches in the workplace,

This may include bargaining arrangements, terms and conditions, health and safety and local interpretation of national agreements, amongst others. In such cases, recognised Trade Unions may well be involved. It is therefore recommended that in such cases, swimming teachers and coaches should investigate who is the most appropriate Trade Union for their needs and the swimming industry.

Part 3

Professional Issues

3.1 Qualifications of the Teacher/Coach

a. Initial Training

It is important that all teachers/coaches are qualified to a level appropriate to the role, which they are carrying out. The minimum recommended qualification for a teacher/coach to work unsupervised is a VRQ Level 2 (vocationally related qualification), which is listed on the National Qualifications Framework or a NVQ Level 2 (National Vocational Qualification) in Teaching, Coaching and Instructing. Teachers/Coaches should be qualified in the activity being taught e.g. Swimming, Water Polo etc.

Teachers/coaches working outside the scope of their initial qualification are putting themselves at risk and, in the event of an accident, are more likely to be open to challenge. It is suggested that the employer should positively promote to the customer the qualification held by the swimming teacher/coach.

b. Continuing Professional Development (CPD)

CPD is a post qualification educational concept originally advocated by the Department of Employment. Since its inception many industries have adopted a training and accreditation system so that employees and volunteers working in that industry can demonstrate their professional commitment and to ensure they are kept-up-to date. All the major awarding bodies for qualifications in *swimming teaching/coaching require and encourage teachers/coaches to regularly up date by engaging in an ongoing programme of development in order to retain the currency of the initial qualification. It is recommended that all employers provide the opportunity for teachers/coaches to engage in CPD either internally or through external sources.

Access to CPD opportunities need not be entirely through attendance at seminars, workshops, etc, and strategies such as mentoring may be an acceptable alternative. Teachers/coaches wishing to engage in CPD should contact the Awarding Body responsible for their initial training in order to ascertain the specific requirements.

* *In this context swimming encompasses the disciplines of water polo, synchronised swimming, disability, diving, open water and exercise in water.*

i. How Does CPD work?

- Various swimming institutes and associations provide CPD programmes. These programmes include qualification courses and update seminars and workshops.
- Each CPD provider designates credit points to training opportunities. Normally a fixed number of credit points gained within an agreed time frame achieves recognition of CPD accreditation.

Information on CPD providers can be acquired from any of the contributors to this booklet. (See inside back cover).

ii. What topics can contribute towards CPD?

- Technical knowledge – all disciplines
- Teaching/coaching methods – all disciplines
- Sports science, e.g. anatomy, physiology, psychology, testing procedures, biomechanics
- Health and safety
- Management, e.g. club organisation, national teaching plans, case studies, local authority schemes
- Human growth and development
- Skill acquisition/development
- Child Protection
- Other relevant topics

iii. Benefits of CPD

- Demonstration of professional integrity
- Possible increased employment prospects
- Personal satisfaction of being “up to date”
- Increased customer satisfaction
- Increased customer appeal

3.2 Insurance

Swimming teachers and coaches operate under a variety of conditions:

- As an employee
- Self-employed
- Within an ASA-affiliated club
- As a volunteer

Similarly teachers and coaches work for many different types of employer such as:

- Local authorities
- Swimming clubs
- Swim Schools
- Hotels
- Holiday camps
- Schools and education authorities
- Youth clubs/organisations

Under the terms of formal employment the employer must provide Employer Liability insurance. Employer Liability insurance is that insurance covering the legal liability for damages and legal costs arising out of the death or bodily injury caused to employees in the course of their employment. However, the employment status enjoyed by the swimming teachers/coaches is often vague, especially since they often are self-employed. It is therefore important for a swimming teacher/coach to always check what insurance cover the employer provides, or if self-employed to provide their own.

- Swimming teachers and coaches who work only for ASA-affiliated swimming clubs will be covered by that club's insurance.
- Many swimming teachers and coaches mix employment with self-employment and often work for several employers. It is therefore probably essential that the swimming teacher/coach has civil and public liability insurance.
- The swimming teacher/coach institutes and associations supply comprehensive insurance packages with their membership. These insurance packages usually include additional personal accident insurance, and some form of loss of income insurance.
- The teacher/coaches insurance usually covers helpers within the group who are under the direct supervision of the insured teacher/coach.

NB Information on providers of insurance packages for swimming teachers and coaches can be acquired from any of the contributors to this booklet. (See inside back cover.)

3.3 Child Protection

a. The Protection of Children

Legislation has given the Home Secretary powers to keep a list of individuals who are considered unsuitable to work with children and vulnerable adults. The list can include individuals referred to the Home Secretary by organisations that have taken some action because they consider an individual has placed, or may place, a child at risk of harm.

Childcare organisations shall ascertain whether or not a potential employee is included on the list and shall not offer employment to that potential employee if s/he is on the list.

b. Child Protection Procedures and Guidelines

Several organisations have produced procedures and guidelines to assist clubs and teachers and coaches working with children. These guidelines include:

- Identification of the forms of child abuse
- What to do if you have concerns about a child
- Good practice
- Code of Ethics
- Details of access to the Criminal Records Bureau
- Guidelines for use of Photographic and Filming Equipment and Children
- Help-line information

The welfare of the child must be uppermost in the mind of the teacher/coach throughout their practice.

Information on published Child Protection Procedures and Guidelines can be obtained from any of the contributors to this publication. (See inside back cover.)

c. The Criminal Records Bureau

This was set up by the Home Office to undertake all criminal record checks in England and Wales and to manage the list of persons considered to be unsuitable to work with children. The following points should be noted:

- It can be accessed by Registered Bodies
- Information on the Registered Bodies in relation to swimming teaching and coaching can be acquired from any of the contributors to this booklet. (See inside back cover.)
- It concerns activities that involve regular contact with children or vulnerable adults
- Swimming teachers and coaches and any assistant used who has significant contact with children and young persons working with children **MUST** be checked
- Application is made by the individual being checked and countersigned by registered body
- The details kept by the Bureau are sent to the individual with a copy to the registered body to be passed on to the employer

3.4 Code of Conduct/Ethics

A code of conduct/ethics provides guidance to teachers/coaches on what might be considered accepted good practice in terms of the way learning should be structured and delivered, and how relationships between the teacher/coach and pupil should be developed. Such a code can only provide guidance and should not be considered to be exhaustive. The teacher/coach should aim to provide a framework within which they can operate effectively and which will give due consideration to the best interests of the learner.

All the major awarding bodies will have their own code of conduct/ethics. Whilst there would be great similarities between the guidance promoted by the Awarding Body inevitably there will be some differences. It is recommended that teachers should adopt the code of conduct/ethics promoted by the body responsible for their initial qualifications. In those situations where an employer has developed its own code then this should be adhered to for the duration of the employment with that employer. Many swimming teachers/coaches may work for more than one employer and this may require some modification in practice on behalf of the employee.

Part 4

Health and Safety and Legal Issues

4.1 *In Loco Parentis* (Latin: ‘in place of the parent’)

There are important common law requirements for teachers/coaches who have children in their care and are acting *in loco parentis*. This forms the basis for the duty of care that all teachers/coaches must follow. Teachers/coaches with this legal responsibility must exercise the same duty of care, as would a reasonable parent. It is important to establish whether you are acting in this role; are the parents required to stay and watch the session or do they leave the children and collect them at the end? Schoolteachers accompanying children to the pool cannot delegate their responsibility to the swimming teachers or coaches.

a. Duty of Care

Under common law, liability to negligence may arise from the breach of a fundamental duty “to take reasonable care to avoid acts of omission which you can reasonably foresee would be likely to injure your neighbour”. This is known as the duty of care. This applies to swimming teachers/coaches, their pupils, swimming club administrators and to pool operators.

The duty specified is to “take reasonable care”, this can be defined as “what the reasonable person would have foreseen as being necessary”. A certain level of risk is acceptable and it is expected that safety measures will be applied “as far as is reasonably practicable”. The risk is determined from a combination of the following:

- The likely severity of the injury arising
- The likely frequency of the incident occurring
- An estimate of the number of persons likely to be affected

The Duty of Care extends to the swimmers’ emotional well-being and takes into account the attitude of the teacher/coach i.e. bullying.

The swimming teacher/coach must take these into consideration when planning lessons and activities.

It should be noted – for swimming teachers/coaches involved with training camps, residential visits and competition events, the duty of care is a 24-hours-a-day responsibility.

4.2 Statute Law

The *Health and Safety at Work Act 1974* and the various *Management of Health and Safety at Work Regulations* create statutory duties to ensure the safe operation of swimming facilities. These cover all employers, employees and self-employed people as well as being designed to protect members of the general public who may be affected by work activities.

a. General Requirements

Under the *Health and Safety at Work Act* the following must be implemented:

- All equipment and plant are safe
- The workplace is safe
- There are safe systems of work
- There is provision of information, instruction and training
- There is supervision to ensure safety

The *Management of Health and Safety Work Regulations 1992* reinforce the legal obligation to proactively manage health and safety performance covering the following areas:

- Carry out Risk Assessment
- Implement Procedures to reduce the risk
- Appoint Competent Persons to implement the procedures
- Establish Emergency Procedures
- Produce a Written Safety Policy

b. Legal Consequences

Statute Law takes precedence over Common Law. Prosecution for negligence under statute law is a criminal offence that may result in a fine or imprisonment. In addition the victim may then pursue the case in the civil courts for compensation. In both criminal and civil cases it is for the court to decide whether the law has been broken. However, the degree to which safety recommendations have been observed is likely to have a strong influence on the outcome.

4.3 Vicarious Liability (delegated legal responsibility)

This places responsibility for any acts of omission or commission by a teacher/coach while teaching/coaching onto their employer. The law requires that, in respect of proven negligence, the responsible agent will be able to meet any costs awarded. Vicarious liability will not cover acts that happen outside the teachers'/coaches' scope of employment, personal liability insurance will be required.

a. An Act of Omission

Is the failure by the swimming teacher/coach to inform the pupils of any potential risks? The teacher/coach must not assume that the pupils understand the risks; they must explain the risks and dangers.

b. An Act of Commission

Is an act, or instruction, such that it could cause an accident? The swimming teacher/coach, when giving instructions, must assess the pupils' competence to perform them and that it is also safe to do so.

c. An Act by a Pupil

An act by a pupil that causes injury or damage to a third person may result in the teacher/coach being held responsible. The pupils must be kept informed of the safety rules and the dangers of breaking them; discipline and control must be maintained at all times.

d. Assistants and Helpers

The actions of any assistant teachers/coaches or helpers, if they cause injury or damage, may result in the teacher/coach being held responsible. It is important that assistants and helpers are fully briefed on their role and the *Pool Safety Operating Procedures (PSOPs)*.

4.4 Negligence

If it can be shown that there was negligence on the part of the swimming teacher/coach which directly caused an injury to a pupil, this may result in a claim for damages by the parents or guardians against the swimming teacher's/coach's employer, on the grounds that they were "vicariously liable for the negligent acts of their employee". If damages are awarded against an employer or a governing body on account of the grossly negligent act or acts of a swimming teacher/coach, they may counter claim against the swimming teacher/coach for a contribution towards the damages.

a. Defence of Negligence

To defend against the charges of negligence it is recommended swimming teachers/coaches consider the following:

- Do they have an appropriate swimming teaching/coaching qualification and attend regular refresher/update seminars/workshops?
- Have they ensured that there is an appropriate lifeguarding/safety cover, and/or hold an appropriate and current lifesaving award themselves?
- Have they performed a risk assessment of the working environment and equipment and taken any appropriate steps as are deemed necessary to reduce risks to an acceptable level?
- Have they ensured that pupils have been taught safety rules and emergency procedures at an appropriate level for their age, intelligence, and experience?
- Have they ensured that pupils are appropriately prepared for the activities undertaken by the use of a "warm up" period and progressive practices?
- Have they ensured that the session conforms to accepted good practice?
- Have any competition events, training camps, residential visits or trips abroad had the prior agreement of an informed parent or guardian, who has signed a consent form?

4.1 Activity Risk Assessment

a. Principles of Prevention

The Management of Health and Safety at Work Regulations 1999 revises and replaces. The Management of Health and Safety at Work Regulations 1992 and requires that Risk Assessments are carried out in general and specifically for young persons and new and expectant mothers. The principles of prevention identified are:

- Avoid risk
- Evaluate risk
- Combat risk at source
- Adapt work to the individual
- Adapt to technical progress
- Reduce danger
- Have an overall prevention policy
- Have a collective rather than an individual policy
- Give appropriate instructions to employees

Sources of good practice are Approved Codes of Practice and guidance documents produced by Government or the HSE inspectors. In the swimming industry pools managers and swimming teachers should refer to the document *Managing Health and Safety in Swimming Pools*.

b. Awareness of Risks

All teachers/coaches must be aware of the risks associated with their teaching/coaching environment and activity. An assessment of risk is a careful examination of procedures, in particular:

- Identifying aspects that could cause harm to people
- Establishing whether enough precautions have been taken
- Indicating whether more precautions need to be taken

As part of the risk assessment swimming teachers/coaches will need to consider all the hazards and risks associated with the teaching/coaching of swimming and the pool environment, where:

- A **hazard** is anything that may cause harm
- A **risk** is a chance, great or small, that someone will be harmed by a hazard

Swimming teachers/coaches should ensure that they are aware of all changes in risk by:

- Carrying out a visual inspection of the working environment prior to every lesson/session
- Seeking a verbal update from teachers, coaches or receptionists of preceding lessons/sessions or pupils
- Reviewing and revising the formal risk assessment regularly, especially if there is a change in working procedures, liaison with pool management may be required.

c. Activity Risks

There are similar considerations for all aquatic activities:

- Water depth
- Available water space
- Group numbers
- Ability
- Equipment
- Water temperature

The risks associated with the same consideration will vary with the different activity, for example – water depth. Deep water will be a danger for non-swimmers, shallow water a danger for diving lessons. The gradient of the pool floor will also have an affect; a steep gradient could be a hazard for an aqua-aerobics class. In addition each activity will have its own specific risks that need to be taken into consideration, such as diving boards for diving lessons.

Reference and further reading

Reference

1. ***Managing Health and Safety in Swimming Pools***
Health and Safety Commission HSG179
2. ***Long Term Athlete Development Model*** ASA publication
3. ***ASA National Plan for Teaching Swimming*** ASA publication
4. ***Safe Supervision for Teaching and Coaching Swimming*** Issued by ASA, ISRM, ISTC, RLSS 1996
5. ***Working Time Regulations 1998***
6. ***Part-Time Workers Directive 2000***
7. ***Health and Safety at Work Act 1974***
8. ***Management of Health and Safety Regulations 1992 & 1999***

Further Reading

- ***5 steps to risk assessment*** INDG163 (rev) HSE Books 1998
- ***Child Protection Procedures for sport and recreational centres*** ISRM 1997 ISBN 1 900 738 400
- ***Child Protection in Swimming*** Procedures & Guidelines ASA publication 1999
- ***Child Welfare, Good Practice & Child Protection Policy and Procedures*** RLSS UK Policy document 2003
- ***Diving in swimming pools and open water*** ISRM 1998 ISBN 1 900 738 60 0
- ***ASA Code of Ethics*** ASA Handbook
- ***Integration of Swimmers with a Disability*** ASA publication
- ***Swimming Pool Child Admission Policy for unprogrammed swimming*** ISRM 2002 ISBN 1 900 738 21 X
- ***Use of Video, Zoom or Close Range Photography*** ASA Guidelines
- ***Photographing of children in sports centres/swimming pools*** ISRM Bulletin Ref 270: 01/03
- ***Legal and Taxation Issues arising on the engagement of swimming coaches and teachers*** ASA publication 1997
- ***A Vision for Swimming*** published by British Swimming, ASA, WASA, Scottish Swimming
- ***From Armbands to Gold Medals – The National Facilities Strategy for Swimming*** ASA publication

The following members of the Swimming Forum endorse this publication:

Amateur Swimming Association

Harold Fern House
Derby Square
Loughborough LE11 5AL
Tel: 01509 618700
Fax: 01509 618701
E-mail: sam.howlett@swimming.org
Website: www.britishswimming.org

English Schools Swimming Association

Brackenridge
Guilsborough Hill
Hollowwell
Northants NN6 8RN
Tel & Fax: 01604 740919
Website: www.essa-schoolswimming.com

Institute of Leisure and Amenity Management

ILAM House
Lower Basildon
Reading RG8 9NE
Tel: 01491 874800
Fax: 01491 874801
E-mail: ilam.co.uk
Website: www.ilam.co.uk

Institute of Sport & Recreation Management

Sir John Beckwith Centre for Sport
Loughborough University
Leicestershire LE11 3TU
Tel: 01509 226474
Fax: 01509 226475
E-mail: info@ism.co.uk
Website: www.isrm.co.uk

Institute of Swimming Teachers and Coaches

ISTC House
41 Granby Street
Loughborough LE11 3DU
Tel: 01509 264357
Fax: 01509 231811
E-mail: istc@swimming.org
Website: www.britishswimming.org

Royal Life Saving Society

River House
High Street
Broom
Warwickshire B50 4HN
Tel: 01789 773994
Fax: 01789 773995
E-mail: lifesavers@rlss.org.uk
Website: www.lifesavers.org.uk

Royal Society for the Prevention of Accidents

Edgbaston Park
353 Bristol Road
Birmingham B5 7ST
Tel: 0121 248 2000
Fax: 0121 248 2001
E-mail: help@rospa.com
Website: www.rospa.com

Scottish Swimming

National Swimming Academy
University of Stirling
Stirling FK9 4LA
Tel: 01786 466520
Fax: 01786 466521
E-mail: info@scottishswimming.com
Website: www.scottishswimming.com

Sport England

16 Upper Woburn Place
London WC1H 0QP
Tel: 0207 273 1500
E-mail: info@sportengland.org
Website: sportengland.com

Swimming Teachers' Association

Anchor House
Birch Street
Walsall
West Midlands WS2 8HZ
Tel: 01922 645097
Fax: 01922 720628
E-mail: sta@sta.co.uk
Website: www.sta.co.uk