

# Newsletter

The Voice of Britain's Racehorse Trainers



## National Trainers Federation

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## Lycetts Team Champion Award – celebrating successful ways of working together

This is the time of year when yards are nominating individuals for the Godolphin Stud and Stable Staff Awards. We are delighted that in 2017/18 those awards are complimented by the inaugural Lycetts Team Champion Award. The window for nominations is now open and the closing date is Friday 1st December.

Lycetts Team Champion Award has been created to celebrate the training yards that have a strong team ethos. Its mission is to showcase the positive results of developing a team that works well together; spread the message about safe working practices; and improve recruitment and retention rates by promoting the most successful ways in which racehorse trainers manage their staff. Encouraging wider adoption of those practices is part of our long term strategy to address staffing shortages.

An explanation of the process and the nomination form are available via a link on the home page of the NTF website. These documents were also sent to trainers by post in September.

Lycetts Team Champion Award has two categories – for trainers with 40 horses or more; and for trainers with fewer than 40 horses. The winning yard in each category will receive £4000 to be spent in a way that benefits the team. Teams scoring above given points thresholds will achieve recognition through a grading system and have the right to use a bespoke logo to promote their business.

The winners will be announced at the NTF's Annual General Meeting on Thursday 22nd February 2018 and there will be extensive media coverage.

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## The Winning Approach demonstrates the high standards set by British trainers

The questions in the award nomination form are drawn from The Winning Approach, a new industry standard for the best ways to engage and motivate staff in racing yards. Many trainers are already operating in ways that meet The Winning Approach standard. Rather than having to develop new ways of working, The Winning Approach will enable you to recognise that many of your informal practices, regimes and routines already go towards meeting the standard. You can also download a copy of The Winning Approach from the website awards page.

Trainers looking for support with the award have the opportunity with their senior staff to attend a free management training module created for the NTF by The Peplow Group. With the title 'Building a Sustainable Business' the module is about sharing ideas, tips and support to match the team award criteria. It will take place at three venues this autumn/winter: Newmarket on 26th October; Lambourn on 2nd November; and Middleham on 21st November.

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Peter Burnet, of the Peplow Group, has delivered learning and development programmes for individuals, teams and organisations since 1992 and has run the successful Management Academy for Racing for the past decade.

We encourage you to join with your staff to nominate your yard for the award. If you have any questions please contact Rupert Arnold or Shelley Perham at the NTF office; they will be pleased to help.

The Racing Foundation provided funding for the development of The Winning Approach and the criteria for the Lycetts Team champion Award.

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## Nominate your staff for the Godolphin Stud and Stable Staff Awards

There are now two months remaining to nominate staff for the 2018 Godolphin Stud and Stable Staff Awards to recognise and reward individuals' outstanding skills, commitment and contribution.

More than £120,000 in prize money will be up for grabs, including up to £40,000 available to a single yard or stud. The Awards are sponsored by Godolphin and run by the British Horseracing Authority in association with the Racing Post.

The 2018 Award winners will be selected from a shortlist who will be interviewed by a panel of judges. The winners will then be announced during the Awards evening dinner and ceremony on Monday 19 February 2018.

Nominations can be made by anyone within the industry so trainers, owners, managers and colleagues are all encouraged to show their appreciation and nominate someone from their team. Nominations can be made online at the dedicated Godolphin Stud and Stable Staff awards website at [www.studandstablestaffawards.co.uk](http://www.studandstablestaffawards.co.uk).

Nominations close Tuesday 21 November, so don't miss this opportunity to show your appreciation to your staff.

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## BHA launches redesigned website

The BHA has re-launched its website, [www.britishhorseracing.com](http://www.britishhorseracing.com), to make it easier to navigate, more user-friendly and to improve its overall look and feel.

The changes were made following a significant public consultation in the second half of 2016, which said that while users of the site found its information useful, improvements could be made on simplifying the navigation and improving the visual layout. As well as addressing the feedback, a number of enhancements were made as part of the project. These include:

- Interactive racing data and statistics for those seeking the latest news in real time.
- Stewards' reports are now placed in a more prominent position to make it easier to navigate and seek out information related to a particular site. Their format has also been altered to provide more information about each race and present the reports in a manner that is simple and more easily understandable for the media and general public
- Notices, results and written reasons from the BHA Judicial Panel are now located on a new microsite. This can be accessed via the main BHA website and creates a distinction between the BHA's Judicial and Executive functions.



## Beware of scam letters asking you to place bets

The BHA has become aware of an increase in number of 'scam letters' being sent to racing participants, stakeholders and the general public. The letters offer payment in return for placing bets on behalf of the sender.

The BHA does not know who is behind these letters. The companies do not exist and the addresses listed often belong to shops and restaurants and are not linked to the sender or important as part of the scam. It is also very likely that the person named as the contact/sender of these letters is also fictitious.

The BHA have previously notified the Police and Trading Standards over this type of letter, as potentially criminal offences are being committed relating to obtaining money by deception. The BHA wishes to ensure that participants and stakeholders are aware of these letters and the potential threat they pose to anyone who decides to respond to them.

Anyone who receives any of these letters, or any letters of a similar nature, should report this to the BHA Integrity Department by emailing [intel@britishhorseracing.com](mailto:intel@britishhorseracing.com) or phoning **0207 152 0169** and advise that the recipient of any such letter does not engage with the sender. The BHA is logging all the details on letters that are brought to their attention. Anyone who has engaged with the senders of such letters and has suffered a financial loss should report this is a crime to their local Police Force.

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## New reforms launched to improve ownership experience through simplified administration

In the last newsletter we reported on the launch of a package of reforms to modernise and simplify the administration of racehorse ownership. The measures will mean the task of ownership administration is more convenient, efficient and easy to understand, with the transfer of the registration and management process online expected to save owners thousands of hours a year of filling in forms.

New and existing owners now have access to the new Racing Admin system, where a newly designed, intuitive ownership portal enables them to manage their ownerships online and keep up to date with their horses and ownerships. It also facilitates free access to a number of enhanced features such as the ability to search the race programme.

Trainers have contacted us to point out that some of their owners are not keen to do their administration online and some owners want their trainer to continue administration of certain processes for them. An example is owners' sponsorship admin. It appears that this has created a problem with data protection. The BHA is aware and is investigating a means of resolving this problem. In the meantime, trainers and owners should speak to the Owners Desk at Weatherbys to sort out any difficulties.

A dedicated ownership support team at Weatherbys is on hand to answer any questions and guide owners through the new portal. The team is available on **01933 304808** or via [ownersupport@weatherbys.co.uk](mailto:ownersupport@weatherbys.co.uk). If trainers are aware their owners cannot use or do not have access to the internet, they should be asked to call the Ownership Team at Weatherbys.

### Registration fees for new ownership structures

If you need to know the registration fees for the new ownership structures, you can find them on the BHA Rules website in Schedule 1 of Manual A. You will need to scroll down to see them towards the bottom of the table.



## Training agreement updated for new ownership structures

As trainers and their secretaries will know from communications from the NTF, the BHA and ROA, the ownership categories changed with effect from 30th August 2017.

As a consequence, the NTF and ROA have agreed an updated training agreement to reflect those changes. The new agreement is available in the Business Section heading in the Members Area of the NTF website.

This new training agreement should be used for all new ownerships under the new structures and we recommend that the existing agreements you have for joint ownerships and partnerships are reviewed. Where the partnership has changed to become a syndicate or racing club then you should ensure you have a training agreement signed by the syndicate manager or racing club manager. Where a joint ownership has become a partnership you should ensure that all partners have signed a training agreement or someone duly authorised in writing has signed on their behalf.

Should there be a dispute and an old form agreement is in place, the courts are likely to look at the intention behind the agreement and the status of the parties. It is preferable to avoid such arguments and to have agreements in place which properly reflect the ownership of the horse.

The new training agreement has also been updated in some other ways, including:

- An 'acceptance by performance' clause (clause 25). This gives further strength to the trainer being able to rely upon the training agreement provided the trainer can prove that it has been sent to the owner and that the owner has not raised any questions about it.
- The right for the trainer to charge a commission (provided the commission clause is completed at the time of signature) should the horse be sold under the power of sale (clause 17.6)
- A more modern notice clause so that notices can be served by email (clause 24)
- And in the Notes section, we have a new paragraph reminding trainers and owners that should the agreement be varied in any way, it is sensible to record that in writing. For example, often we come across problems where reduced training fees have been agreed with certain conditions, say in return for a horse remaining with that particular trainer for a set period of time. If this is not recorded in writing and the owner removes the horse, the trainer would struggle to show what was agreed and that the trainer has any right to charge full fees rather than the discount agreed.

When sending out a new training agreement to existing owners, you should explain the reason for requiring a new agreement to be signed and that once signed by both parties it will replace any previous agreement.

If the owner has queries about the new ownership structures or the new owners' admin website, the owner can speak to the Weatherbys Ownership Desk on 01933 304808 (between 8:30-5:30, Monday to Friday) or email [ownersupport@weatherbys.co.uk](mailto:ownersupport@weatherbys.co.uk).

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## Book now for H&S seminar at the BRS

The BHA is putting on a seminar for anyone keen to understand the Health & Safety requirements of a racing yard or stud. The seminar is on 15th December at the British Racing School; the cost is £48 (incl VAT) per person. Accommodation can be booked at £35 per person per night.

The seminar content includes Statute Law, H&S Legislation, Explanation of the industry 'RED BOOK', Practical Risk Assessment Exercises and Insurance & Managing risk.

For an application form please contact Di Farrell-Thomas on [di.farrell-thomas@brs.org.uk](mailto:di.farrell-thomas@brs.org.uk) or phone **01638 675907**.



## Two-year-old novice programme extended to three-year-olds and up for 2018

From the start of next year, the majority of three-year-old maiden races will be converted to novice events to provide greater opportunities for horses to develop within a programme of novice races by increasing the opportunities for horses that win races in the early stages of their careers. This will not affect the balance of open, auction and median auction contests.

This is an extension of the successful conversion of the two-year-old maiden programme which began last year.

The move will ensure more opportunities for horses to progress within the Novice programme and provide a programme that complements changes to handicapping rules that will remove the difficulty and uncertainty of handicapping lightly raced winners. This will mean that three-year-olds and older horses will now be required to run three times in order to receive a handicap mark unless they have run twice and won both races.

Due to the size of the weight-for-age allowances that three-year-olds receive in the first half of the year, there will also be early novice opportunities for horses aged four and up.

These will be programmed during the all-weather period and into the first few weeks of the Flat turf season in order to provide sufficient opportunities and avoid three-year-olds being required to race off very light weights.

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## Auction price cap to be placed on median auction races from 2018 onwards

The BHA has announced that an auction price cap will be placed on median auction races from next year. Horses which qualify under the median price of the race but were bought in or sold at auction for more than £20,000 above the median value of the race will now be excluded.

A price cap on median auction races has been under discussion by the BHA Racing Group for well over a year. It was due to be introduced at the back end of last year but was held back due to technical issues. When discussed at summer NTF regional meetings, there were varying views between regions. We know some trainers are not in favour of the cap as it discriminates against a quality horse that is inexpensively bred.

The BHA's view was expressed by Paul Johnson, Head of Racing, who said: "The changes to median auction races are in response to our concerns that the median approach alone occasionally allowed horses that the races were not really designed for to take part, those being horses that had established a high sales price but are the progeny of stallions with a low median sales price."

The BHA has agreed to monitor the effect of the cap during 2018 and the Racing Group will review it in due course.

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## Super Claiming Stakes at Newcastle

This October sees the return of Super Claimers, with Newcastle staging a £20,000 edition, with a Claiming price range of £40,000 down to £21,000. Super Claimers are aimed at horses which would out-perform the type of horse normally seen running in an average Class 5/6 Claiming races or Sellers race.

These events offer trainers an outlet for the sort of horse that would normally race in a decent handicap. It would be good to see them well supported because trainers often ask for more valuable claiming races and a fuller programme of them would be an alternative outlet to a public auction.



## 48-hour decs at the Cheltenham Festival

The BHA and Jockey Club Racecourses (JCR) have announced that, with effect from 2018, all races at the Cheltenham Festival will move to 48 hour declarations. The NTF was involved in discussions and acknowledges the overall benefits.

No horse will be able to declare for more than one race excluding non-novice Grade 1 contests, unless it has been eliminated from a race or has been declared as a reserve

The move is supported by the BHA's Racing Group, the Executive of Cheltenham Racecourse and JCR and has come in response to feedback from the Horserace Bettors' Forum as well as the racing public and media.

The change will provide earlier clarity about running plans for bettors, the media and bookmakers and enhance their ability to focus on the race and its participants when promoting the event.

As part of the move to 48 hour declarations for all races at the Cheltenham Festival, no horse will be permitted to declare more than once at the meeting, whether subsequently declared a non-runner or not, unless eliminated from a race or declared as a reserve.

This applies to all races except the five non-novice Grade 1 contests: Stan James Champion Hurdle, Betway Queen Mother Champion Chase, Ryanair Chase, Sunbets Stayers' Hurdle and Timico Cheltenham Gold Cup.

All handicap races at the meeting will have two reserve slots, which will have a deadline of 1pm the previous day, as is the case for the Randox Health Grand National and Coral Scottish National.

The BHA will liaise closely with the industry to monitor the changes as they come into effect, particularly in relation to horses being declared for more than one of the championship races; this will be kept under review annually.

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## Novice chase recommendations welcomed

Four current or recent members of the NTF's National Hunt Committee were part of a working group that has made recommendations on the Novice Chase system.

A detailed data analysis was carried out, supported by a questionnaire for Jump trainers and the exploration of a variety of proposals. Thanks to all trainers who responded to the questions. It is essential for the future health of the sport that the race programme provides incentives for trainers and owners to send horses of all abilities Chasing.

The recommendations, which were approved by the sport's cross-industry Racing Group and the BHA Board and will be implemented from 1 October 2017, are as follows:

- No handicap rating increase in weight-for-age Novices' Chases of Class 2 and below other than for the winner. This will only apply to horses that have already run four times over obstacles (either hurdles or fences.) The working party felt that perception can be as important as reality and to encourage more horses to run in weight-for-age Novices' Chases, trainers' preconceptions of the handicappers' reaction needs to be addressed. This has been shown to be effective in flat conditions races.
- An increase in the number of weight-for-age Novices' Chases, to be balanced by a decrease in number of Novices' handicap Chases. A maximum increase of 25% on the current programme of 200 weight-for-age Chases was proposed.
- Programming of six 'confined' races during the autumn for horses which have not won more than one race over hurdles. This proposal is aimed at providing a pathway for the later-maturing type destined for Chasing. Analysis of the horse population revealed a pool of 948 horses went chasing who would have fulfilled these criteria in 2016/17.



- Rating band for the Listed Novices' Handicap Chase at the Cheltenham Festival to be increased to 0-145 (from 0-140). This race has become a key seasonal target for many Novice Chasers, resulting in the cut off for elimination this year being 137. Increasing the banding to 0-145 was considered a more sensible cut off for the handicap and key to the success of the new system, with horses rated 146 and above capable of holding their own in Graded company.
- Valuable Novices' Handicap Chase Series Final to be programmed in the spring. Racecourses to be given the opportunity to apply to stage the £100,000 Final, which will be supported by the BHA Development Fund. Horses must run in at least two weight-for-age Novices' or Beginners' Chase during the season in order to enter the Final.

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*“No handicap rating increase in weight-for-age Novices' Chases of Class 2 and below other than for the winner.”*

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## Minimum rating for top races from 2018

The BHA and Flat Pattern Committee have announced the introduction of minimum rating criteria for all Group 1 races other than those restricted to two-year-olds.

From 2018 onwards no horse will be permitted to run in a non-two-year-old Group 1 race unless it has achieved an official rating of at least 80 by the day before the confirmation stage of the race, or, in the absence of an official rating, that their racecourse performance(s) have been assessed by the handicapper as being 80 or more.

In addition, the Jump Pattern Committee has confirmed its support for extending the existing practice which is already in place at Cheltenham and Aintree for the 2017/18 season, such that a minimum rating of 130 should now apply to all non-Novice Grade 1 Steeple Chases and Hurdle races, and a minimum of 120 for Grade 1 Novice Steeple Chases. The proposal does not extend to Grade 1 Novice Hurdles, which can often attract talented but unexposed youngsters.

Trainers should note that the minimum rating requirement also includes the 2018 Derby. All owners with an existing entry in the race have been written to and informed of the change in the race conditions. The cut-off date for ratings in the case of the 2018 Investec Derby will be 27 May 2018.

Regardless of whether a horse meets the minimum criteria and therefore proves eligible to participate in the race, any entry stakes up to that deadline of 27 May will be payable, unless the horse has previously been Scratched by one of the deadlines printed in the race conditions.

Owners and trainers must bear this in mind when deciding whether to leave a horse in the 2018 Investec Derby at the next Scratching deadline, which will be noon on 6 March 2018. If the horse is not Scratched before that time then a payment of £1100 will be due. There is a further Scratching deadline of noon on 22 May, where a further payment of £3400 is due if the horse is not Scratched. These stakes will be payable **by the registered Owner** in each case if the horse has not been Scratched by the relevant deadline, even if the horse does not ultimately prove to be eligible by having achieved the minimum performance criteria by 27 May 2018.



## Non-runner rules strike right balance

The introduction of new rules in an attempt to reduce the numbers of non-runners was always going to be unwelcome for trainers.

Since the consultation began last autumn, the NTF had extensive discussions with the BHA about its proposals to regulate on non-runners. While agreeing it is desirable to reduce the numbers of non-runners and appreciating the effect of non-runners on betting, we stressed to the BHA that the factors that lead to non-runners are often beyond trainers' control. For instance, everyone agreed at the time they were introduced that 48-hour declarations would inevitably increase the rate of non-runners and data backs this up. Likewise, everyone agrees that going descriptions are subjective and weather forecasts in the UK are unreliable.

The NTF's policy is that rules on non-runners should be proportionate and targeted. In the past we have supported an approach aimed at trainers with the highest non-runner rates. We believe this has played a part in causing a decline in the long term trend in non-runner rates since 2012 shown in the BHA's published figures. Though the graph moved up in 2016, the figures are down again in 2017.

The outcome of our discussions with the BHA is a package aligned with our policy. There are sound reasons for a two-day stand down following withdrawal with a vet's certificate. Publishing trainers' non-runner rates and the sanction for a high rate will have an impact on trainers' decisions across all reasons for declaring a non-runner.

While there is no objective method that carries universal confidence for assessing the state of the ground and as weather is volatile and unpredictable, we persuaded the BHA that it would be impractical to restrict withdrawals related to going. Even the Horseracing Bettors Forum judges that a large number of going descriptions are inaccurate based on race times. We acknowledge Clerks of the Course have an unenviable job assessing going but before any restrictions are placed on trainers withdrawing for going related reasons, accountability for going reports and the timing of their publication is essential. Please remember that the BHA is keeping these measures in reserve so trainers must exercise this option for withdrawal responsibly or face the consequences.

We will liaise with the ROA and PJA about late declaration of non-runners. The deadline of 9.00am, as well as creating an unwelcome third declaration deadline each morning, presents logistical difficulties for trainers if going reports have not been updated and owners cannot be contacted within this timescale.

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## Forms to be completed for hind shoeing dispensation

Over the past six months the BHA's Racecourse Stewarding Co-Ordinator has received a lot of calls from trainers at extremely short notice wishing to run their horse without hind shoes. On occasions horses have been brought to the racecourse partially shod and the trainer has no knowledge of the dispensation process required.

We are therefore reminding you about the procedure. The form provided at this link on the new BHA website (Regulation/Health and Welfare/Notices and forms), along with veterinary evidence, must be submitted by 12pm two working days before the declarations deadline. All the requisite information must be emailed to [administrativecontrols@britishhorseracing.com](mailto:administrativecontrols@britishhorseracing.com) for review by the veterinary department.

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## Equipping riders for stalls tests

The BHA has asked us to remind Trainers that their riders taking part in stalls tests are required to wear the correct safety equipment, including a body-protector and a safety helmet.



## Riding instructions for apprentice and conditional jockeys

When using an apprentice or conditional jockey, your riding instructions must cover their use of the whip. In a recent appeal, the BHA Disciplinary Panel found that this requirement is mandatory. The exact detail of what the trainer must say to the rider about their use of the whip will vary according to the circumstances.

There will be occasions when a trainer commits a technical breach of the Rules by making no mention of the whip to an apprentice or conditional jockey but no penalty ensues. However, as a trainer, you should be aware that if an apprentice or conditional is called into an enquiry as to their use of the whip, the stewards will ask about the instructions given by the trainer about using the whip. Failure to instruct apprentices and conditionals on use of the whip leaves you open to being found in breach of rule (C) 45.2 and fined £650.

A copy of the presentation on the running and riding rules given by Roderick Moore at seminars organised by the NTF last year can be found in the Members Area of our website in the On the Racecourse section.

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## Brittany Ferries limits livestock

Brittany Ferries has introduced a limit on the number of laden livestock carriers they will take on each of their fleet. Merrick Francis at the Racehorse Transporters Association has discovered that these new limits have been brought in purely as the result of an incident involving non-Thoroughbreds on a Portsmouth to Ouistreham ferry a year ago. As a result steps have been taken to identify on each ship how many livestock carriers it is possible to put within close proximity to the air conditioning outlets on the cargo deck.

If you use Brittany Ferries, you will need to ascertain their limit on each vessel. Merrick reports that on the Portsmouth-Ouistreham route the limits are four such vehicles on the Normandie and five on the Mont St. Michel.

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## Thoroughbred Health Network research review of pelvic fractures

The Thoroughbred Health Network (THN) has reviewed the literature available and written a review of the risk factors, diagnosis and future prognosis of pelvic fractures. THN has identified 10 key messages which are clearly organised by the level of scientific evidence supporting for each point available in the academic paper. Go to [www.thoroughbredhealthnetwork.co.uk](http://www.thoroughbredhealthnetwork.co.uk), click on the Latest Vet Research tab at the top and then scroll down to the link "Pelvic Fractures".

The Thoroughbred Health Network has now been approved as a Scottish Charitable Incorporated Organisation (SCIO) by OSCR. The THN first launched in June 2015 as a northern pilot project and expanded nationwide in March 2017. This structure enables the THN to work throughout Scotland, England and Wales. The objectives of the THN will remain the same, these are to

- 1) build a network of those interested in horse health and
- 2) review, translate and communicate research findings.

Follow the growing THN network on Twitter: [@ThoroughbredHN](https://twitter.com/ThoroughbredHN)  
[www.thoroughbredhealthnetwork.co.uk](http://www.thoroughbredhealthnetwork.co.uk)



## Interim agreement in 2017 pay negotiations takes effect from 2nd October

As notified to trainers by email on 13th September, following the third round of the 2017 annual pay negotiations, racing industry minimum pay rates will increase by 3% from Monday 2nd October 2017. The National Joint Council for Stable Staff has agreed this interim deal for the period to 1st April 2018 pending further meetings to agree details of changes to the Memorandum of Agreement (MoA) in relation to the definition of the working week and the pay rate for time away from the yard outside normal hours.

Other than the increase in minimum rates, there are no other changes to the MoA from 2nd October. Under the MoA there is no requirement for trainers to apply the percentage increase for staff currently paid above the minimum rates as long as the pay for those staff from 2nd October meets or exceeds the minimum rates. For trainers who use the standard NTF contract of employment, there is a provision that there will be an annual pay review on first of October or such other date as specified, although there is no obligation to increase the rate of pay. Therefore trainers should ensure that they undertake a pay review even if they pay in excess of the minimum rates, and should advise their employees of any increase or if the review has resulted in no increase.

The precise figures for minimum pay rates on all Scales in the MoA following settlement have now been confirmed and were notified in the NTFWeekly email on 25th September. They are also displayed on the NTF website under Working for a Racehorse Trainer – Terms and Conditions of Employment.

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## Guidance on managing staff welfare

Managing occupational health and welfare issues in the workplace means taking steps to promote the wellbeing of, and to prevent illness and injury to your employees. Part of this involves ensuring that employees know who to talk to about their wellbeing or who to raise any problems with; employees have a responsibility to do this to help the employer support their wellbeing at work.

At pages 77 and 78 of the BHA Red Book is a sample policy and guidance upon staff welfare. It includes guidance on ensuring that employees notify their employer if they have an occupational disease, who they should talk to if they have a stress or drug or alcohol problem and who to notify if the employee is pregnant or breast feeding. For those trainers who insure through Lycetts, a sample policy can also be found in Lycetts Tool Kit.

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## Staff accompanying horses to sales

With the sales season upon us, we have had enquiries from trainers about paying expenses to staff when they accompany horses to the sales.

Even where the sales are at racecourses, the subsidised raceday canteens are not likely to be open and staff may be paying full rates for meals and drinks. Trainers should ensure that staff are reimbursed for out of pocket expenses at sales; the tax free element of the daily allowances authorised by HMRC only applies to “going racing” and so the best practice for sales days would be to pay expenses against receipts given to you by staff. Alternatively you could advance staff an allowance and ask them to provide receipts for any money spent and the balance returned.



## Employee Disciplinary Procedures – Considering who does what

If possible, the three stages of the disciplinary procedure – investigation, disciplinary meeting and any appeal meeting – should be carried out by different people within a business and ideally someone who has not been involved in the original decision. That is not always possible in a small organisation. Sometimes if the matter is particularly complex or involves the person who would normally make any decision as a witness, then it may be appropriate to appoint an independent consultant to undertake the process. If so, the employer will need to ensure the consultant follows the organisation's disciplinary policies and procedures and deal with the case fairly in accordance with those.

The burden of proof is on the employer to show that having carried out a reasonable investigation, they had a reasonable belief in the misconduct. Only evidence known to the employer at the time of dismissal will be considered by a Tribunal in deciding if a dismissal was fair – so ensure the investigation is thorough. Where possible, test what a witness is saying and consider what evidence supports it. The investigator should look for any evidence to support the employee as well as to incriminate him.

When deciding who within a business will undertake the different stages, ensure each has the authority to make any decisions required. If a matter goes to Tribunal in an unfair dismissal case, the Tribunal will look to see if the dismissing officer had a reasonable belief in the misconduct and the evidence to support it. The dismissing officer and appeal officer will be the main witnesses so ensure that those chosen for those roles would be able to present themselves well at any Tribunal hearing.

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## Essential to keep good record of working time

To help resolve a claim from an employee that they have not been paid the correct overtime for all the hours worked, good record keeping is essential – be that through a clocking in system or asking staff to complete time sheets. An informal clocking in system could simply be a book where employees write down their start and finish times and that is checked by a manager.

It is also good practice to have a system of recording the authorisation of overtime by the trainer or a manager. Where time off is given in lieu of overtime worked, again that should be recorded to avoid any misunderstanding later in the employment relationship.

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## New tax free childcare system

The Government's new tax-free childcare system is underway offering help to parents with childcare costs. Parents with children under four years old at 31st August 2017 can register at [www.childcarechoices.gov.uk](http://www.childcarechoices.gov.uk). Those with older children can also register for alerts as to when they can apply. For those employers who offer child care voucher schemes, remember that those schemes will close to new entrants from 6th April 2018.



## BHA to trial fast track disciplinary procedures

For a three month period starting from September, the BHA is trialling a new fast track disciplinary procedure for certain offences. This is a result of recommendations made by Christopher Quinlan QC in his report on the BHA's disciplinary procedures and structure in 2016; it is a common method used in other sports to avoid delays and unnecessary cost.

The first wave of breaches which will be eligible for fast tracking have been identified during a full audit by the Regulatory team as those that are either mostly administrative failings or do not ordinarily give rise to wider integrity concerns. Breaches of these rules will not automatically fall to be processed through Fast Track but will be subject to a full review by a Regulatory Advisor.

The fast track system will be initiated where the trainer or jockey accepts the alleged breach and does not want to argue any case before the Disciplinary Panel. As part of their response, the trainer or jockey will have the opportunity to make a personal plea of mitigation should they wish relevant matters to be considered. If any NTF member receives the offer of a fast track procedure and would like to discuss it, then please ring Dawn Bacchus at the NTF office.

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## BHA Licensing Department set to manage incoming call traffic

The BHA Licensing Department is implementing a series of initiatives to manage phone calls from trainers and jockeys.

This team currently answers 30 to 40 phone calls per day and the BHA's analysis indicates that a large proportion of these calls are confirmation of submission and routine progress enquiries from applicants and interested parties. The least amount of calls are received by Licensing between 2pm and 4pm therefore this time has been chosen to ensure that applicants are still able to contact the team at the times most convenient to them.

From Monday 18th September the team will take phone calls only from **9am till 2pm and then 4pm to 5pm**.

The above will ensure that a 2 hour period will provide an interruption free period that can be devoted to the progression of licensing issues rather than dealing with routine telephone queries. During this period callers will be directed to the Licensing FAQs and Forms pages of the new website; they will also still have the option of emailing the Licensing Team.

We would be grateful for feedback from trainers about this trial. In recent years we have been concerned about the efficiency of communications with the department and the speed with which applications and renewals are handled so we would like to know if trainers see an improvement.

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## Regulation and other notable deadlines

- Pension auto enrolment staging dates
  - **Up to February 2018** for businesses started since April 2012
- **By the end of 2017** – original Racing Admin website will close.
- **1st October 2017** – Novice Chase recommendations come into effect.
- **1st January 2018** – minimum ratings applies to all non-two year old Group 1 and non-novice Grade 1 races.



## New form of examination to check suitability to race

The way in which the BHA checks that certain horses are fit to race is set to change and this will replace the “poor movers list”. The new method is called a “suitability to race examination”. It has been used informally over the last three months to assess the practicalities and gain responses from trainers. As a result of positive feedback these examinations will be rolled out on a permanent basis across all affected horses and therefore remove the poor movers list and protocol.

The reason for instigating this STR examination is to allow trainers and owners, their stable vets, and BHA vets to be confident that horses that arrive at the races with a history of idiosyncratic gaits will be able to race. It removes the problem of withdrawing horses on raceday once they have arrived at that racecourse because they are deemed at trot up to be lame. It also allows the BHA Veterinary Officers (VO) to have confidence that these horses have gaits that do not represent on-going pathology changes which could result in a catastrophic injury and hence welfare issues.

How it works:

- 🛡 Horses are identified by BHA VOs as having consistent abnormal gaits or have a history of being examined and possibly withdrawn on raceday a number of times because of their gait movements. Trainers of horses on the current poor movers list will be contacted and encouraged to apply for the suitability exam before recommencing racing.
- 🛡 The trainer is notified by letter that their horse is to be subject to a STR examination because of one of those criteria.
- 🛡 The examination is to occur at the trainer’s stables and not on race day when the horse may be entered to race.
- 🛡 The trainer has the option to have his/her stable veterinary surgeon present when the examination takes place. There will also be a full review of the horse’s history and its medication records.
- 🛡 The examination consists of two stages: an examination, including a trot up which will be video recorded, before the horse undertakes a gallop and a further examination of the horse after it has completed a gallop.
- 🛡 Any horse presented for a STR examination may be drug tested in accordance with the Rules of Racing.
- 🛡 If the horse is passed as suitable to race, it may be entered and race as normal. It will be subject to on-going random VO checks on its gait on race days as it continues to race. If there is a deterioration in its action or a change in gait in future, it may be subject to a repeated STR examination, otherwise it continues to race as a normal racehorse.
- 🛡 If the horse is deemed unsuitable to race at any point by the VO, it may not be declared for a race until it has completed a satisfactory STR examination.
- 🛡 If there is a disagreement on the outcome of this initial examination a Senior Raceday Veterinarian will accompany the VO on the subsequent examination.

This is a significant welfare initiative and, although it will never completely stop race day catastrophic injuries, it should give both the industry and the general public confidence that welfare is the prime focus of the racing industry.

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*“removes the problem of withdrawing horses on raceday once they have arrived at that racecourse.”*

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## Advice to prevent contamination in stables

Recent cases of horses testing positive for prohibited substances have highlighted the need for stringent policies in your yard to manage not just equine but also human medication. At the NTF we know from this summer's regional meetings how vulnerable trainers feel as a result of the strict liability rules.

In the May/June 2017 printed newsletter, we published a reminder of the advice available from the NTF about medication control and preventing contamination through various sources including feedstuffs and bedding. There is an information sheet entitled "Reducing risk of positive samples" in the Members Area of our website under Horse Welfare. It is divided into three main areas: contaminated feedstuffs including the BETA NOPS Code; cross contamination; and medication management. One extract reads:

***"Advise staff not to urinate in stables at the yard or raceday stables – highlight the very real risk of cross contamination this poses."***

In the same area of our website you can also find a template poster about avoiding the risks of contamination. We are working on the production of a laminated version of this to send to all our members in the near future.

If you would like more advice about the types of measures you can take to show you have taken all reasonable measures to prevent contamination, please speak to Dawn Bacchus at the NTF office.

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*"there is an information sheet entitled Reducing Risk of Positive Samples in the Members Area of our website."*

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## International consistency regarding use of cobalt-containing supplements (IFHA)

The International Federation of Horseracing Authorities (IFHA) has published guidance in their Advisory Document Cobalt Threshold Values – Advisory Document regarding Cobalt Threshold Values, providing further information on the use of cobalt containing supplements. You will know from previous notifications that the thresholds are 0.1 microgram total cobalt per millilitre in urine and 0.025 microgram total cobalt (free and protein bound) per millilitre in plasma.

1. The threshold levels were determined following an international survey of cobalt concentrations in racehorses on race days.
2. A normal racing diet is more than sufficient to meet a horse's nutritional requirements for cobalt and vitamin B12; neither cases of cobalt deficiency nor disease for which cobalt is the indicated treatment have been documented in the horse.
3. From evidence to date, as a guide, no more than 1 mg of cobalt from a single dose should be given by injection and no more than 5 mg by mouth within the day preceding race day. Local Rules regarding administration of Prohibited Substances in the period leading up to and including race day must be noted.
4. Injectable cobalt supplements offer no nutritional advantages because incorporation of cobalt into the vitamin B12 molecule occurs within the horse's gut.

More details are available in the IABRW & Related Documents section on the IFHA website (<http://www.horseracingintfed.com/default.asp>) If you have any questions please contact the NTF office or Amanda Piggott, BHA Veterinary Adviser.



## Protection when buying veterinary medicines online

Buying veterinary medicines online can be risky. The Accredited Internet Retailer Scheme (AIRS) was developed in 2012 in response to the general public's concerns about buying veterinary medicines over the internet. The aim of the scheme is to provide assurance to the public and professional keepers of animals that by purchasing their veterinary medicines from an accredited internet retailer they are buying the medicines from a reputable, UK-based retailer; at less risk of buying unauthorised, inappropriate or ineffective medicines for their animals; and confident that the retailer meets the requirements of the Scheme and the law.

Retailers who meet the accreditation criteria display the special 'VMD Accredited Retailer' logo with their unique accreditation number. There are currently 41 accredited websites. Clicking the logo on the website will open up the VMD verification screen. We recommend trainers use a recommended retailer when purchasing medicines online.

### Auto Enrolment Pensions

Auto Enrolment applies to all employers.

Do you know your staging date?

Have you notified a contact to the Pension Regulator?

***Don't risk a fine by failing to comply***

**Read the NTF Auto Enrolment Guide on our website and plan your scheme now.**

## RACING UK

Don't forget Racing UK has generously offered all NTF members a free subscription for every one purchased. Racing UK shows racing from 34 leading racecourses in the UK - and all in glorious HD. To avail yourself of this offer, please email [trainers@racinguk.com](mailto:trainers@racinguk.com).



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**01488 71729**

**Any other legal enquiry**  
**01206 846143**

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## NTF meeting dates

Region	Date	Location
South West	Monday 30th October	Taunton
West Midland and Wales	Monday 6th November	Warwick Racecourse
North	Thursday 9th November	Ripon Racecourse
East	Tuesday 14th November	Newmarket
South East	Thursday 16th November	Epsom Racecourse
Central South	Tues 21st or Tues 28th November	Newbury Racecourse
Committees and Council	Tuesday 5th December	London

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