



Equestrian Establishment

Risk Management Guide

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Helping to Protect Your Business

For more than 50 years, SEIB have provided specialist cover tailored to suit a range of niche trades and activities, backed up by award winning service and expertise. We have put together this risk management guide to help identify and assess the risks faced by your equestrian business.

Horses can be unpredictable animals and extenuating factors such as the weather, human actions and other animals cannot always be controlled, therefore it is inevitable that accidents will happen. The litigious nature of our society and the 'compensation culture' is a significant threat to the equestrian industry, and so it is important for you to consider what you can do to protect your business. This guide looks to help by explaining how to do risk assessments, providing example case law, and supplying various risk management forms.

The guide has been designed to provide an understanding of risk management at your equestrian establishment, covers a variety of business descriptions including riding schools, studs, livery, competition/training, dealing and breaking yards. Some parts of the guide may therefore not be relevant to your particular business; however, the content is geared towards a broad base of equestrian centred activities and environments.

The guide will not cover all scenarios or areas and it is important that you also refer to the HSE and government websites to ensure that you comply with all legal requirements.

We often get asked why insurance and risk management is still needed after a customer agrees to sign a disclaimer. Although disclaimers are useful in making people aware of the risks, they will not necessarily prevent a claim if you have been negligent or are legally liable. Therefore, it is important you check with us that you are covered for all the activities you are carrying out, then use the disclaimer as part of your programme of risk control.

We want to keep you, your staff, your customers and your horses safe. Much of what we mention arises from claims we have experienced and we hope this insight can help to prevent future incidents and claims from occurring.

We hope you find the guide and supporting documents useful, and we appreciate any feedback you may have.

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Health & Safety Management

Health and safety is a concern for every business, and equestrian establishments are no exception. The law states that every business must have a policy for managing health and safety. This guide will help you to develop and maintain such a policy, with further support available at www.hse.gov.uk where you will find a wealth of information, including useful templates and posters.

Your health and safety policy should cover three areas:

Statement of intent

State your general policy on health and safety at work, including your commitment to managing health and safety and your aims. As the employer or most senior person in the company, you should sign it and review it regularly.

Responsibilities for health and safety

List the names, positions and roles of the people in your business who have specific responsibility for health and safety.

Arrangements for health and safety

Give details of the practical arrangements you have in place, showing how you will achieve your health and safety policy aims. This could include, for example, doing a risk assessment, training employees, and using safety signs or equipment.

Health and safety does not need to be complicated or bureaucratic, but the key principles of health and safety management need to be in place, for example:

- Prepare a written policy. If you have five or more employees, you must write your policy down. If you have fewer than five employees you do not have to write anything down, but you are strongly encouraged to do so
- Assess or look at your current ways of working and decide if you could do this better or more safely
- Communicate with and train everyone in the relevant safe methods of work/riding you have identified and update them on any changes
- Maintain records of the information, instruction and training you provide

- Lead by example and check that everyone adheres to your safe working/riding instructions
- Take action when non-conformances are observed and record these in the individual's personnel file
- Review your practices in the event of accidents or near misses, and make sure your health and safety policy is updated, but do not overwrite the original
- Set out in the policy who is responsible for which aspects
- Those that complete the health and safety policy and risk assessments should ideally be trained in how to correctly do so



Conducting Your Own Risk Assessments

Conducting a good risk assessment is a key activity in helping reduce the likelihood of risks materialising, and to protect yourself in the event of a legal dispute. Claims are much easier to defend when procedures are in place and well documented.

Before starting this process, it is important to understand the difference between a risk and a hazard.

- A hazard is something that may cause harm (such as a pitchfork or shaving fork)
- A risk is the chance or likelihood of that harm being realised, and someone being injured by the hazard

See page 7 for a list of potential hazards.

A risk assessment can be completed by following these 5 steps:

Step 1

Identify the hazards

Step 2

Establish who might be harmed and how

Step 3

Evaluate risks and decide on precautionary measures to be taken (control measures)

Step 4

Review your assessment and update if necessary

Step 5

Record your findings, ideally using a risk assessment table (see Table A on the following page)

Information supplied by



Table A – Risk Assessment Table

Tables B and C show you how to calculate the risk rating scores for Table A.

What are the hazards?	Person(s) at risk	What are the control measures already in place?	Risk rating (1-5)	What additional control measures are required?	Revised risk rating (1-5)	Name	Date control must be actioned by	Completion date

Table B – Scoring Probability

Probability (P)	Severity (S)
The probability of something happening can be graded as:	The severity of injury if something does happen can be graded as:
1 – Improbable	1 – Minor injury
2 – Remote	2 – Injury up to 7 days
3 – Even chance	3 – Injury 7 days +
4 – Probable	4 – Major Injury
5 – Certain	5 – Fatality

Table C – Risk rating calculator (PxS)

Probability (P)	Severity (S)				
	Minor injury	Injury up to 7 days	Injury 7 days +	Major Injury	Fatality
Improbable	1	2	3	4	5
Remote	2	4	6	8	10
Even chance	3	6	9	12	15
Probable	4	8	12	16	20
Certain	5	10	15	20	25

The idea is to assess the risk as it is and then find measures that can be put in place to lower the risk rating scores. The following page includes details and examples on how to complete a risk assessment table.

Information supplied by



How to Complete the Risk Assessment Table

HEADINGS	What are the hazards?	Person(s) at risk	What are the control measures already in place?	Risk rating (1-5)	What additional control measures are required?	Revised risk rating (1-5)	Name	Date control must be actioned by	Completion date
WHAT TO DO	Consider the hazards specific to the activities being assessed	Enter details of anyone who might be at risk and how	Enter details of the control measures already in place for the specific hazard	(Probability x Severity) (P X S)	Enter details of any new actions that need to be taken to reduce, control or eliminate the risks of each hazard.	(Probability x Severity) (P X S)	Name and job title of person responsible for implementing controls	DD/MM/YY	DD/MM/YY Signature
EXAMPLE ONE	Lifting and carrying heavy/bulky items including hay, shavings, feed sacks, saddles, water buckets.	Staff risk bodily injury and back pain. Members of public also at risk if they assist.	Basic Manual handling awareness training for staff. Ensure minimal distance and amount moved. Correct instruction training and supervision. Appropriate handling aids and protective equipment. High shelves for light objects only.	3 X 3 = 9	Ensure sufficient people available on delivery days. Provide trolley, wheel barrows and tractors. Ensure correct boots worn.	2 x 3 = 6	Joe Bloggs (Manager)	20/02/2020	10/02/2020 J Bloggs
EXAMPLE TWO	Handling horses (grooming, tacking up, trimming, plaiting, clipping, washing).	Staff and members of the public risk tread injuries to feet. Bites and kicks from horses. Inhalation of dust.	Correct instruction, training and supervision in positioning of handler, horse behaviour and suitable re-training equipment. Horse handling training.	3 X 4 = 12	Horse handling training and use of horse training protective equipment (gloves, correct footwear, riding hat). Ensure dust masks are available.	2 X 4 = 8	Joe Bloggs (Manager)	20/02/2020	10/02/2020 J Bloggs

Please note: This is an example and starter only and every premises and business will be different

It is your responsibility to ensure anyone who is riding a horse including mounting and dismounting, wears appropriate personal protective equipment (PPE) including a riding hat approved to British Standards, and suitable footwear.

Hazards to Consider

Below are some of the hazards that you may wish to consider when conducting your risk assessment. Please note that the list provided is not meant to be exhaustive and some of the hazards mentioned may not apply in all circumstances. A case-by-case approach is required.

Horse-related common hazards

- Horses may kick, bite, bolt or throw riders - injury to horse/staff/clients/general public (each riding school horse should be individually assessed)
- Incorrect/ill-fitting/poorly maintained tack - injury to horse/staff/clients
- Incorrect/poorly maintained yard equipment (e.g. muck forks, wheelbarrows etc.) – injury to horse/staff/clients
- Storage of yard equipment (e.g. muck forks, wheelbarrows, saddle racks too high etc.) - injury to horse/staff/clients
- Incorrect/ill-fitting/poorly maintained facilities (e.g. show jumps, cross country course, horse walkers, rest areas, toilets) – injury to horse/staff/clients
- Arena (indoor or outdoor) poorly maintained or inadequate surface/edges/projections/entry and exit procedures – injury to horse/staff/clients
- Other animals (e.g. dogs, cattle) may spook horses – injury to horse/staff/clients
- Unsupervised children – injury to child
- Poor lighting of yard/arena/stables – injury to horse/staff/clients
- Weather/frost/ice/burst pipes/risk of escape of water – injury to horse/staff/clients
- Fences not properly maintained/escape of horse/proximity to neighboring property – injury to horse/staff/clients/neighbouring public/
- Barbed wire – injury to horse
- Shows, inadequate procedures for competitors/audience – injury to horse/staff/clients/general public
- Inappropriate/unsafe parking areas for vehicles/horse boxes/trailers – risk of fire/theft and injury to horse/staff/clients/general public
- Horse handling/grooming/clipping (electrical hazard) – injury to horse/staff/clients
- Horse handling/turn out - injury to horse/staff/clients
- Stables (unsuitable size for animal housed, walls and floor poorly maintained or uneven, inadequate height and width of doors, poor ventilation, access to fresh drinking water) – injury to horse/staff/clients
- Grazing areas (fencing, shelter, poisonous plants, overstocking) - injury to horse/staff/clients/general public



- Feed store contamination/rats /mice – injury to horse/staff/clients
- Hay/straw/bedding materials, fire/falls from stacks/crushing by big bails/handling heavy weights/dust – injury to horse/staff/clients
- Inadequate parasite and vaccination control procedures – injury to horses
- Introduction of infectious disease/inadequate isolation facility/lack of bio-security procedures (equine and human) – injury to horse/staff/clients
- Muck removal/heap – injury to horse/staff/clients (pollution)
- PPE (Personal Protective Equipment) provided not properly cared for and used – injury to staff
- Inadequate signage, advising areas where public should not enter or take extra care- injury to horse/staff/clients/general public
- Jumps/ show jumps/XC jumps (e.g. jumps deteriorate over time, portable cross-country jumps could fall over) - injury to horse/rider/staff

General hazards

- Slips, trips and falls (e.g. uneven stone paving, spillages of water, uneven steps)
- Working at height (i.e. ladders)
- Noise
- Vibration
- Work equipment and machinery
- Food hygiene
- Manual handling (i.e. lifting stock and other equipment)
- Display screen equipment
- Hazardous building/glazing
- Personal safety (e.g. threat of violence, lone working, handling of cash)
- Events
- Age related hazards (i.e. special consideration for children/elderly)
- Persons working alone

General property hazards

- Fire
- Gas/heating
- Escape of water
- Electrical appliances
- Asbestos
- Pressure systems (boilers, heaters, etc.)
- Hazardous substances – internal (e.g. cleaning materials, fumes, dust)
- Hazardous substances – external (e.g. pesticides, herbicides, petrol)

This list is not intended to be exhaustive but gives examples of some of the hazards you need to think about.

COSHH (Control of Substances Hazardous to Health Regulations) is the law that requires employers to control substances that are hazardous to health. You will need to ensure you put measures in place to reduce or prevent exposure to hazardous substances.

Safeguarding

If in your business you come into contact with children or vulnerable adults, protecting them from abuse is extremely important. Robust safeguarding practices and procedures will help to ensure a safe environment and should be a significant consideration for your business. A written safeguarding policy is a good way to set out your businesses commitment in protecting children or vulnerable adults.

Acts of abuse can include any of the following;

- Physical
- Sexual
- Psychological – such as emotional abuse or threats of harm
- Financial – such as theft or fraud
- Neglect
- Discriminatory

Safeguarding Principles

The UK Government created Safeguarding Principles especially for the health and social care sector to help better protect vulnerable adults. However, these principles form a solid foundation for any business setting out their own safeguarding policy.

Prevention - Preventing abuse or exploitation is the primary objective. This can be done by raising awareness, training staff, making information and encouraging individuals to ask for help.

Empowerment - Ensuring measures are in place so individuals feel confident and supported in making choices.

Protection - Ensuring those at risk have the necessary support and representation to help stop abuse occurring.

Accountability - Everyone is accountable for their actions as individuals, services and organisations.

Proportionality - Proportionality ensures that any services provided take each person into account when dealing with abuse.

Partnerships - Forming partnerships with local communities can create solutions as they can assist in preventing and detecting abuse.

Setting out your safeguarding policy

Usually the best way to set out your safeguarding policy is in writing. The document should highlight the businesses commitment to safeguarding, the procedures in place, those responsible for dealing with the safeguarding, and how issues will be dealt with. The National Society for the Prevention of Cruelty to Children (NSPCC) has produced a guide to writing safeguarding policies and procedures as well as an online self-assessment tool for organisations working with children and young people aged 0-18 years.

Staff checks and training

Good recruitment procedures will help with safeguarding at your business and this will include following up on references and Disclosure and Barring Service (DBS) checks. A basic check will contain details of convictions and conditional cautions considered to be 'unspent' under the terms of the Rehabilitation of Offenders Act 1974.

Staff training in safeguarding will help give them the skills to recognise signs of abuse. Those staff that are designated as the lead for safeguarding would need to attend more advanced training, so they can ensure the right procedures are in place and appropriate actions are taken.

Health & Safety Log Book

As part of ongoing health and safety management, we recommend you set up a log book for staff or livery clients to advise of anything that requires attention; with an area to confirm the matter has been resolved as a way of keeping a record of issues and subsequent improvements.

Examples of items that need logging include:

- Broken or damaged equipment
- Broken or damaged tack
- Broken or damaged fencing or gates
- Damage to the stables and buildings
- Maintenance and work carried out by third party contractors

The book should be regularly checked and updated so items are not left unresolved. Some items such as broken fencing should be attended to immediately.

An example log book could look like this:

What requires attention?	Date	By (Who logged in book)	How has this been resolved	Date	By
Dobbin's saddle has some stitching coming loose	01/02/2020	J Smith	Saddle taken to saddler and stitching repaired	07/02/2020	M Adams
Fencing in the lower field has some damage	18/02/2020	A Smith	Damaged fence rails replaced	18/02/2020	W Adams

Keeping Records of Accidents

When there is an accident connected to your business, even if it does not involve a horse, the incident should be recorded in an accident book or file. It is important to keep these details safe and easily accessible as your insurer may ask to see these.

Remember, your accident book could be used as documentary evidence to defend a claim, and be produced in court if someone involved in an accident brings a claim against you. With that in mind:

Do:

- Keep the entry factual and brief
 - Record the name of the horse
 - State where in the yard the accident happened, e.g. "in the A-K corner on the right rein"
 - Record if the customer had managed the same or a similar exercise
 - Make a note of what the customer said immediately after the accident for example "it wasn't Dobbin's fault, I just lost my balance"
 - Ask the person(s) involved in the incident if they are hurt and make a note of their reply – even if they say they were not
 - Always complete the accident book as soon as possible after the incident, and ask the customer to sign it if possible
 - Make a list (including surnames) of everyone who was
 - In the lesson
 - On the ride
 - Teaching or assisting
 - Watching the lesson e.g. staff members or parents
 - Draw a sketch plan and/or take photos showing where the accident happened and where the instructor, gates, other horses, equipment, witnesses etc. were
 - Consider taking witness statements and record neutral statements like "I didn't see anything" as well as eye witness accounts
 - Inform your insurance broker
- Check if the incident needs reporting to RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995) visit HSE/RIDDOR
 - State who completed the accident report form and if they are giving their own version of events or third party accounts

Don't:

- Think that equestrian people, even those who are experienced, aren't the sort of people who bring claims – they do!
- Offer opinions about what caused the accident or record hearsay or speculation
- Exaggerate or use words like "huge" to make a client feel better about falling off
- Say a horse bucked if really it took a large stride, humped its back, moved a little awkwardly etc.
- Mention other incidents involving the yard or the horse
- Use horsey shorthand which a client might be able to say they did not really understand when they signed
- Refuse to put an accident in the accident book just because you don't think it was serious
- Assume that just because someone seems ok, they won't bring a claim – they may find things hurt the next day which adrenaline or embarrassment stopped them mentioning at the time
- Rush! Take the time to get it right – nobody likes paperwork but you may regret a rushed comment later if it is used against you

Recent Case Law

Strict liability can attach under section 2(2) of the Animals Act 1971, even where the keeper has not been negligent or they are completely innocent. This can happen in cases where the claimant can prove that there is a likelihood of injury or of injury being severe, and that injury arises as a result of a characteristic of an animal which is displayed in particular times or circumstances; and that the characteristic is known about by the keeper.

The leading case in the House of Lords decision of *Mirvahedy -v- Henley*, in which several horses escaped from a field, not due to any negligence on the part of the keeper but due to an adverse stimulus which caused them to panic. In their state of fear, they trampled the well-maintained fences and galloped to the road causing serious injuries to the claimant. The court found that the horses' panic constituted a temporary characteristic which, in the particular circumstances, was normal for horses and strict liability under the Animals Act applied.

There are, however, circumstances in which cases under the Animals Act are defensible and statutory defences are available within the Act:-

Section 5(1) Defences: apply where the injured party wholly caused the accident

- *Dhesi -v- Chief Constable of West Midlands Police (2000)*: A youth threatened a police officer with a hockey stick and then ran away. He was subsequently bitten whilst trying to escape from the police dog which had been sent to find him. It was found that the claimant had wholly caused the dog bite injury.
- *Jones -v- Baldwin (2010)*: A claimant in a show ring rode his horse too close to another, which kicked out causing him injury. Again, the court found that the claimant was the author of his own misfortune.

Section 5(2) Defences: apply where the injured party has consented to the risk.

- *Goldsmith -v- Patchcott (2012) EWCA Civ 183*: A horse reared and bucked violently several times. The experienced rider argued that she had only consented to "normal bucking", not violent bucking, but her arguments were rejected by the court and a full defence applied.
- *Turnball -v- Warrener (2012) EWCA Civ 412*: A rider was aware that a horse might respond unexpectedly to instructions given via a bitless bridle which the horse was not familiar with, but chose to canter in an open space anyway. The court held that a full defence applied as the rider had consented to the risk.

The "consent" defence is not available where an employee is concerned, as employees acting under the instructions of an employer are not deemed to be in a position to give consent.

Case studies

The successful defence of a claim may turn on obtaining detailed witness evidence and having full documentation for disclosure. The cases below help to highlight the importance of this.

Riding Schools:

- The claimant attended for a "return to riding" lesson. She fell whilst mounting sustained serious injury. Ultimately the saddle slipped when the claimant failed to follow instructions from the instructor. The court preferred the defendant's witness evidence along with their expert and dismissed the claim.
- The claimant brought a claim under the Animals Act and in negligence when her horse went for a hack allegedly bolted and she suffered spinal injuries in attempting to restrain it. The witness evidence supported the defendant in that the claimant did not suffer a fall – had no such incident and no complaint was made at the time. The claimant discontinued her claim ahead of trial.

Livery Yards:

- The claimant kept her pony at the defendant's equestrian centre. She was able to use the facilities as part of her livery agreement which included using manège. Whilst riding, the claimant rode over a lunge whip which snapped and injured her pony. She brought a substantial claim for the cost of surgery and other extensive veterinary treatment, and loss of value to the previously talented jumping pony.

The court preferred the defendant's evidence, was critical of the claimant's disregard for the pony when riding without proper attention and dismissed her claim.

Employers' Liability:

- The claimant sustained injuries during the course of his work as a work rider, when the horse he was leading reared up and fell on top of him, causing a spinal injury and multiple fractures.

Whilst the injuries were genuine and severe, surveillance was obtained at several points throughout the lifetime of the case which showed that the claimant had made a remarkable recovery and was

much more able than he reported to the medical experts. A low offer was made to the claimant in March 2017 (prior to allocation), but was not accepted. The claimant continued to pursue his deceitful claim.

The defendant served the expert's video and applied to amend its defence to plead fundamental dishonesty. The claimant then accepted the defendant's offer, which was by then more than 18 months out of date.

The acceptance meant that the claimant compromised his claim at just 3% of the total value pleaded. In addition, it meant that the claimant was liable for the defendant's costs from March 2017 onwards, which included the costs associated with discovery of the fraud and all of the costs of perfecting expert evidence and of QC's involvement. Due to the operation of QOCS costs (Qualified one-way costs shifting) could not be enforced, but a deal was reached with the claimant's solicitor which meant that the claimant's damages, instead of being paid to him, were offset against insurer's costs.

Premises Owners:

- The claimant kept her own horse (bred as a trotter) at the insured's large equestrian yard. The insured also kept sheep (as is usual with these types of establishments). The claimant was riding her horse along with her husband on the insured's land and through the wood, when she alleged a sheep appeared from behind a tree and startled her horse. As a result, she suffered serious injury when she was thrown. 9 witnesses along with a BHS inspector gave evidence as to the veracity of the claim.

The claim was brought under the Animals Act 1971 and in negligence. The Animals Act part was dismissed early on in the trial and the judge dismissed the claim.

Liability Insurance

Although this guide is predominantly around what you can do to help prevent incidents occurring, it is important to ensure you have the correct liability insurance in place so that if an incident does occur you know you are going to be fully protected.

Liability insurance provides the insured party with protection against claims resulting from injuries and damage to people and/or property. When looking at liability insurance for your business it is important to consider both Public and Employers' Liability insurance, and to ensure all activities are covered.

Public Liability (PL) Insurance:

PL insurance protects a person or business should a claim be made against them by a third party and they are found to be legally liable (responsible) for the claim. The claim can be for bodily injury or death to the third party or damage to property belonging to the third party. For example, if your horse escaped from a field and got onto the road causing a car accident you may have a bodily injury claim made against you for the injury to the car driver, and you may have a property damage claim made against you for the damage to the car. PL insurance is not a 'one size fits all' insurance meaning just because you have it doesn't mean you will be covered for all scenarios. It is important for you to check the PL insurance you have in place covers you correctly for the activities you are doing, and that you are adhering to all of your policy terms, conditions and endorsements.

Who Needs PL Insurance:

It is a legal requirement for Riding Establishments to have PL insurance covering them for their business activities, however is strongly recommended for anyone running an equestrian business, regardless of whether this is your main business activity or just a way to cover the expenses of your own horses (you could still be sued for negligence).

In the UK under section 2(2) of the Animals Act, all horse owners or keepers could still be found legally liable for an injury or damage their horse has caused even if they have not been negligent, making the need for PL insurance even more important.

It is important to check the PL insurance Limit of Indemnity is going to suitably protect your business should a serious incident occur.

For equestrian businesses Care Custody and Control (CCC) cover can be also added to your PL insurance to provide protection if you are found legally liable for an injury or death to horses in your care.

Employers' Liability (EL) Insurance:

If an employee does become injured or falls ill due to an incident at work, they may wish to make a claim for compensation against their employer. EL insurance would help to protect the employer from the financial implications of this claim, as even the investigating and defense cost can easily reach thousands of pounds. In the UK the industry standard Limit of Indemnity for EL insurance is generally £10,000,000 per incident which seems a lot, but someone who has a serious injury that requires long term care could have a claim that is millions of pounds.

Who Needs EL Insurance:

Many companies feel they do not need to have EL insurance because they only use 'self-employed' people who do not have an employment contract. However, even those that are self-employed could still be seen as an employee, and as such could make a claim against their employer should they be injured during their time at work. If the self-employed person is working for the benefit of the business it is likely the self-employed person would be seen as an employee. Others that would fall into the category of employee include volunteers, students and helpers.

What do you need to do?

There are lots of things you can do that can help to protect your business and both prevent and defend a liability claim, including;

- Having a health and safety policy in place
- Carrying out risk assessments
- Making sure these are documented, communicated and regularly reviewed (they are only useful as evidence if they are documented)
- Keeping these documents safe and stored for a number of years, as injuries and illnesses can sometimes take a number of years to manifest
- Displaying relevant signs to warn visitors of hazards
- Getting third parties to sign disclaimers accepting the risk
- Ensure all freelance instructors, freelance grooms or trades people have their own PL insurance in place for the activities they are undertaking. In all cases, you should ask for proof of their PL cover - this could be confirmed in a letter or by an insurance certificate - and pay special attention to the effective dates of cover, and their Limit of Indemnity, which ideally should not be less than your own.
- Lead by example and check that everyone adheres to your safe working/riding instructions
- Take action when non-conformances are observed
- Review your practices in the event of accidents or near misses

It is worth noting that although disclaimers are important to use, they will not necessarily prevent a claim being made against you. They have however proven in courts to be useful in defending claims when someone has accepted the risk of the activity, they are taking part in.

Rider registration forms should be completed for all riders and they should be reassessed at regular intervals.



Livery Yard Agreement

Knowing where both the livery yard proprietor and the horse owner stand is vital when entering into a livery yard agreement, and can often help prevent disputes occurring. An agreement will need to be bespoke to each yard because of the differences in livery available, but the guidelines below could help you decide what information should be included.

Livery Yard Agreement - What to include:

Names of both parties:

Include full names of those entering the contract, for example the Livery yard and owner or company name and horse owner or loanee/agent.

The Services:

Include the type of livery and what is included (turnout, feed, exercise etc.) and any extras that lie outside the daily terms of the contract.

Facilities to be provided by the Yard and duties of the Yard:

Include yard opening times and what facilities are available for use and any restrictions.

Duties of the Owner:

Include what the expected duties of the owner are (for example if on DIY what daily care should be given to the horse) and what will happen if the owner doesn't complete these duties. Also include any requirements for vaccinations and insurance. Take details of emergency contact numbers and the names/number of the vet and farrier.

Fees, Terms of Payment and Financial Matters:

The weekly/monthly rate and the method of billing. Include what will happen if the fees are not paid on time.

Term and Termination:

Include what notice period needs to be given and in what format the termination needs to be given (written) for both parties.

General:

Include confirmation that changes to the agreement must be made in writing and both parties signing.

Signed by the yard manager/owner and the horse owner:

Make sure you include the date it was signed and full names of those signing the form.

The Livery and Visiting Horse Assessment form, which is included at the back of this document, provides useful information on the horse's behaviour and particular requirements. This is important information to take as it can help ensure the safety of your employees who may handle or ride the horse and can help ensure the horse's particular requirements are met.

Only allow freelance instructors and grooms on the yard who carry appropriate PL cover, this also applies to any tradesmen entering your site. In all cases, you should ask for proof of their PL cover.

Risk Management Guide

Useful Websites

Below are some websites that could be useful when considering your health and safety policy.

Health & Safety Executive

www.hse.gov.uk

RIDDOR

(Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013)

www.hse.gov.uk/riddor/

COSHH

(Control of Substances Hazardous to Health)

www.hse.gov.uk/COSHH

British Horse Society

www.bhs.org.uk

Fire Risk Assessment

www.gov.uk/workplace-fire-safety-your-responsibilities/fire-risk-assessments

CIEH

(Chartered Institute for Environmental Health)

www.cieh.org/media/1247/health-and-safety-in-horse-riding-establishments-and-livery-yards-what-you-should-know.pdf

DBS

(Disclosure and Barring Service)

<https://www.gov.uk/government/organisations/disclosure-and-barring-service>

NSPCC

(National Society for the Prevention of Cruelty to Children)

<https://learning.nspcc.org.uk/safeguarding-child-protection>

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Appendix

The following pages contain examples of forms that can be used as part of your risk assessments at your equestrian establishment.

- Sample risk assessment table
- The horse riders' code of conduct poster
- Equestrian establishment rider registration form
- Horse assessment form
- Instructor/escort assessment form
- Employee details forms
- Safety induction form
- Health and safety log book
- Accident report form
- The equestrian establishment code of conduct for livery clients
- Livery and visiting horse assessment form
- Freelance instructors' rider registration forms
- Hiring of arena disclaimer
- XC course disclaimer

Information on storing data:

Please make sure you are compliant with all Data Protection Laws and regulations. In the UK the regulator for data protection is the Information Commissioner's Office (ICO), and information about them can be found here:

ICO data protection guide

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/>

We are unable to advise on how long data, including rider registration forms, should be kept for, and it is up to you to follow any legal requirements for this. However, it is worth noting that when a bodily injury or damage occurs, the third party has up to 3 years to claim; and if they are under 18 when the injury or damage occurs then they can claim up to 3 years from when they turn 18. This should therefore be taken into consideration when establishing how long the rider registration forms should be retained.

The Horse Riders' Code of Conduct

- I understand that riding at any standard has inherent risk and that all horses may react unpredictably on occasions.
- I may fall off and could be injured. I accept that risk.
- I understand that instructions are given for my safety and agree to follow instructions given to me by staff and instructors of the riding school.
- I reserve the right not to ride a horse allocated to me and may request a change of instructor if I feel any concern with the horse or instructor allocated.
- I understand that wearing an appropriate riding hat and body protector may reduce the severity of an injury should an accident happen and agree that I will always wear a riding hat whilst riding and leading horses at the riding school. I understand that it is advisable to wear a hat when grooming. I understand it is my choice whether or not I wear a body protector.
- I understand that the riding school will make decisions based on information I give them and agree to always be honest and volunteer information about:
 - my abilities and riding experience,
 - any previous riding accidents,
 - any medical condition(s) which may affect my ability to ride.
- I understand that children are at particular risk around horses and agree that I will keep children that I am responsible for, under close supervision when they are not being instructed by the riding school.
- I understand that the riding school may refuse my request to ride for safety or operational reasons.
- I understand that competing carries enhanced risk over and above general riding and agree that if I chose to participate in any competition or event, it is up to me to ensure that I have the experience and ability to ride the course including any jumps which form part of it. If I am in any doubt, I will use my judgement and experience and not enter.



Equestrian Establishment Rider Registration Form

Name of Equestrian Establishment:

CONFIDENTIAL – Please complete all sections and boxes

First Name:	<input type="text"/>	Surname:	<input type="text"/>
Address:	<input type="text"/>		
Tel (Home):	<input type="text"/>	Tel (Mobile):	<input type="text"/>
Email:	<input type="text"/>		
Date of Birth:	<input type="text"/>	Age:	<input type="text"/>
		Weight:	<input type="text"/>
		Height:	<input type="text"/>
Occupation:	<input type="text"/>		

Have you or the rider you are signing for, ever suffered a serious injury or discomfort while riding or been advised not to ride?

Yes: No: If yes, please describe:

Please detail any disability or medical conditions that may affect your ability to ride. This may include but not limited to any back problems and any condition, which can affect balance or cause blackouts/loss of consciousness/fitting etc.

EMERGENCY CONTACT

Contact Name & Relationship: Tel:

RIDING ABILITY/DECLARATION – Tick all boxes that apply

I consider myself (or the person riding for who I am signing on behalf as a minor) to be a:

Complete Beginner Beginner Novice Intermediate Advanced

How many times have you/the rider ridden in the last 12 months:

Once Under 12 12-40 40+

What do you consider your riding capability on a horse or pony or the rider you are signing for to be?

Riding at a walk Trotting with stirrups Trotting without stirrups Cantering
Hacking Riding over jumps up to 0.5m (18") Over jumps 0.75 (30") Riding over cross country jumps

- I can confirm that to the best of my knowledge all the above details are correct.
- I have read the Horse Riders' Code of Conduct overleaf. I understand that riding at any standard has inherent risk that I may fall off and could be injured. I accept that risk and agree that the riding school will not be liable for injury or damage to property unless it is caused by their negligence.
- Where I am signing on behalf of a minor, I have explained the Horse Riders' Code of Conduct to them and we both accept the risk and agree that the riding school will not be liable for injury or damage to property unless it is caused by their negligence.
- I have read and understand the lesson booking and cancellation policy and agree to abide by it all times.
- DATA PROTECTION: I understand that information I provide will be held in accordance with data protection laws but may also be made available to Insurers and other parties in the event of any injuries or accident.

Signature:

Print Name:

Date:

If signed on behalf of a minor:

Rider's Name:

Relationship to minor:

TO BE COMPLETED BY INSTRUCTOR/SUPERVISOR ON BEHALF OF THE EQUESTRIAN ESTABLISHMENT

This client has been assessed and our judgement of their capabilities is as follows:

Complete Beginner (Lead rein/Lunge) Beginner (Beginning Walk & Trot independently)
Novice (Walk, Trot, Canter independently) Intermediate (Jumping, Stage 1) Advanced (Stage 2, Equivalent and above)

ASSESSMENT LESSON CONTENT: Walk Trot Canter W/O Stirrups Jump Lateral

OFFICE USE - Assessment Lesson

Horse Used	<input type="text"/>	Lesson Type	<input type="text"/>
Date	<input type="text"/>	Time	<input type="text"/>

Signature:

Print Name:

Position:

Please see the Horse Riders' Code of Conduct overleaf

The Horse Riders' Code of Conduct

- I understand that riding at any standard has inherent risk and that all horses may react unpredictably on occasions.
- I may fall off and could be injured I accept that risk
- I understand that instructions are given for my safety and agree to follow instructions given to me by staff and instructors of the riding school.
- I reserve the right not to ride a horse allocated to me and may request a change of instructor if I feel any concern with the horse or instructor allocated.
- I understand that wearing an appropriate riding hat and body protector may reduce the severity of an injury should an accident happen and agree that I will always wear a riding hat whilst riding and leading horses at the riding school. I understand that it is advisable to wear a hat when grooming. I understand it is my choice whether or not I wear a body protector.
- I understand that the riding school will make decisions based on information I give them and agree to always be honest and volunteer information about:
 - my abilities and riding experience,
 - any previous riding accidents,
 - any medical condition(s) which may affect my ability to ride
- I understand that children are at particular risk around horses and agree that I will keep children that I am responsible for, under close supervision when they are not being instructed by the riding school.
- I understand that the riding school may refuse my request to ride for safety or operational reasons.
- I understand that competing carries enhanced risk over and above general riding and agree that if I chose to participate in any competition or event, it is up to me to ensure that I have the experience and ability to ride the course including any jumps which form part of it. If I am in any doubt, I will use my judgement and experience and not enter.

Horse Assessment Form

Name of Equestrian Establishment:

HORSE DETAILS

Horse Name:

Colour:

Height:

Age:

Sex:

Date joined equestrian centre/livery yard:

Date listed on LA licence:

History of horse prior to joining centre/yard:

SUITABILITY FOR USE

As assessed by:

Date:

If the horse has been out of work or involved in an accident:

Re-assessment by:

Date:

Suitability for type of rider:

Beginner

Novice

Intermediate

Advanced

Suitability for the following:

Children

Disabled

Use amongst other horses

Is the horse suitable for the following activities?

Flatwork lesson

Jumping lesson

Lunge lesson

Lead rein lesson

Trekking/hacking off road

Hacking on roads

Cross Country

Other Activity

Special precautions or procedures to be adopted when riding or handling this horse:

Signature:

Print Name:

Date:

Instructor/Escort Form

Name of Equestrian Establishment:

PERSONAL DETAILS	
Name:	<input type="text"/>
Address:	<input type="text"/>
	Postcode: <input type="text"/>
Date Joined Yard:	<input type="text"/>
Mobile:	<input type="text"/>
Next of Kin:	Name: <input type="text"/> Tel: <input type="text"/>

SUMMARY OF EQUESTRIAN EMPLOYMENT/EXPERIENCE

Employment/Experience (use another sheet if necessary)	Dates	Referees	Tick/initial each to confirm checked

Number of years riding experience:

Number of years teaching experience:

BHS/ABRS qualifications & dates gained*:

Other relevant qualifications:

*MUST BE COMPLETED

Capabilities	Yes/No	If no, why not?	Date	Assessor	Signed
Assisting on an escorted hack	Yes No				
Leading a hack	Yes No				
Teaching a flatwork lesson	Yes No				
Teaching a jumping lesson	Yes No				
Teaching children under 12	Yes No				
Teaching disabled riders	Yes No				
Teaching a lunge lesson	Yes No				
Teaching a lead rein lesson	Yes No				

DATA PROTECTION: I understand the information I provide will be held in accordance with data protection laws but may also be available to insurers and other parties in the event of any injuries or accident.

Signature:

Print Name:

Date:

Employee Details Form

Employee can include volunteers, helpers and those working on a self-employed basis.

Name of Equestrian Establishment:

EMPLOYEE DETAILS	
Name:	<input type="text"/>
Address:	<input type="text"/>
Contact Number:	<input type="text"/>
Date joined the business:	<input type="text"/>

NEXT OF KIN	
Name:	<input type="text"/>
Contact Number:	<input type="text"/>
Relationship to you:	<input type="text"/>

SUMMARY OF PREVIOUS EMPLOYMENT

Employer (use another sheet if necessary)	Dates	Job Role

Number of years riding experience:

Number of years working in the equestrian industry:

BHS/ABRS/other recognised qualifications gained:

Other relevant qualifications (e.g. First Aid) gained:

Please detail any disability or medical conditions that may affect your ability to carry out your employed duties:

Have you ever suffered a serious injury or discomfort whilst riding, or ever been advised not to ride?

Have you ever suffered a serious injury or discomfort whilst carrying out manual duties, or ever been advised not to carry out manual duties?

Date the safety induction was carried out:

DATA PROTECTION: I understand the information I provide will be held in accordance with data protection laws but may also be available to insurers and other parties in the event of any injuries or accident.

Employee Signature:

Employee Name:

Date:

Employer Signature:

Employer Name:

Date:

Safety Induction Form

Name of Equestrian Establishment:

TO BE COMPLETED BY ALL EMPLOYEES AND LIVERY CUSTOMERS

Safety Induction carried out on:

Safety Induction carried out by:

I can confirm I have been made aware of and understood the following safety areas (please tick the appropriate boxes);

- The establishment's Health and Safety policy
- Where fire extinguishers are located and fire emergency procedure
- Electricity/Water/Gas supply cut off (in case of an emergency)
- Emergency contact numbers (vet/local police/yard manager or owner)
- Emergency first aid kit for humans and any qualified first aid personnel
- Emergency first aid kit for horses
- Any areas that are not to be entered or care should be taken when entered
- Yard rules and/ or the Equestrian Yard code of conduct

Other (please provide details)

Signature:

Print Name:

Date:

Incident Report Form

Name of Equestrian Establishment:

Date of incident: Time of incident:

Address of incident:

Precise location of incident
(i.e. outdoor arena, tack room etc.):

Name of person involved in incident:

Contact details of person involved in incident:

Activity being undertaken at time of incident:

Description of the incident:

Description of injuries (if none state this):

Name(s) of any witnesses to the incident:

Contact details of the witness(es) of the incident:

Witness statement:

Date form completed:

Name of person who completed form:

Job title: Signature:

To be signed by the person(s) involved/ injured in the incident (where possible):
I AGREE THE ABOVE INFORMATION IS TRUE AND FACTUAL REPRESENTATION OF THE INCIDENT AND WILL NOTIFY THE BUSINESS IMMEDIATELY SHOULD ANYTHING CHANGE TO MY CONDITION.

Signature: **Name:** **Date:**

Does RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) need to be notified? YES/ NO
If YES please refer to the RIDDOR website for details.

DATA PROTECTION: I understand the information I provide will be held in accordance with data protection laws but may also be available to insurers and other parties in the event of any injuries or accident.

The Equestrian Establishment Code of Conduct for Livery Clients

Name of Equestrian Establishment:

- I understand that wearing an appropriate riding hat and body protector may reduce the severity of an injury should an accident happen. I understand that I should always wear a riding hat when riding, lunging and leading a horse and if I choose not to, I am doing so at my own risk.
- I understand that no child should be left on the yard without adult supervision and that children are at particular risk around horses and agree that I will keep children that I am responsible for under close supervision.
- I understand that riding at any standard and handling horses has inherent risk and that all horses may react unpredictably on occasion. I agree that at all times I will act responsibly and take all reasonable precautions when on the yard.
- I understand that all wheel barrows, pitch forks and other equipment must be stored away safely.
- I understand that when going out on a hack I should always tell someone when, where and how long I am going to be.
- I understand that high visibility clothing for horse and rider is advisable when hacking.
- I understand that I should never pull bales of hay or straw from the bottom of the pile.
- I understand that I should report any maintenance issues to the yard manager immediately (e.g. broken fencing).
- I understand that any potential hazards to human or horse must be reported to the yard manager immediately.
- I agree at all times to keep in place a current certificate of insurance to indemnify myself against any legal liability that might attach to me as owner/keeper of the horse.
- I understand that the yard manager may put provisions in place to ensure mine and/or my horse's safety and I agree to adhere to these.
- I agree to make sure that any visitors I bring to the yard read and adhere to the Equestrian Establishment Code of Conduct also.

Signed by the horse owner/keeper:

Name:

Date:



Livery & Visiting Horse Assessment Form

Name of Equestrian Establishment:

HORSE DETAILS

Horse's Name (Passport & Stable Name):

Colour: Year of Birth:

Height: Sex:

OWNER/LOANER'S DETAILS

Owner/Loaner's Name:

Owner/Loaner's Address:

Owner/Loaner's Contact Number:

How long has the Owner/Loaner had the horse?

ADDITIONAL CONTACT DETAILS

Name of Vet/Practice: Any 'other' contact details of those that may regularly visit the horse (Physio, Dentist, Trainer etc.)

Contact number:

Name of Farrier:

Contact number:

HISTORY OF THE HORSE

Has the above horse had any previous history of any of the following behaviours?

	Yes	No
Biting humans:		
Kicking humans:		
Biting other horses:		
Kicking other horses:		
Bucking or rearing when being ridden:		
Bucking or rearing when being led:		
Bolting:		
Other behaviours that could be dangerous to humans handling or riding the horse:		
Other behaviours that could be dangerous to other horses:		

If you have answered 'YES' to previous history of behaviours please give details of when these behaviours occurred and what precautions need to be put in place (e.g. when being clipped he kicks so only clip when sedated):

Does the above horse have any medical conditions or health issues that need to be considered in their day to day care and what precautions need to be put in place (e.g. dust allergy therefore soak hay)?

To be signed by the owner/loaner of the horse: To the best of my knowledge and belief the information provided in connection with this form is true and I will update the form and inform the business should any variation to the information provided become apparent.

Signature:

Print Name:

Date:

To be signed by the business: I confirm I have read and understood the above information and will ensure all employees are aware of any behaviours or conditions noted above.

Signature:

Print Name:

Date:

Job Title:

Freelance Instructor's Rider Registration Form

Name of Instructor:

CONFIDENTIAL – Please complete all sections and boxes

First Name:	<input type="text"/>	Surname:	<input type="text"/>
Address:	<input type="text"/>		
Tel (Home):	<input type="text"/>	Tel (Mobile):	<input type="text"/>
Email:	<input type="text"/>		
Date of Birth:	<input type="text"/>	Age:	<input type="text"/>
		Weight:	<input type="text"/>
		Height:	<input type="text"/>
Occupation:	<input type="text"/>		

Have you or the rider you are signing for, ever suffered a serious injury or discomfort while riding or been advised not to ride?

Yes: No: If yes, please describe:

Please detail any disability or medical conditions that may affect your ability to ride. This may include but not limited to any back problems and any condition, which can affect balance or cause blackouts/loss of consciousness/fitting etc.

EMERGENCY CONTACT

Contact Name & Relationship: Tel:

RIDING ABILITY/DECLARATION – Tick all boxes that apply

I consider myself (or the person riding for who I am signing on behalf as a minor) to be a:

Complete Beginner Beginner Novice Intermediate Advanced

How many times have you/the rider ridden in the last 12 months:

Once Under 12 12-40 40+

What do you consider your riding capability on a horse or pony or the rider you are signing for to be?

Riding at a walk Trotting with stirrups Trotting without stirrups Cantering
Hacking Riding over jumps up to 0.5m (18") Over jumps 0.75 (30") Riding over cross country jumps

- I can confirm that to the best of my knowledge all the above details are correct.
- I understand that riding at any standard has inherent risk that I may fall off and could be injured. I accept that risk and agree that the instructor will not be liable for injury or damage to property unless it is caused by their negligence.
- Where I am signing on behalf of a minor, we both accept the risk and agree that the instructor will not be liable for injury or damage to property unless it is caused by their negligence.
- I have read and understand the lesson booking and cancellation policy and agree to abide by it at all times.
- DATA PROTECTION: I understand that information I provide will be held in accordance with data protection laws but may also be made available to Insurers and other parties in the event of any injuries or accident.

Signature:

Print Name:

Date:

If signed on behalf of a minor:

Rider's Name:

Relationship to minor:

TO BE COMPLETED BY INSTRUCTOR

This client has been assessed and our judgement of their capabilities is as follows:

Complete Beginner (Lead rein/Lunge) Beginner (Beginning Walk & Trot independently)
Novice (Walk, Trot, Canter independently) Intermediate (Jumping, Stage 1) Advanced (Stage 2, Equivalent and above)

ASSESSMENT LESSON CONTENT: Walk Trot Canter W/O Stirrups Jump Lateral

OFFICE USE - Assessment Lesson

Horse Used

Lesson Type

Date

Time

Signature:

Print Name:

Position:

Hiring of Arena Disclaimer

Name of Equestrian Establishment:

Hire of the arena is on the understanding that riders use the arena entirely at their own risk.

The organisers cannot accept responsibility for any loss, damage or injury caused to riders, horses or property and will permit horses and riders on to the premises on this basis only.

All hirers of the arena must hold appropriate Public Liability Insurance for the activities they are carrying out.

All riders must sign the declaration below confirming that they will adhere to the above and accept that they alone carry the responsibility for any accidental injury or damage that may occur as a result of hiring the arena.

By signing below all riders, parents and guardians accept the above conditions and confirm they have read and understood them.

Rider's name:	<input type="text"/>
Date	<input type="text"/>
Address:	<input type="text"/>
Post Code:	<input type="text"/>
Telephone Number:	<input type="text"/>
Emergency Number:	<input type="text"/>

Signed:

Print name:

(If rider under 18 years old, Parent/Guardian to sign)

XC Course Disclaimer

Name of Equestrian Establishment:

Riding on the cross-country course is on the understanding that riders use the course entirely at their own risk. The organisers cannot accept responsibility for any loss, damage or injury caused to riders, horses or property, and will permit riders onto the course on this basis only. All riders must sign the declaration below confirming that they accept that they alone carry the responsibility for any accidental injury or damage that may occur as a result of riding on the course.

Hats conforming to current British Standards must be worn and secured at all times when mounted. Body protectors must be worn whilst riding on the XC course.

In addition to the above if using the XC course without instruction from the equestrian establishment all riders must hold Public Liability Insurance covering them for the horse they are riding, all riders must be accompanied either by another rider or someone on foot and with a mobile phone and any damage to jumps must be reported to the equestrian establishment immediately.

By signing below all riders, parents and guardians accept the above conditions and confirm they have read and understood them.

Rider's name:	<input type="text"/>
Date	<input type="text"/>
Address:	<input type="text"/>
Post Code:	<input type="text"/>
Telephone Number:	<input type="text"/>
Emergency Number:	<input type="text"/>

Signed:

Print name:

(If rider under 18 years old, Parent/Guardian to sign)

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