

# Employing staff

## Employment Rights and Responsibilities

In employment law a person's employment status helps determine their rights and their employers' responsibilities. The main types of employment status are:

- [worker](#),
- [employee](#),
- [self-employed and contractor](#),
- [director](#), and
- [office holder](#)

but a person may have a different [employment status in tax law](#). More information about employing people (including employment contracts, working hours, health and safety at work, payroll, termination of employment, pensions, recruitment, holidays and workers rights) is available on

Like any other employer, swimming clubs and voluntary organisations that employ people (such as swimming teachers, swimming coaches and administrators) are subject to employment law and could – if they are unable to resolve a dispute through their internal employment policies and procedures or through the free [early conciliation service](#) - be liable to action in an [Employment Tribunal](#) to resolve a dispute over employment rights.

## Tax and National Insurance

Advice and information about:

- [Self-employment](#)
- [National insurance](#)
- [Pay as you Earn \(PAYE\)](#)

including a tool to help you check someone's tax status is available on [Her Majesty's Revenue and Customs' \(HMRC\) website](#).

## Swim England Law and Code of Ethics

All clubs affiliated to London Swimming, their workers and their members must comply with [ASA Law](#) and the [ASA Code of Ethics](#). Breaches of ASA Law or the Code of Ethics are handled under the [Swim England judicial processes](#).

ASA Law 150 is very clear that clubs can deal with disputes about breaches of their own rules and policies and sets out the process that clubs must follow when doing so.

ASA Law does not apply to clubs and organisations that are not affiliated to Swim England. This includes sections of clubs set up as subsidiary bodies that do not register their members with Swim England.

## Getting support

### **Advisory, Conciliation and Arbitration Service (ACAS)**

There is some very helpful advice, guidance, sample policies and templates on the [ACAS website](#) covering areas such as:

- National Minimum Wage and National Living Wage;
- working hours and zero hours contracts;
- discipline and grievances;
- managing performance and well-being;
- terminating employment; and
- equality and discrimination.

In addition, there are:

- the [ACAS Codes of Practice](#) which are not mandatory, but an Employment Tribunal is legally bound to consider;
- help for [small employers](#) (often described as an employer with less than 5 employees);
- [free online training modules](#);

and other resources.

### **ASA Friends**

An [ASA Friend](#) is an individual who is readily available to provide independent advice to help ASA members (or their parent or other representative in the case of junior members) and affiliated clubs faced with problems. This support is not available for either clubs or clubs' subsidiaries and their members that are not part of Swim England.

### **Swim England Club Legal Helpline**

Committees, officers and directors of affiliated clubs have access to [Legal Helplines](#) on matters of European Law to help them manage your legal responsibilities at the club. However, it is essential that they obtain advice before acting. This support is not available for either clubs or clubs' subsidiaries that are not part of Swim England.

### **Your accountant**

If you have an accountant, auditor or independent examiner, they may be able to give you tax advice.

### **Institute of Swimming**

Swimming coaches and teachers who are members of the [Institute](#) can get free advice on [legal and employment issues](#).

### **British Swimming Coaches Association**

Members of the [Association](#) can get legal support and representation.