



## Guidance on Helmets and Body Protectors – July 2024

### BHA Rules

The Rules place an obligation upon the trainer to ensure that an employee, jockey or other person wears an approved skull cap and safety vest (body protector) which are in good condition (Equipment Code, paragraph 23) when mounted on a horse in any place where the horse is under the care and control of the trainer.

The BHA has advised of further rule changes on equipment standards – the implementation date of these changes is not yet known though the BHA has indicated that these are likely to come into force in Spring 2025 for racing staff, and Autumn 2024 for jockeys.

We have set out below the new equipment standards to help trainers prepare for the new rules and to ensure that trainers do not purchase equipment now which will not meet the rules once the changes are in force.

The standards under the rule change will be:

- **Body protectors:** must comply with certified safety standard (BS) EN 13158: 2018 and must be at least Level 2. The 2009 version has now been withdrawn and no manufacturer is now producing it. While there is no difference in the amount of protection offered by the 2009 and 2018 versions, it has been agreed to withdraw permission for the 2009 version due to the potential age that some of this equipment may have reached.

*Please also note that the BHA recommends that all body protectors worn when not for the purposes of race riding should meet Level 3 standard.*

- **Helmets:** must comply with at least two different international testing standards and should have evidence of Quality Testing from organisations such as BSI, INSPEC, SNELL, SEI. More information about specific brands and models should be available from the British Equestrian Trade Association (BETA). [www.beta-uk.org](http://www.beta-uk.org)

<b>A helmet must comply with at least one standard from Group A <u>AND</u> at least one different standard from Group B.</b>	
<b>Group A</b>	<b>Group B</b>
British standard PAS 015 2011 and any subsequent updates.	British standard PAS 015 2011 and any subsequent updates.
European standard (EN): UKCA and/or CE marked products referencing harmonised standard EN1384:2023.	European standard (EN) UKCA or CE marked products referencing harmonised standard EN1384:2023.
European standard (EN): UKCA and/or CE marked products referencing the VG1 performance specification.  (NB VG 1 will be withdrawn as an acceptable standard on 1 June 2025)	European standard (EN) UKCA or CE marked products referencing the VG1 performance specification.  (NB VG 1 will be withdrawn as an acceptable standard on 1 June 2025)
	American ASTM F1163: 2015 and any subsequent updates.
	American Snell E2016 and any subsequent updates (Please note: Snell combines a standard with subsequent quality testing; therefore no additional quality testing mark is required).

It is important to note that standard VG1 will be withdrawn on 1<sup>st</sup> June 2025 and not to purchase now equipment which will not comply in 2025.

If there are specific questions about individual items of equipment meeting the changes, and where the information is not available on the manufacturers or BETA websites, BETA will assist if any enquiries are sent by email to [info@beta-uk.org](mailto:info@beta-uk.org)

### **Current BHA required standard**

The following is a link to the current standards set out in the BHA Rules of Racing although any 2009 labelled body protectors should be being replaced as these items will have been manufactured prior to 2018 and the impact absorption properties will have declined even if the garment looks in good condition.

<https://rules.britishhorseracing.com/#!/book/34/chapter/s3101-equipment-code/content?section=s3113-skull-caps-and-safety-vests>

### **Fitting the body protector**

It is important when buying new equipment to have the fit measured as equipment changes over time with different fit/cut and you should not just buy the size that was bought the last time.

A leaflet is available from the British Equestrian Trade Association (BETA) and it is recommended that employers taken advice from a trained retailer.

<https://beta-uk.org/>

### **Provision of Body Protector and Helmet**

Employers must provide these items free of charge to employees. Genuinely self-employed workers must obtain and use their own body protector and helmet which must comply with the standard required by the BHA rules.

If employees have their own safety equipment that they wish to use, employers must check that it meets the standard and assess if it is suitable for use. If not, then the employer must insist that it is not used and provide the employee with suitable equipment.

Trainers should also check their insurance policies to see if their insurer has specific requirements with regard to the standard, level or use of body protectors or other Personal Protective Equipment (PPE).

If employment has been terminated and the employee keeps any PPE without the employer's permission, the employer should be able to deduct the cost of the replacement from any wages owed as long as it has been agreed in the contract of employment or other document signed by the employee prior to the employee leaving the employment and taking the PPE. Such provision is contained in the current NTF standard contract of employment.

### **Training**

Training must be given to employees on the use of PPE

Employers must make sure that employees know why PPE is to be worn (i.e. that it is mandatory under BHA rules and the type of injuries it may help prevent), when it is to be used, repaired or replaced and its limitations.

Body protectors are designed to offer protection to a rider by absorbing the high levels of energy created when falling off, being kicked or stood on by a horse.

Employers must train and instruct employees on how to wear the PPE properly and make sure they are doing this and advise on the factors affecting protection (i.e. fitting and use, defect, damage and wear).

Employees should be advised to report any loss of or defect in PPE to a designated person in the company. Employees should also be advised where it is to be kept and safe storage of it.

In addition, employers could use safety signs to remind employees to wear PPE.

Some helpful pointers on training:

- tell your employees that body protectors are compulsory when riding and when else the yard requires them to be worn.
- tell your employees that body protectors may prevent minor bruising that would produce stiffness and pain, reduce soft tissue injuries and bruising (i.e. why they are to be worn). BETA advises that a Level 3 garment may prevent a limited number of rib fractures.
- advise your employees that body protectors must not be cut or altered in any way
- advise your employees that PPE remains the property of the employer.

If you wish to have the ability to "charge" your employees for PPE if they leave and take the PPE with them, ensure the employees are aware of this and get a signed authority to deduct the cost from final wages either through the contract of employment or a separate document.

- explain to your employees any other rules you may have regarding the use, storage, etc. of PPE.

This should be included as part of the induction process for new employees.

### **Maintenance and replacement**

The employer should ensure that there is somewhere to keep PPE when not in use and that it is kept clean and in good repair.

BETA recommend that body protectors be replaced at least every 3 years as the impact absorption properties may start to decline after that period. A body protector should be checked for dents immediately after an accident. The foam will expand back to its original shape 30 minutes after impact but will not provide the same protection in the dented area as impact absorption will have been lost. Replacement panels are available for some body protectors rather than replacement of the whole garment. It is advisable to keep instructions/labels issued with the garment and take advice from an approved supplier if

appropriate.

### **Compliance**

As with any safety equipment, employers should ensure compliance from their staff by:

- supplying the PPE and training on the use and advising employees why they are to be worn (see clause on training)
- monitoring the use of them
- if an employee is found not to be using one, the first step is to ascertain why. This can happen particularly with body protectors and the employee should not be allowed to ride or do other work where a body protector is deemed necessary without one.
- if the employee has concerns (for example) about the fit or condition or health reasons for not wearing it, then the employer should explore with the employee alternative PPE
- if the employee is simply refusing to wear it without an acceptable reason, it is for the employer to decide upon the approach they wish to take. A deliberate disregard of health and safety rules or precautions is potentially gross misconduct and so a refusal to wear a safety vest (or other required PPE) could result in dismissal. Depending on the circumstances the employer may decide that a warning is appropriate. It is what is reasonable in the circumstances.
- Remember that for any dismissal the correct disciplinary procedure must be followed and that an employee with over 2 years' service has the right to be protected from unfair dismissal. You may wish to contact the NTF for advice if considering dismissal.

### **General**

When purchasing any PPE, employers are advised to liaise with a trained supplier over the type and makes available and what is suitable and arrange for the supplier to fit helmets and body protectors.

### **Employer's duty**

The employer must ensure that

- the employee knows the dangers
- that the employee knows the precautions to be taken (the mandatory wearing of PPE) and why (prevents minor bruising, reduce soft tissue injuries and bruising and may prevent a limited number of rib fractures)
- the employer provides the PPE to be worn
- the employee knows the PPE is to be worn and is available.

The employer should monitor the wearing of PPE by employees and follow the procedure outlined above if an employee refuses to wear PPE.

By taking these steps, an employer should have a defence that they have met their duties with regard to the provision and use of PPE in the event of a claim from an employee injured whilst not wearing PPE when they should have been.

It would not be a defence simply to state that the PPE was available. Training on use and why they are to be worn must have been given and the trainer must take steps to ensure compliance by the employees.

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