



CODE OF PRACTICE
MANAGING RISKS WHEN
NEW OR INEXPERIENCED
RIDERS OR HANDLERS
INTERACT WITH HORSES
IN THE WORKPLACE

SAFework NSW

FEBRUARY 2017

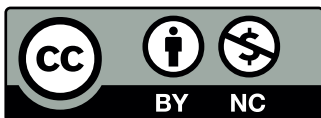


LET'S
TALK
SAFETY



This code of practice has been developed by SafeWork NSW and is anticipated to commence on 1 February 2018.

This code incorporates portions of guidance material produced by Safe Work Australia as detailed in Appendix E.



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FOREWORD

This code of practice: *Managing Risks when New or Inexperienced Riders or Handlers Interact with Horses in the Workplace* is an approved code of practice under section 274 of the *Work Health and Safety Act 2011 (NSW)* and has been developed by SafeWork NSW.

An approved code of practice is a practical guide to achieving the standards of health, safety and welfare required under the *Work Health and Safety Act 2011 (WHS Act)* and the *Work Health and Safety Regulation 2011 (WHS Regulation)*.

A code of practice applies to anyone who has a duty or obligation in the circumstances described in the code. In most cases, following an approved code of practice would achieve compliance with the health and safety duties in the WHS Act, in relation to the subject matter of the code. Like regulations, codes of practice deal with particular issues, however, it does not cover all hazards or risks that may arise. Duty holders are required to consider all risks associated with work, not only those for which regulations and codes of practice exist.

A code of practice can demonstrate what is known about a hazard, risk assessment or risk control, and may assist in determining what is reasonably practicable in the circumstances to which the code relates.

Compliance with the WHS Act and the WHS Regulation may be achieved by following another method other than the code, such as a technical or an industry standard, if it provides an equivalent or higher standard of work health and safety than the code.

A draft of this code of practice was released for public consultation on 1 June 2016. The Code of Practice commenced on 1 February 2017.

SCOPE AND APPLICATION

This code of practice provides practical guidance to a person conducting a business or undertaking (PCBU) on how to manage the risks likely to be faced by new or inexperienced riders or handlers when interacting with horses in the workplace.

NEW OR INEXPERIENCED

A rider or handler is 'new or inexperienced' if they have no or minimal knowledge or skill gained from interacting with horses.

In some circumstances where there has been a significant change in duties. For example, when moving from mustering cattle to the racing industry, the person may initially be considered new or inexperienced until an assessment has been undertaken.

RIDER OR HANDLER

A person who rides, drives or handles a horse in any capacity at a workplace. This may include a worker, student, visitor or other person.

WORKPLACE

A place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be while at work. Refer to section 1.1 for examples.

How to use this code

In providing guidance, the word 'should' is used in this code to indicate a recommended course of action, while 'may' is used to indicate an optional course of action.

This code also includes various references to sections of the WHS Act and the WHS Regulation that set out the legal requirements. These references are not exhaustive. The words 'must' or 'requires' indicate that a legal requirement exists and must be complied with.

The examples in this code identify actions that a PCBU, worker or other person should take, but alone may not be sufficient to fulfill a PCBU's work health and safety obligations, or a worker's or other person's responsibilities under the work health and safety legislation.

1. INTRODUCTION

Horses may pose a high safety risk in workplaces if the risks are not properly controlled.

One paid worker and ten other people are hospitalised each day in Australia due to a horse related injury. These injuries often occur at workplaces like farms, race tracks, riding schools and trail riding businesses. Falls from a horse are the most common cause of horse-related fatal injuries.

Many people who ride or handle horses are young, particularly in riding school and trail riding environments. Females account for two thirds of hospital admissions, with 47 per cent of those hospitalised being between 10 and 29 years of age. However, older males, aged 40 to 54, are more likely to sustain a horse-related injury than younger men.

In NSW, the highest number of horse related workers compensation claims for injury resulted from being hit by, or falling from a horse. The most common injuries were contusions (24%), soft tissue injuries (17%) and fractures (16%).

This code of practice complements the range of industry specific guidance, general work health and safety information and horse specific resources available.

1.1 WHO SHOULD USE THIS CODE OF PRACTICE?

This code of practice provides practical guidance for PCBUs who carry out work activities where new or inexperienced riders or handlers interact with horses. It will also assist officers of PCBU's (for example company directors or board members of an association) to exercise due diligence in ensuring the PCBU meets its obligations under the WHS Act.

Below are some specific examples of who should use this code of practice. This list is not exhaustive and should be used as a guide only.

EXAMPLES OF WHO SHOULD USE THIS CODE OF PRACTICE

- A farmer with livestock recently employed a new worker to help with mustering. The new worker is experienced in riding horses at a riding school but has never worked on a farm. As a PCBU, the farmer should use this code of practice to obtain guidance to ensure the new worker is inducted appropriately and is provided with suitable information, training and instruction.
- The owner of a riding school employs instructors/coaches and supplies horses for students to ride. Many of the customers of the riding school have very little experience in interacting with horses. As a PCBU, the owner should refer to this code of practice to ensure they have implemented appropriate measures, such as assessing the horse and rider for the activity, to protect the health and safety of their workers and customers.
- An owner of a horse transportation business has recently hired a new worker to load, transport and unload horses at various race tracks. The new worker is a very experienced horse rider but has little experience in horse transportation or working in the racing industry. As the new worker is inexperienced in this particular horse related activity, the PCBU should use this code of practice to obtain guidance in ensuring the health and safety of the new worker.
- A PCBU runs a business teaching people how to ride horses. The customers bring their own horses to lessons. The PCBU should use this code of practice to obtain guidance about how to implement measures to ensure the health and safety of its customers and workers.

This code is not intended to apply to:

- persons who own, ride or handle horses who are not conducting a business or undertaking, such as those who have horses for their private use
- volunteer associations (refer to section 1.2 for further information).

All factors will need to be considered on a case by case basis, to determine the extent to which the WHS legislation may apply.

1.2 WHO HAS RESPONSIBILITY FOR MANAGING WORK HEALTH AND SAFETY RISKS?

PCBUs and officers

The WHS Act and WHS Regulation require persons who have a work health and safety duty to 'manage risks' by eliminating health and safety risks so far as is reasonably practicable, and if it is not reasonably practicable to do so, to minimise those risks so far as is reasonably practicable.

Under the WHS Act, PCBUs have health and safety duties to manage risks if they:

- engage workers to undertake work for them, or if they direct or influence work carried out by workers
- put other people at risk from the conduct of their business or undertaking
- manage or control the workplace or fixtures, fittings or plant at the workplace
- design, manufacture, import or supply plant, substances or structures for use at a workplace
- install, construct or commission plant or structures at a workplace.

The process of managing risk described in this code of practice will help decide what is reasonably practicable in particular situations so that PCBUs and officers can meet their duty of care under the work health and safety legislation.

REASONABLY PRACTICABLE

Deciding what is 'reasonably practicable' to protect people from harm requires taking into account and weighing up all relevant matters including:

- the likelihood of the hazard or the risk concerned occurring; and
- the degree of harm that might result from the hazard or the risk; and
- what the person knows or ought reasonably to know about the hazard or the risk, and ways of eliminating or minimising the risk; and
- the availability and suitability of ways to eliminate or minimise the risk; and
- after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk.

Officers of a PCBU are people who are appointed as officers, or who make decisions, or participate in making decisions, that affect the whole or a substantial part of the business. Officers have a duty to exercise due diligence to ensure the PCBU complies with its safety duties.

Under section 27 of the WHS Act, officers (for example company directors or board members of an association) must exercise due diligence to ensure that the business or undertaking complies with the WHS Act and WHS Regulation. This includes taking reasonable steps to:

- gain an understanding of the nature of the operations of the business or undertaking of the PCBU and generally of the hazards and risks associated with those operations
- ensure the PCBU has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety, from work carried out as part of the conduct of the business or undertaking.

A person can have more than one duty and more than one person can have the same duty at the same time.

What does this mean in practice?

Examples of actions that could be undertaken:

- The PCBU being aware of its responsibilities under the WHS Act and Regulation.
- A national body who is a PCBU being aware of its WHS responsibilities in relation to its workers and state or local groups that are volunteer associations.
- People in the role of officers (such as company directors or board members of an association) being aware of their responsibilities in relation to work health and safety as outlined in the WHS Act.
- The owner of a business involving horse riding and handling (e.g. a horse riding school) having controls in place that address the specific hazards and risks for the activities being undertaken.
- A person who takes over management of a farm having a full understanding of the operations and controlling hazards and risks.
- The PCBU determining that workers and others are capable of performing the tasks and activities required.
- The PCBU ensuring horses have been assessed as suitable for the person and the activity and that there is adequate training, instruction and supervision.
- The PCBU ensuring the provision of a safe work environment.

Workers

Section 28 of the WHS Act identifies the duties of workers. They must take reasonable care for their own health and safety and take reasonable care not to adversely affect the health and safety of other people. Workers must also comply with reasonable instructions given by the PCBU and co-operate with any reasonable policy or procedure that has been provided to them that relates to health and safety in the workplace.

What does this mean in practice?

Examples of actions that could be undertaken:

- A worker on a farm picking up tools and equipment used to undertake repairs to ensure they do not become a hazard.
- A horse transport driver parking a horse float in a safe environment to load and unload horses.
- Workers setting up an event, checking and ensuring that fencing, signage and other equipment is installed safely and securely.
- Workers maintaining tack and fitting it safely and securely.

Other persons

Section 29 of the WHS Act identifies the duties of other persons at the workplace such as visitors or customers. These persons are required to take reasonable care for their own health and safety and take reasonable care not to adversely affect other people's health and safety.

Other persons at the workplace must also comply, so far as they are reasonably able with any reasonable instructions given by the PCBU.

What does this mean in practice?

Examples of actions that could be undertaken:

- A farrier visiting a farm, following the PCBU's directions in relation to wearing appropriate personal protective equipment (PPE).
- The parent of a child at a riding school following directions, such as not accessing areas that have 'do not enter' signage.
- The friend of a person who is keeping their horse at an agistment farm obeying the rules set for the site they are visiting.

Volunteer associations

This code is not intended to apply to 'volunteer associations', as volunteer associations do not have obligations under the WHS Act.

A 'volunteer association' is a legal term under the WHS Act that means a group of *volunteers working together for one or more community purposes where none of the volunteers, whether alone or jointly with any other volunteers, employs any person to carry out work for the volunteer association.*

The term 'community purposes' is not defined in the WHS Act, but it likely includes purposes such as:

- sporting and recreational purposes, including the benefiting of sporting or recreational clubs or associations
- philanthropic or benevolent purposes, including the promotion of art, culture, science, religion, education, medicine or charity.

What does this mean in practice?

Examples of when organisations are likely to be considered a volunteer association and therefore excluded from the requirements of the WHS Act include:

- An organisation that is run for a community purpose, **does not employ anyone**, and has a volunteer perform activities.
- An organisation that is run for a community purpose, **does not employ anyone**, and organises events where the public are invited to attend.
- A local or state organisation that is run for a community purpose, **does not employ anyone**, and holds an event where donations are collected.
- An organisation that is run for a community purpose, **does not employ anyone**, and holds an event where it pays the out of pocket expenses of people assisting.

Volunteers

A volunteer is a person who acts on a voluntary basis, irrespective of whether or not the person receives out of pocket expenses.

A person volunteering for a 'volunteer association' does not have duties under the WHS Act.

A volunteer only has duties under the WHS Act if they carry out work for an organisation that is considered to be a PCBU. The duties owed are the same as those of 'workers' outlined in section 7 of the WHS Act.

The above information is guidance only and is not a complete statement of obligations under the WHS Act.

All factors will need to be considered on a case by case basis to determine the extent to which the WHS Act may apply.

Safe Work Australia and SafeWork NSW provide detailed guidance material on volunteers and volunteer associations on their websites.

2. THE RISK MANAGEMENT PROCESS

To effectively manage the risks associated with interacting with horses, the risk context of the situation should be well understood. For example, the potential risks that could occur at a race meeting differ from those occurring when mustering. Hazards need to be identified and their associated risks assessed so that effective control measures can be implemented. All safety initiatives should be reviewed on a regular basis, taking into consideration any new developments.

2.1 MANAGEMENT COMMITMENT

Effective risk management requires a commitment to health and safety from those who operate and manage a business or undertaking. The involvement and cooperation of workers is also needed. If workers see that managers and operators are serious about health and safety they are more likely to follow the lead.

To demonstrate commitment, management should get involved in health and safety issues by:

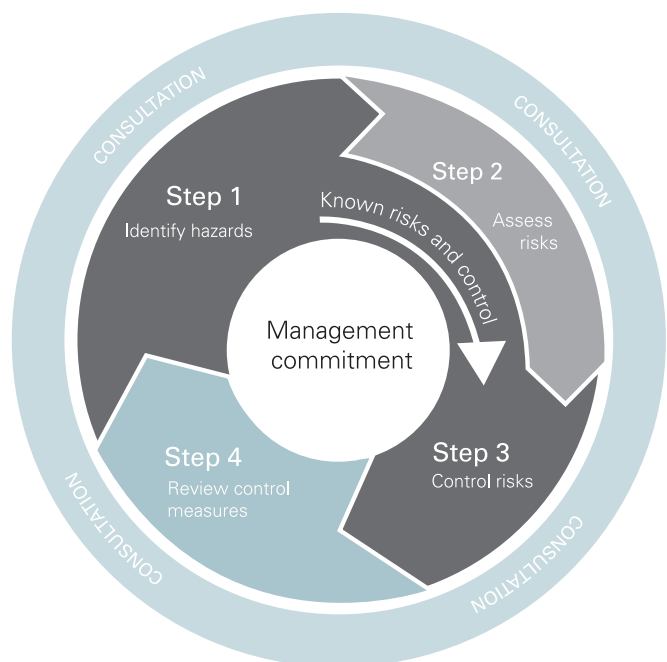
- investing time and money in health and safety
- ensuring health and safety responsibilities are clearly understood
- leading by example by following the rules and procedures of the workplace themselves.

2.2 THE FOUR STEP PROCESS TO MANAGE RISKS

MANAGE RISKS WITH A FOUR STEP SYSTEMATIC PROCESS (REFER TO FIGURE 1):

- Step 1: Identify hazards – find out what could cause harm.
- Step 2: Assess risks – understand the nature of the harm each hazard could cause, how serious the harm could be, the likelihood of it happening, the effectiveness of existing controls and further action that could be taken to control risks.
- Step 3: Control risks – implement the most effective and reasonably practicable control measures for the circumstances.
- Step 4: Review control measures – to ensure they are working as planned.

Figure 1: The risk management process



2.3 STEP 1 – IDENTIFY HAZARDS

Identifying hazards involves finding out what could go wrong and what could cause harm.

This may be done by:

- walking around the workplace and observing how things are done and how workers and others interact with horses
- identifying situations that could become hazards
- making a list of causes of incidents or safety problems at your workplace
- involving workers in this process and including riders and handlers who interact with horses on an occasional basis.

Some examples of possible hazards are outlined below but this list is not exhaustive.

Table 1: Examples of hazards when new or inexperienced riders or handlers interact with horses

People	Horse	Environment
<ul style="list-style-type: none"> • Not knowing background of horse • Inadequate instruction or supervision • Unqualified instructor/coach • Not being in control of their horse • Instructors lacking understanding of how new riders react • Wearing inappropriate footwear, clothing or PPE • Not using appropriate mounting blocks • Lacking an understanding of horse behaviour and danger zones • Having an unrealistic belief of ability level 	<ul style="list-style-type: none"> • Acting unpredictably • Being sick or injured • Not being tied up appropriately • Being incorrectly saddled • Not being properly trained • Not being assessed as suitable to interact with new or inexperienced riders or handlers • Returning to the work environment after being absent for a period of time 	<ul style="list-style-type: none"> • Equipment or rubbish left lying around creating a trip hazard or obstacle • Bad weather • Dangerous chemicals left lying around • Sudden noises – for example a mobile phone ringing or a scream • Animals or vehicles frightening the horse • Damaged equipment or PPE • Damaged or broken fences and gates • An arena surface with holes in it, or which is slippery • Noisy machinery in the vicinity of the horse and rider – for example wood chippers, lawn mowers, quad bikes or tractors

The identification process should be ongoing to ensure new hazards are properly identified.

For example, the workplace environment or tasks may change over time, or when new information or knowledge becomes available.

Advice on hazard identification can also be sought from industry experts.

2.4 STEP 2 – ASSESS RISKS

Hazards identified will have the potential to cause harm ranging from minor injuries to more serious injuries or death. It is therefore important to undertake a risk assessment to determine the severity of the risk, the likelihood of it occurring, the effectiveness of existing control measures and what actions are required to eliminate (remove) or mitigate (reduce) the risk.

When assessing risks, it is important to remember that a number of hazards might interact together which can change the level of risk.

EXAMPLE

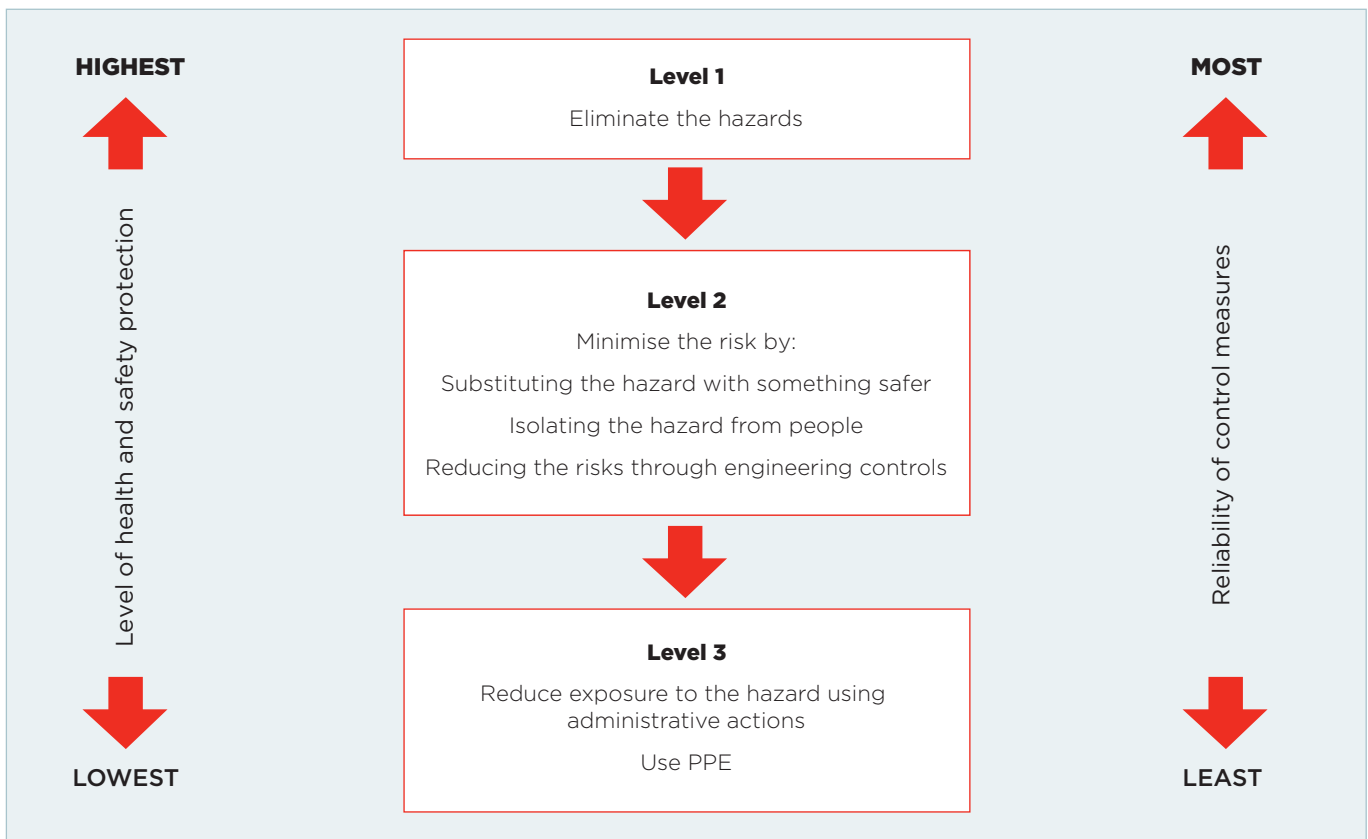
In normal circumstances a horse might be calm and not pose a serious risk to an experienced rider. However, when ridden by an inexperienced rider on a windy day, the horse's behaviour may change and increase the risk to the rider.

2.5 STEP 3 – CONTROL RISKS

Each risk needs to be managed in the most effective way.

The best control measure involves eliminating the risk by removing the risk from the workplace. If that is not possible, the risk must be minimised, so far as is reasonably practicable. A 'hierarchy of risk control' is a method of controlling risks by ranking them from the highest level of protection and reliability to the lowest, as shown in Figure 2. The WHS Regulation requires duty holders to work through this hierarchy when managing risks.

Figure 2: The hierarchy of risk control



Level 1

Level 1 control measures involve eliminating the hazard and associated risk. This is the most effective control measure.

An example of eliminating a risk could be removing a horse that is behaving dangerously around people from the workplace.

If it is not reasonably practicable to eliminate the hazard or risk, then a level 2 control measure needs to be considered.

Level 2

Level 2 control measures include minimising the risk by substituting the hazard with something safer, isolating the hazard from people, or using engineering controls.

Using the previous example, a level 2 control measure could be placing the horse in a separate paddock to isolate it from people and other horses.

If it is not reasonably practicable to eliminate, substitute or isolate the hazard or reduce the risk through engineering controls, then a level 3 control measure needs to be considered.

Level 3

Level 3 control measures do not control the hazard at the source. They rely on human behaviour and are less effective in minimising risks than levels 1 and 2. Level 3 control measures include the use of administrative action controls or PPE.

Continuing with the previous example, a level 3 control measure could be using systems to ensure that people who interact with a horse have been inducted about how to behave near it; follow warning signs; wear appropriate PPE; and never approach unless accompanied by an experienced person, until they are assessed as competent to handle the horse.

2.6 STEP 4 – REVIEW CONTROL MEASURES

Check implemented control measures regularly to ensure they remain relevant and effective in minimising risk. If issues are found, or new hazards identified, repeat the steps involved in managing risks.

Review control measures when there is a change at the workplace. Assess whether the changes will create a new risk that existing controls will not manage. If so, identify a new or more appropriate control.

EXAMPLES OF WHEN CONTROL MEASURES MAY NEED TO BE REASSESSED:

- a new worker commences
- a new horse is introduced to the stable or herd
- a horse is moved to a different work environment.

2.7 CONSULTATION

Consultation involves sharing information and giving workers a reasonable opportunity to express views and taking those views into account before making decisions about health and safety matters.

Consultation with workers and their health and safety representatives (where applicable) is required at each step of the risk management process. By drawing on the experience, knowledge and ideas of workers, hazards are more likely to be identified and effective control measures chosen.

Encourage workers to report hazards and health and safety problems immediately so the risks can be managed before an incident occurs.

If a health and safety committee or other consultative arrangements are in place, they must be engaged in the risk management process.

Consulting, co-operating and coordinating activities with other 'duty holders'

Sometimes a PCBU may share responsibility for a health and safety matter with other business operators who are involved in the same activity or who share the same workplace.

For example, where on-hire workers are engaged as part of the workforce the PCBU shares a duty of care to these workers with the business that provides them. In these situations, the PCBU must discuss with the on-hire firm, the hazards and risks associated with the work and what precautions will be taken.

Never assume that someone else is taking care of a health and safety matter. Find out who is doing what and work together with other duty holders in a co-operative and coordinated way so that all risks are eliminated or minimised as far as reasonably practicable.

When entering into contracts, communicate safety requirements and policies, review the job to be undertaken, discuss any safety issues that may arise and how they will be dealt with. Remember that responsibilities cannot be transferred to another person.

Further guidance on the risk management process is contained in the:

- NSW code of practice: *How to manage work health and safety risks*.
- NSW code of practice: *Work health and safety consultation, co-operation and co-ordination*.
- Australian Standard: *AS/NZS ISO 31000:2009, Risk management – principles and guidelines*.

3. RECORD KEEPING

Keeping records of the risk management process demonstrates potential compliance with the WHS Act and WHS Regulation by both PCBUs and their officers. It also helps to form a base for future risk assessments.

Keeping records of the risk management process has the following benefits:

- demonstrates how decisions about controlling risks were made
- assists in targeting training for key hazards
- provides a basis for preparing safe work procedures
- allows for easy review of risks following any changes to legislation or business activities
- allows for monitoring trends about hazards or incidents that have or could cause injury and where improved control measures could be put in place
- demonstrates that work health and safety risks are being managed and that officers are exercising due diligence in doing so.

The detail and extent of record keeping will depend on the size of the workplace, the activities undertaken and the potential for major work health and safety issues.

PCBUs should keep records of:

- identified hazards, assessed risks and chosen control measures
- completed hazard checklists, worksheets and assessment tools
- consultation with workers or other stakeholders, including all duty holders
- relevant training records, including inductions and personnel qualifications such as instructor/coach qualifications and first aid training
- relevant records relating to the horse
- incident reports
- changes to the workplace that may affect health and safety.

The PCBU should ensure that everyone in their workplace is aware of record keeping requirements, including which records are accessible and where they are kept.

4. PRACTICAL ADVICE FOR CONTROLLING RISKS

New or inexperienced riders or handlers who interact with horses are more at risk of harm because they are less likely to understand horse behaviour and may not be confident around horses. Managing risks may involve ensuring:

- the horse and person are matched to each other and the intended activity
- all riders and handlers are inducted and assessed as competent for the tasks being undertaken
- a safe work environment
- supervision is provided
- safe work procedures are developed and implemented
- riders and handlers have an understanding of horse behaviour and their potential for unpredictable responses to human interaction
- first aid and emergency management procedures are in place.

4.1 GENERAL KNOWLEDGE OF HORSE BEHAVIOUR

Horses tend to have common behavioural traits but each horse has its own history, including training and handling, and may respond differently to the same stimuli. To ensure safety when interacting with horses, it is important that new or inexperienced riders or handlers are made aware of natural horse behaviour and to recognise how changes in the horse's behaviour may indicate that the horse is becoming agitated or distressed. Horses often let people know how they feel by using their body to communicate. It is important to read and understand a horse's body language through noting the position of their body, tail, legs, ears and facial expressions.

4.2 MATCHING THE HORSE AND PERSON TO EACH OTHER AND THE INTENDED ACTIVITY

When providing a horse to a new or inexperienced rider or handler, the PCBU should ensure that the horse is suitable for that person and the activity to be undertaken.

Knowledge of the horse's background and the person's skill level, is vital to assess suitability for the required activity and to ensure safety during interactions. This process involves a separate assessment of both the horse and the person. Subsequent matching should then be undertaken with reference to the intended activity. All assessments should be undertaken by a competent person and documented for future reference.

COMPETENT PERSON

A person who has acquired through training, qualification or experience, the knowledge and skills to ensure the safety of those interacting with horses.

Some factors to consider when assessing both horse and person are contained in Appendices B and C.

Before allowing a horse to be ridden or handled by a new or inexperienced person the PCBU should be confident that the horse is suitable and satisfied that all issues identified in the assessment have been addressed. This applies regardless of whether the horse is provided by the PCBU or belongs to the rider or handler. A new or inexperienced person should also be assessed for their suitability to undertake an activity that involves interaction with a horse.

Depending on the circumstances a series of assessments over a period of time may be required. These ongoing assessments may take weeks or even months.

Once assessed as suitable, periodic assessments of the horse should be undertaken where reasonably practicable, to ensure that suitability remains applicable. This is particularly important when:

- the horse returns to the PCBU after being away for a period of time
- there has been a dangerous event, near miss or incident.

Similarly a person should be re-assessed following an accident or incident, or as their experience with horses increases.

If a suitable match cannot be achieved, then the horse should not be used.

The horse should not be aggressive, reactive or over responsive, as a person learning horse handling or riding tends to make mistakes.

4.3 TRAINING AND INDUCTION

People who are new or inexperienced in interacting with horses have special requirements that need to be understood and managed by PCBUs.

When appointing a person who will have a role that may impact on the safety of new or inexperienced persons when interacting with horses, the PCBU should take reasonable steps to ensure the person has the skills, experience, recognised qualifications (where required) and competence to do so. Such steps may include:

- reviewing training undertaken and relevant qualifications held, with details about what, where and when the training/qualifications were completed
- conducting a verbal assessment through discussion and asking questions
- observing how the person approaches, handles and interacts with a horse
- reviewing visual evidence of the person riding and handling on a DVD and/or video to demonstrate capabilities
- arranging for the person to complete a theory assessment, questionnaire and/or log book
- contacting a referee.

Workers responsible for managing or supervising work activities should move around the workplace to ensure a safe environment and procedures are being followed.

New or experienced persons often copy the behaviour of more experienced workers. Therefore, it is important for the PCBU to ensure workers do not behave in a complacent manner around horses. This will assist in preventing unsafe habits from being formed when interacting with horses.

Information, Training and Instruction

PCBUs have a duty to provide workers with information, training and instruction suitable to the:

- nature of the work carried out by the worker
- nature of the risks associated with the work
- control measures implemented.

So far as is reasonably practicable, information, training and instruction must be provided in a way that is readily understandable by any worker it is provided to. Training should be ongoing and may include a combination of theoretical and practical activities, to ensure workers develop and maintain the skills required.

Induction

New or inexperienced riders and handlers should undergo induction training before commencing any work or activities. They also need to be given information relating to the safety risks and control measures involved in interacting with horses. It is important for new or inexperienced riders and handlers, to get the support and assistance required to develop skills and confidence to safely interact with horses.

An induction should take into consideration whether the worker or other person is new or inexperienced with horses, or is in fact experienced with horses and just new to the workplace. For example, a person who has extensive experience with horses in one workplace may only need to be shown the different systems and procedures used in the new business.

The induction may include an assessment of the new or inexperienced rider or handler. The PCBU should be satisfied that the person who undertakes the assessment is a competent person. Appendices B and C provide a list of factors to consider when assessing new or inexperienced persons and the horses they interact with.

Information provided in inductions may include:

- basic horse behaviour including their instincts and response to fear
- how to behave around horses
- safely approaching and moving around a horse
- using the reins, legs and body position when riding a horse
- how to use peripheral vision when handling horses
- how to recognise and assess a horse's individual characteristics
- the importance for handlers and riders to wear correct clothing and PPE
- determining an escape route
- the requirement to listen and obey instructions
- the workplace rules and safe work procedures that everyone is expected to follow
- the site's first aid and emergency procedures

In addition, PCBUs may wish to advise new or inexperienced riders or handlers of the following safety tips.

SAFETY TIPS FOR RIDERS OR HANDLERS

Do:

- Approach a horse with its safety zones in mind and speak or make some kind of noise so the horse is aware of your presence when approaching.
- Correctly secure a horse (or have it controlled) when grooming, saddling or rugging.
- Walk at the horse's left shoulder, with both hands correctly placed on a lead rope.
- Move quietly and confidently when working around a horse.

- Be alert to sudden changes in a horse's behaviour.
- Always maintain your body in a position where you can move quickly away from the horse.

Do Not:

- Approach a horse in its kicking zone.
- Wrap a horse's rope or reins around a person's hand, arm, neck or body.
- Stand on the reins or lead rope to hold or restrain a horse.
- Be complacent around a horse.
- Let the reins or lead rope dangle towards the ground while bridling or haltering.
- Duck under the neck or body of a secured horse.
- Kneel or sit on the ground near a horse.
- Mount a horse when it is secured.

Instructors/coaches

Knowing how to ride does not necessarily make a person competent to instruct/coach new or inexperienced riders.

The PCBU should ensure an instructor/coach has a current recognised qualification relevant to the type of horse activities being taught and has a good understanding of:

- safe work procedures for every step in riding and horse handling activities
- communication
- teaching skills in a logical process
- risk management
- horse control
- group control
- the basics of how horses learn
- first aid requirements and emergency response
- horse health and care
- record keeping requirements

There are a number of recognised qualifications, skill sets and units of competency available for people intending to instruct on horse handling and/or riding. Some organisations within the horse industry provide nationally recognised instructor/coach qualifications. These include training providers regulated by the Australian Skills Quality Authority (ASQA) and the National Coaching Accreditation Scheme.

Specific groups that may require an instructor/coach with additional recognised qualifications, knowledge and skills include people with a disability. Specialist instruction and coaching levels are available specifically for those teaching riding to people with a disability. Only those who hold these coaching qualifications should teach people who have a type of disability that might impact on their ability to manage a horse.

PCBUs should also consider different ways to provide instruction for people from culturally and linguistically diverse backgrounds. The same methods and materials for other learners may not be appropriate for this group. For example, those working with people from a non-English speaking background on a trail ride should firstly make sure they can understand instructions and if not, provide an interpreter.

4.4 SAFE WORK PROCEDURES

Developing clear, simple and effective safe work procedures is an important part in helping riders and handlers safely interact with horses.

The PCBU must ensure workers and others at the workplace are aware of and follow the procedures they establish. It is important that experienced workers model safe work practices and adherence to the procedures.

Safe work procedures may incorporate the following:

- matching the horse and person
- conducting an environmental assessment
- communicating with workers and customers
- addressing hazards in confined and open areas
- addressing hazards with both a single horse and a herd
- recognising and understanding changes in horse behaviour

- maintaining and using appropriate PPE
- handling horses
- approaching a horse and avoiding their blind spots and kicking zones
- catching a horse on its own and in a herd
- leading horses through a group of horses
- leading horses through narrow places
- standing and holding a horse on its own and in a group
- accessing and working around a horse in a stable or enclosed zone
- securing horses
- working around a secured horse
- rugging horses
- grooming and picking out hooves
- handling legs and bandaging
- using and applying appropriate tack
- mounting and dismounting
- using the reins
- ensuring correct body position when riding a horse
- riding in groups
- monitoring horse welfare
- cooling a horse after work and releasing it
- feeding horses and other manual tasks
- maintaining biosecurity to prevent spread of disease
- administering first aid
- responding in emergency situations
- managing horse transportation
- using electronic devices appropriately
- handling chemicals
- handling and administering medications.

This list is not definitive and can be tailored to suit individual workplaces and circumstances.

Assessment tools

Assessment tools, such as checklists, can provide a consistent approach to identifying hazards and managing risks.

The assessment tools in Appendices B and C provide examples of factors to consider when assessing a horse or person. The assessment outcomes may assist with matching the horse and person to the intended activity.

4.5 FIRST AID AND EMERGENCY RESPONSE

The WHS Regulation places specific obligations on a PCBU in relation to first aid, including requirements to:

- provide first aid equipment and ensure each worker at the workplace has access to the equipment
- ensure access to facilities for the administration of first aid
- ensure that an adequate number of workers are trained to administer first aid at the workplace or that workers have access to an adequate number of other people who have been trained to administer first aid
- consider all relevant matters when determining how to provide first aid including:
 - the nature of the work being carried out at the workplace
 - the nature of the hazards at the workplace
 - the size, location and nature of the workplace
 - the number and composition of the workers at the workplace.

Horses may pose a high safety risk and therefore PCBU's must ensure processes are in place to respond to incidents if they occur. First aid equipment and facilities should be located at convenient points and in areas where there is a higher risk of an injury or illness occurring. For example, a horse riding instructor should have a first aid kit nearby and hold current first aid qualifications, unless they are accompanied by another worker who has such qualifications.

Persons trained to administer first aid should hold nationally recognised Statement/s of Attainment issued by a Registered Training Organisation (RTO). They should attend training on a regular basis to refresh their first aid knowledge and skills.

PCBUs should also develop and implement procedures to ensure workers have a clear understanding of first aid in their workplace. First aid procedures should be regularly reviewed in consultation with workers.

First aid may also be incorporated into emergency planning procedures.

Further guidance on first aid including how to determine first aid requirements for workplaces and details on first aid equipment, facilities and training is available in the NSW code of practice: *First aid in the workplace*.

Emergency Planning

The WHS Regulation places specific obligations on a PCBU to ensure that an emergency plan is prepared for the workplace that provides procedures to respond effectively in an emergency.

The emergency procedures must include:

- an effective response to an emergency situation
- procedures for evacuating the workplace
- contact made to emergency services at the earliest opportunity
- medical treatment and assistance, and
- effective communication between the person authorised by the PCBU to co-ordinate the emergency response and all persons at the workplace.

Emergency plans and procedures should be practised and tested. Emergency procedures should specify the role of persons trained to administer first aid according to their level of qualification and competence. In particular, persons trained to administer first aid should be instructed not to exceed their training and expertise in first aid. Other staff, including managers, should be instructed not to direct people trained to administer first aid to exceed their first aid training and expertise.

Access to communication with emergency services should be available at all horse activities at all times.

Further guidance on emergency plans and preparing emergency procedures is available in the NSW code of practice: *Managing the Work Environment and Facilities*.

4.6 CONTROL MEASURES FOR A SAFE WORK ENVIRONMENT

There are a number of hazards that should be considered when new or inexperienced riders or handlers interact with horses. Knowing how to appropriately manage these hazards can minimise the risk of injury.

Stables and yards

As most environments for horses include stables or yards, it is important to ensure they are kept safe.

Table 2: Examples of hazards, risks and control measures for stables or yards

Stables and yards	
Examples of hazards and risks	Examples of controls
Being crushed or trodden on by a horse	<ul style="list-style-type: none">• Limit access to the horse keeping area.• Provide an appropriate amount of instruction, supervision and training for handling horses in confined areas.• Provide enough space for people working with horses.• Identify suitable exit routes.• Ensure gates open both ways in confined areas where appropriate.• Keep gates correctly latched.• Ensure equipment does not create an obstacle.
Herd behaviour of horses	<ul style="list-style-type: none">• Train handlers to lead a horse through a group.• Exclude horses that behave aggressively from the herd.• Ensure there is enough space for horses to move around without becoming agitated.• Train handlers to recognise hazardous situations.• Identify suitable exit routes.• Ensure horses are only fed in a group by people who are trained to do so.

Riding in enclosed areas

Horses are frequently ridden in enclosed areas by new or inexperienced persons.

Table 3: Examples of hazards, risks and controls when riding a horse in enclosed areas

Riding in enclosed areas	
Examples of hazards and risks	Examples of controls
Falling from a horse if horse slips or trips	<ul style="list-style-type: none">• Gather sufficient information about any medical conditions or allergies that riders may have.• Ensure the instructor/coach has a recognised qualification.• Ensure the horses are appropriate for the task.• Remove unnecessary equipment from the area.• Provide a level riding surface with good drainage.• Ensure riding helmets comply with <i>AS/NZ 3838:2006 Helmets for horse riding and horse-related activities</i> or equivalent and are properly secured.• Assist with the mounting process by holding the horse and ensuring tack and equipment is correctly adjusted.• Limit the numbers of riders in the area based on its size and the activity being carried out.• Ensure an appropriate ratio of instructors/coaches to inexperienced riders, based on the horses, the number of riders, level of experience and the environment.• Ensure the instructor/coach keeps riders together and in their sights at all times; no riders should be behind the instructor/coach.• Ensure a safe gap between horses when riding.• Provide activities or exercises to help riders gain confidence.
Unauthorised entry to enclosed areas	<ul style="list-style-type: none">• Provide barriers made of suitable material to prevent unsupervised access.• Install warning signs.• Exclude other animals such as dogs from enclosed areas where horses will be present.

Riding in open areas

Horses ridden in an open area pose additional risks as the horse can get distracted, shy or bolt away.

Table 4: Examples of hazards, risks and controls when riding a horse in open areas

Riding in open areas	
Examples of hazards and risks	Examples of controls
Obstacles in open areas	<ul style="list-style-type: none"> • Check the route before riding out and assess any changes to the environment. • Match the route and activities to the skill levels of the least capable rider. • Keep away from main roads, vehicles, animals (where appropriate) and physical hazards such as cliffs, swamps, low tree branches and steep creek beds. • Ensure that the control of the group can be managed through an appropriate ratio of instructors/coaches to inexperienced riders. This should be based on the use to which the horses will be put, the number of riders, level of experience and the environment (e.g. confined or open spaces). • Ensure tack and equipment is correctly fitted. • Check riders can stop, start and turn their horse before departing on a ride. • Ensure horses carrying inexperienced children riders are led on a lead rope by an instructor/coach. • Provide instruction on riding in different environments.
Horses bolting, becoming restless or shying	<ul style="list-style-type: none"> • Ensure riders have a good understanding of the behaviour and temperament of the horse. • Exclude horses with a history of dangerous or inconsistent behaviour. • Assess the suitability of a horse by testing: <ul style="list-style-type: none"> - it in an open area to determine if it is calm and well behaved - its reaction to different situations they are likely to encounter before using them with a new or inexperienced rider.
Rider loses control of the horse	<ul style="list-style-type: none"> • Assess and verify that the horse is calm and easy to control (e.g. does not bolt, buck, behave aggressively towards people or other horses). • Check before departure that riders understand instructions about changes of pace or direction and can control their horse including starting, stopping and turning. • Ensure a competent rider adjusts the pace, ensures the route is safe and blocks if a horse tries to pass. • Ensure a competent rider never leaves the front of the ride. • Ensure the rider at the back of the ride manages the whole group and communicates with the lead rider in directing them to change the pace or stop as necessary. • Ensure instructors/coaches and group controllers are physically fit and capable of responding to a rider who has lost control of their horse. • Distribute workers throughout the group to help individual riders where appropriate. • Match the route and activities to the skill level of the least capable rider.

Riding in open areas	
Examples of hazards and risks	Examples of controls
Conditions change affecting rider or horse behaviour	<ul style="list-style-type: none"> Put contingency plans in place for changes in weather. Ensure there is a functioning communication device available at all times for emergency situations.
Working in hot weather	<ul style="list-style-type: none"> If possible, avoid working during the hottest part of the day. Introduce new workers gradually to working in the heat. Take enough drinking water for the length of the activity and the environmental conditions. Include shaded areas and cool rest areas. Ensure first aid training covers how to recognise and respond to heat stress.

Tack

Tack is a piece of equipment or accessory used on a horse and may include items such as saddles, stirrups, bridles, halters, lead ropes, harnesses and breastplates. A wide array of tack is used for different purposes.

The three key principles related to tack are to ensure it:

- fits the horse and rider
- is appropriate for the activity
- is regularly maintained and checked prior to use.

Table 5: Examples of hazards, risks and controls associated with tack

Tack	
Examples of hazards and risks	Examples of controls
Tack breaking or failing	<ul style="list-style-type: none"> Check stitching regularly. Clean regularly. Replace damaged tack.
Tack is not operating as intended	<ul style="list-style-type: none"> Select suitable tack for horse and rider. Match tack to the activity being carried out. Fit tack correctly to the horse. Check the tack including the girth/cinch before a rider mounts the horse and once mounted. Check the saddle cloth for positioning and possible irritation. Check the width and height of the rider's stirrups before riding out to ensure they are the appropriate size.
Tack is not suitable for new or inexperienced rider	<ul style="list-style-type: none"> Use saddles with knee and thigh rolls, or equivalent structure to support the rider and help them balance (e.g. stock, western or hybrid saddle). Use saddles with either two points of attachment or one point and a surcingle; and if using a leather latigo ensure it is double wrapped. Use footwear appropriate for horse riding. Use breakaway stirrups or other devices to prevent the foot from being caught in the iron in case of a fall. Use safety irons where appropriate, such as in the racing industry.

Horse transportation

The PCBU has a duty to ensure the safety of all workers, including those that may be involved in transporting horses. These workers are not always experienced horse riders or handlers and may be new to the work location and the horse(s) being transported.

Table 6: Examples of hazards, risks and controls associated with horse transportation

Horse transportation	
Examples of hazards and risks	Examples of controls
Equipment is not operating as intended	<ul style="list-style-type: none"> • Ensure the horse trailer and associated equipment is in good working order. • Check and, if necessary, chock a tailboard so it will not move. • Ensure that workers operating equipment are trained in its proper use, including the sequencing of the application of equipment.
Horse displays dangerous behaviours	<ul style="list-style-type: none"> • Assess the surrounding environment for any possible distractions or hazards for the horse or handler. • Review the horses' previous experience with transportation. • Review the size and number of horses in the horse trailer and the temperament of each horse. • Ensure appropriate PPE is worn by the handler.
Lack of knowledge/experience of handler	<ul style="list-style-type: none"> • Assess the experience level of the person loading and unloading the horses, including their knowledge of horse behaviour and associated risks. • Ensure the handler is trained in safe procedures. Examples may include: <ul style="list-style-type: none"> - leading the horse onto transport vehicles - closing the doors/ramps of the vehicles - securing the horse - opening vehicle doors - untying the horse - leading the horse from the vehicle.

Biological hazards

New or inexperienced riders should be educated about biological hazards such as those contracted from animals (zoonoses), dust and allergens.

After exposure, symptoms can develop within minutes or may take several hours to show. As such, it may not always be apparent the symptoms are associated with the workplace. Relief from symptoms during rest days and holidays often points to an occupational cause. The earlier a sensitised person is removed from exposure, the greater the likelihood of avoiding serious damage to health.

Table 7: Examples of biological hazards associated with interacting with horses

Biological Hazards	
Examples of hazards and risks	Examples of controls
Dust and allergens that could result in respiratory inflammation, sensitisation or other respiratory diseases. For example, extrinsic allergic alveolitis or occupational asthma	<ul style="list-style-type: none"> • Remove the person from exposure. • Reduce dust creation when working, for example wet the surface. • Increase ventilation. • Use clean or dust free bedding. • Where suitable, use a respirator that complies with <i>AS/NZS 1716:2012 Respiratory Protective Devices</i>.
Bacterial or viral microbes that could result in Ringworm, Salmonellosis, Methicillin-Resistant Staphylococcus Aureus (MRSA), Leptospirosis and Hendra Virus	<ul style="list-style-type: none"> • Provide and maintain hygienic hand washing facilities including running water and liquid soap or waterless alcohol based hand rubs, and hand drying facilities such as paper towels. • Instruct riders and handlers to practice hand hygiene: <ul style="list-style-type: none"> - after contact with horses, handling horse equipment, removing PPE and on leaving animal areas - before eating and drinking - following contamination with a horse's blood and body substances. • Provide designated eating areas away from animal areas. • Maintain stables and yards in a clean and hygienic condition. • Minimise build-up of horse manure and soiled bedding. • Regularly clean horse equipment and tools. • Provide appropriate PPE to protect clothing, exposed skin and face from contact with a horse's blood and body substances. • Discourage human facial contact with areas such as the muzzle where horse saliva or nasal secretions can be transferred to a person's face. • Ensure riders and handlers cover cuts and abrasions with a water resistant dressing. • Ensure vaccination and parasite controls for horses are maintained. • Consider vaccination against the Hendra Virus in high risk areas. • Isolate horses showing signs of illness from people and other animals and seek veterinary attention. • Implement a pest control program and keep feed bins covered to discourage rats and other pests.

APPENDIX A: WHAT TO DO IF SOMEONE GETS HURT (NOTIFIABLE INCIDENTS)

There may be situations when all the necessary controls and prevention strategies are in place and an injury still occurs. First aid measures should be in place to carry out an initial response and assessment.

Notification to SafeWork NSW is also required if it is a 'notifiable incident'. A notifiable incident involves death, serious injury or illness, or a dangerous incident. For example if someone:

- is killed when interacting with a horse
- falls off a horse and requires immediate treatment as an in-patient in a hospital
- is struck by a horse and requires immediate treatment for a serious head injury
- is crushed by a horse and requires immediate treatment for a spinal injury
- contracts a zoonosis and requires immediate treatment as an in-patient in a hospital
- receives an electric shock while clipping a horse.

If a notifiable incident has occurred, you should treat the injury first and then call SafeWork NSW on 13 10 50.

Further guidance on incident notification requirements is available in the Safe Work Australia *Incident Notification Fact Sheet*.

APPENDIX B: FACTORS TO CONSIDER WHEN ASSESSING A HORSE

Below are examples of factors to consider when assessing the suitability of a horse for new or inexperienced persons.

This list is not definitive and alone is not sufficient to fulfill a PCBU's duty of care under the WHS legislation.

It should be used as a guide only, and can be tailored to suit your individual workplace and the activities to be undertaken. For example it may be used when assessing a horse currently used at your business, when purchasing a new horse, hiring a horse or being loaned a horse.

Depending on the circumstances a series of assessments over a period of time may be required. These ongoing assessments may take weeks or even months.

A horse should be re-assessed whenever there is a change in conditions or environment and after an incident or near miss.

This assessment tool can be retained as part of your record keeping.

Factors for consideration	Notes
Date of assessment	
Name of horse	
Age/Date of birth	Registration papers may be useful to validate information.
Height	
Condition	A horse which is purchased and tested when in poor condition may respond and behave differently when its condition improves in a new environment.
Gender	
Breed	
Colour/markings	
Microchip number/brand	Note the details from the microchip reading and follow up with the appropriate industry representative if necessary.
Prior use/work	What activities did it do (for example is it an ex-racehorse)? How often? Where? Who rode/handled it? Periods of spell?
Procurement Records (including borrow, hire, lease or purchase)	Date procured, prior owners.
Current health	Any current ailments or conditions (e.g. ringworm)
General health	Include history and details of general health such as vaccinations, medications, dental health and hoof condition.
Current workload	Who rides/handles it? What activities does it do? How often? Where? Has it been off the property? If so, what for and how recently?
Known incidents	For example bucking, kicking, biting, rearing, striking, aggression to other horses or people, bolting or shying.
Diet	Previous and current

Factors for consideration	Notes
Prior exposure to new or inexperienced handlers?	If yes, under whose supervision? What activities? How did the horse cope?
Prior exposure to new or inexperienced riders?	If yes, under whose supervision? What activities? How did the horse cope?
Behaviour when handled on ground	A competent person should handle the horse on the ground and check its reaction to different stimuli and its response to activities undertaken at the business. It is important to ensure that the horse is not over-sensitive.
Behaviour under saddle	Assessing a horse's behaviour under saddle should only be undertaken once a handler is satisfied with the horse's behaviour on the ground. A competent person should ride the horse to check its behaviour and responsiveness to all the activities planned by the business and identify if the horse needs further training.
Behaviour when riding in different environments	For example, how the horse responds in arenas, yards, groups or alone, near traffic, hilly country, crossing creeks and in different weather conditions such as wind, rain, hail and thunder.
Familiarity with environment	For example, how often the horse has been in a particular environment such as in an enclosed area or transported.
Any other relevant factors/ comments	For example: <ul style="list-style-type: none"> • tack and equipment currently used • testing and retraining undertaken • behaviour around other horses
Overall assessment and summary	The assessment may take days, weeks or months depending on the nature of the horse and the activities to be undertaken. Details of any further training or re-assessment of the horse may be noted here. You may decide the horse will not be suitable for a new or inexperienced rider or handler but may still have a use in your business. Any other decisions about the horse can be described here.

APPENDIX C: FACTORS TO CONSIDER WHEN ASSESSING A NEW OR INEXPERIENCED RIDER OR HANDLER WHO WILL INTERACT WITH HORSES IN THE WORKPLACE

Below are examples of factors to consider when assessing new or inexperienced riders or handlers. This list is not definitive, and alone is not sufficient to fulfill a PCBU's duty of care under the WHS legislation. It should be used as a guide only, and can be tailored to suit your individual workplace and the activities to be undertaken.

The assessment should be undertaken by a competent person.

A person should be re-assessed if an incident occurs or if there is a significant change in circumstances.

This assessment tool can be retained as part of your record keeping.

Factors for consideration	Notes
Date of assessment	
Name	
Age/Date of birth	
Height	
Weight	
Medical/health conditions (including injuries) and medications	Note any heart problems, dizziness, back problems, headaches, epilepsy, asthma, allergies, anaphylaxis treatment plan including use of EpiPens, pregnancy, recent surgery or major medical treatments.
Disabilities	Consider any disability which impacts on the ability of the person to manage a horse. Riding for the Disabled qualifications may be appropriate to instruct /coach this person.
Suitable clothing	For example, wide brimmed hat (only if not riding), covered shoulders, long pants and appropriate footwear.
Appropriate personal protective equipment	Wear helmets compliant with <i>AS/NZ 3838:2006 Helmets for horse riding and horse related activities</i> , or equivalent for riding. Other riding devices such as breakaway stirrups could be used to prevent the rider being dragged in a fall.
Prior involvement with horses (general)	
Prior experience handling horses	
Prior experience riding horses	
Work history relating to horses	
Reference check	
Relevant training or qualifications	Depending on work to be carried out this may include horse husbandry, racing, horse instructor/coach, trail guide or first aid qualifications. Skills learnt under instructors/coaches at clinics may also be relevant.

Factors for consideration	Notes
Behaves, safely, confidently and appropriately around horses	
Horse's behavioural response to particular rider/handler	Is the rider or handler exhibiting behaviour such as nervousness that could negatively impact the horse's behaviour?
Knowledge of horse behaviour	Note observations which may indicate the person's knowledge of horse behaviour. For example, does the new or inexperienced person know how to approach a horse in a safe manner?
Knowledge of workplace environment	Note if the person has come from a different environment and if their experience is wide enough to apply to the horse activities to be undertaken.
Ability to recognise risk and respond appropriately	
Ability to follow instructions	
Handles horse confidently and safely from ground	Assess to ensure they behave safely, confidently and appropriately when carrying out activities such as catching, leading, securing, grooming and tacking up a horse.
Overall ability to interact with horse on ground	
Handles horse confidently and safely when riding	Assess to ensure they ride the horse safely and consider the needs of others including riders in a group, workers in the area, members of the public and drivers.
Overall ability to interact with horse in saddle	Can the person ride the horse independently, sufficient for the activities to be undertaken.
Any other relevant factors/ comments	You may wish to comment on overall skill levels here.
Overall assessment and summary	

APPENDIX D: GLOSSARY

TERMS DEFINED IN THE WHS LEGISLATION

Competent person – a person who has acquired, through training, qualification or experience, the knowledge and skills to ensure the safety of those interacting with horses.

Due Diligence – in relation to the duty of officers, includes taking reasonable steps to:

- (a) acquire and keep up-to-date knowledge of work health and safety matters, and
- (b) gain an understanding of the nature of the operations of the business or undertaking of the PCBU and generally of the hazards and risks associated with those operations, and
- (c) ensure that the PCBU has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of the business or undertaking, and
- (d) ensure that the PCBU has appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information, and
- (e) ensure that the PCBU has, and implements, processes for complying with any duty or obligation of the PCBU under this Act, and
- (f) verify the provision and use of the resources and processes referred to in paragraphs (c)-(e).

Officer – includes a director or secretary of a corporation or a person who makes, or participates in making, decisions that affect the whole, or a substantial part of a business.

Other person – is any person at the workplace.

Person conducting a business or undertaking (PCBU) – a person conducts a business or undertaking whether the person conducts the business or undertaking alone or with others and whether or not the business or undertaking is conducted for profit or gain.

Personal protective equipment (PPE) – anything used or worn by a person to minimise risk to the person's health and safety including air supplied respiratory equipment.

Reasonably practicable – in relation to a duty to ensure health and safety, means that which is or was at a particular time, reasonably able to be done in relation to ensuring health and safety, taking into account and weighing up all relevant matters including:

- (a) the likelihood of the hazard or the risk concerned occurring, and
- (b) the degree of harm that might result from the hazard or the risk, and
- (c) what the person concerned knows, or ought reasonably to know, about:
 - (i) the hazard or the risk, and
 - (ii) ways of eliminating or minimising the risk, and
- (d) the availability and suitability of ways to eliminate or minimise the risk, and
- (e) after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk.

Volunteer – a person who is acting on a voluntary basis (irrespective of whether the person receives out-of-pocket expenses).

Volunteer association – a group of volunteers working together for one or more community purposes where none of the volunteers, whether alone or jointly with any other volunteers, employs any person to carry out work for the volunteer association.

Worker – a person who carries out work in any capacity for a PCBU including work as an employee, a contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company who has been assigned to work in the person's business or undertaking, an outworker, an apprentice or trainee, a student gaining work experience, a volunteer, or a person of a prescribed class.

Workplace – a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be while at work.

OTHER TERMS

Hazard – a situation or thing that has the potential to harm a person. Hazards at work may include: unguarded machinery, chemicals, electricity, working at heights, damaged or broken fencing, mismatch of rider and horse, damaged equipment and tack.

Horse – includes a pony, mule or donkey.

Instructor/coach – a person who has recognised qualifications and is competent to teach others the skills required to interact with horses safely.

Interacting – is when a person is near a horse and can include being in close proximity, such as when handling, loading, riding or entering a paddock or place where horses are kept.

New or inexperienced – a rider or handler is 'new or inexperienced' if they have no or minimal, knowledge or skill gained from interacting with horses.

In some circumstances where there has been a significant change in duties. For example, when moving from mustering cattle to the racing industry, the person may initially be considered new or inexperienced until an assessment has been undertaken.

Rider or handler – a person who rides, drives or handles a horse in any capacity at a workplace, and may include a worker, student, visitor or other person.

Risk – the likelihood that any hazard may cause somebody harm.

Risk control – taking action or employing controls to eliminate health and safety risks so far as is reasonably practicable, and if that is not possible, minimising the risks so far as is reasonably practicable. Eliminating a hazard will eliminate any risks associated with that hazard, but the control used to eliminate the hazard may introduce new risks that must also be managed.

Suitable horse – a horse that has been assessed to match the activity expected of it and is deemed suitable for the capability of the person required to interact with it.

Tack – a piece of equipment or accessory used on a horse and may include items such as saddles, stirrups, bridles, halters, lead ropes, harnesses and breastplates.

APPENDIX E: LIST OF REFERENCES AND RESOURCES

REFERENCES

Parts of this code of practice were reproduced from sections of the:

- Safe Work Australia *Guide to managing risks when new and inexperienced persons interact with horses*
- NSW code of practice: *How to manage work health and safety risks*
- NSW code of practice: *Work health and safety consultation, co-operation and coordination*

NSW Codes of Practice

- *First aid in the workplace*
- *Managing the work environment and facilities*

Fact Sheet

SafeWork NSW *Incident Notification Fact Sheet*

Horse injury statistics

- Australian Institute of Health and Welfare National Hospital Morbidity Database (July 2008 to June 2014).
- National Coronial Information System (July 2000 to June 2014).
- NSW Workers Compensation Claims – workers compensation claims made in NSW between 2004/05 and October 2015.

Legislation

Work Health and Safety Act 2011 (NSW)

Section 275 of the WHS Act outlines the use of codes of practice in proceedings.

Work Health and Safety Regulation 2011 (NSW)

Australian Standards

- *AS/NZS ISO 31000:2009, Risk Management – Principles and guidelines*
- *AS/NZS 1716:2012, Respiratory Protective Devices*
- *AS/NZ 3838:2006, Helmets for horse riding and horse related activities*

USEFUL RESOURCES

NSW Codes of Practice

- *Hazardous manual tasks*
- *Managing electrical risks in the workplace*
- *Managing risks associated with hazardous chemicals in the workplace*
- *Managing risks associated with plant at the workplace*
- *Managing the risk of falls in the workplace*

National Guidance Material

- *Safe Work Australia Guide to managing risks when new and inexperienced persons interact with horses*

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Disclaimer

This publication may contain information about the regulation and enforcement of work health and safety in NSW. It may include some of your obligations under some of the legislation that SafeWork NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

Information on the latest laws can be checked by visiting the NSW legislation website www.legislation.nsw.gov.au

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

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