Consultation on the Draft Equine Welfare Code of Practice

A Consultation Document issued by the Rural Directorate of The Scottish Government

19 October 2007
To Interested Parties on the attached list.

19 October 2007

Dear Sir/Madam

CONSULTATION ON THE DRAFT EQUINE WELFARE CODE OF PRACTICE

I have enclosed a draft of our proposed welfare code on equines and would welcome any comments or suggestions you may have. The purpose of this consultation is to ensure that the advice contained in the code is accurate, practical and realistic. The aim of the code is to provide basic information and guidance to those responsible for horses, ponies, donkeys and other domestic equines on how to care for them.

I am very grateful to those individuals and organisations who have assisted in the preparation of the code.

This consultation seeks views on the style, layout and content of the code and the information, advice and guidance it contains. It is important that you give as much information and evidence as possible to support your opinion. This will help us improve the accuracy and quality of the code. Comments are welcome on any part of the code.

Comments on the draft code must be sent to the following address by 11th January 2008.

Scott McDowell
Animal Welfare Policy Team
Room 350
Pentland House
47 Robb’s Loan
EDINBURGH
EH14 1TY

By email to: animal.health@scotland.gsi.gov.uk
By fax to: 0131 244 6616
We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the Respondee Information Form (only required if you are providing a response) as this will ensure that we treat your response appropriately. If you ask for your response not to be published, we will regard it as confidential and we will treat it accordingly. All respondents should be aware that The Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002. We would therefore have to consider any request made under that Act for information relating to this consultation exercise.

If you have any queries about this consultation please email or fax us as above, or call 0131 244 6182. Please let us know if you think anyone else should be consulted or feel free to copy and circulate the consultation to other interested parties or individuals.

If you would like further copies of this consultation, or the document in an alternative format, such as large print, Braille, audiotape or disc, or in a community language please use the contact details above. I expect that most respondents will find it easier to send in a written response, but if you would find it easier to respond in some other way (such as by telephone, audiotape or at a meeting) please contact us to make the necessary arrangements.

This consultation and all other Scottish Government consultation exercises can be viewed at http://www.scotland.gov.uk/consultations. You can telephone Freephone 0800 77 1234 to find out the location of your nearest Public Internet Access Point.

The Scottish Government now has an e-mail alert system for consultations (SEconsult). This system allows stakeholder individuals and organisations to register and receive a weekly e-mail containing details of all new consultations (including web links). SEconsult complements, but in no way replaces SE distribution lists, and is designed to allow stakeholders to keep up-to-date with all SE consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. I would encourage you to register.

Consultation is an essential and important aspect of The Scottish Government working methods. Given the wide-ranging areas of work of The Scottish Government, there are many varied types of consultation. In general, however, consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work, to do so in ways which will inform and enhance that work. While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

The views and suggestions detailed in consultation responses are analysed and used as part of the decision making process. Depending on the nature of the consultation exercise, the responses received may:

- Indicate the need for policy development or review;
- Inform the development of a particular policy;
- Help decisions to be made between alternative policy proposals; and
- Be used to finalise legislation before it is implemented.

Where respondees have given permission for their response to be made public (via the Respondee Information Form) these will be made available to the public in The Scottish Government Library 20 working days after the close of the consultation. All responses,
where agreement to publish has been given, will be checked for any potentially defamatory material before being logged in the library or placed on the website. The library is located at Saughton House, K Spur, Broomhouse Drive, Edinburgh, EH11 3XD and you can make arrangements to view the responses by contacting the SE library on 0131 244 4565. Responses can be copied and sent to you but a charge may be made for this service.

If you have any comments about how this consultation exercise has been conducted, please send them to the response address above.

Yours faithfully

Ian W Strachan
Head of Animal Welfare Team
SCOTTISH GOVERNMENT HORSE CONSULTATION LIST

A & R Chalmers
A Jamieson & Sons
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Aberdeen City Council, Chief Executive
Aberdeen City Council, Environmental Health
Aberdeenshire Council, Chief Executive
Aberdeenshire Council, Environmental Health & Waste Management
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Action of Churches Together in Scotland (ACTS)
Adfern Riding Centre
Advocates for Animals
Alisdair Kettles
Allan, J (Mr)
Altries Stables
Amazing Animals
An Tairbeart Trekking
Angus Council, Chief Executive
Angus Council, Environmental & Consumer Protection
Angus Council, Environmental & Consumer Protection
Animal Aid
Animal Concern
Animal Consultants & Training Association
Animal Health - Ayr
Animal Health - Galashiels
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Animal Health - Inverurie
Animal Health - Perth
Animal Protection Agency
Animal Welfare Trust
Aannadale Equestrian Centre
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Ardene House Veterinary Practice
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Ardmiddle Livery Stables
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Argyll & Bute Council, Environmental Health
Argyll Riding Ltd
Arthursiel Rescue Centre
Association of British Riding Schools
Association of Chief Police Officers in Scotland
Association of Chief Police Officers in Scotland
Association of Circus Proprietors of Great Britain
Auchlishie Eventing Ltd
Bailey Mill Trekking Centre
Balcolm Stud Farm
Balhlll Riding Stables & Boarding Kennels
Balmenach Pony Trekking
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Blebo Stables
Blue Cross
Borlam Farm
Bowhouse Livery
Boydstone Stables
Braeheads Stables
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Brechin Castle Equestrian
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British Horse Society
British Horse Society Scotland
British Society of Animal Protection
British Veterinary Association
British Veterinary Association (Scottish Branch)
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Broothorn Ponies
Buchan Veterinary Clinics (Peterhead)
Burnock Mill Equestrian
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Cairnhouse Riding Centre
Calder Glen Country Park
Caledonian Equestrian Centre
Campbell Farriers Ltd
Campblebridge Riding School
Camperdown Wildlife Centre
Captive Animals' Protection Society (CAPS)
Carr-Bridge Trekking Centre
Castle Riding Centre and Argyll Trail Riding
Catholic Parliamentary Office
Cauldhame
Central Scotland Police
Central Scotland Police
Chapelton Farm Equestrian Centre
Chariots of Fire Driving Centre
Church of Scotland
Circus Society
City of Edinburgh Council, Chief Executive

Pentland House, 47 Robb’s Loan, Edinburgh EH14 1TY
www.scotland.gov.uk
Stirling Council, Environmental Health
Stonelea Stables
Strathclyde Police
Strathclyde Police
Strathdearn Pony Trekking
Strathorn Farm Stables
Strathspey Veterinary Centre
Sunnyside Stables & Driving Centre
Tahuna Livery
Tait, T A (Mr)
Tannoch Stables
Taylor Veterinary Practice
Tayside Police
Teen Ranch Scotland
Tenant Farmers Association of Scotland
Thordale Equestrian & Trekking Centre
Tomintoul Riding Centre
Tower Farm Riding Stables
Tranent Riding Centre
Tullochville Livery Yard
University of Aberdeen, School of Law
University of Edinburgh
University of Glasgow Veterinary School

Walleys Marts Castle Douglas Limited
Waxing Stud
Wells Field Farm Livery Centre
West Arnloss
West Dunbartonshire Council, Chief Executive
West Dunbartonshire Council, Environmental Service
West Highland Heavy Horses
West Lothian Council, Chief Executive
West Lothian Council, Environmental Health & Trading Standards
West Loudoun Equestrian Centre
West Pitcorthie Stables
Wester Bandrum
Wester Deanhead Equestrian Centre
Westertoun Riding Centre
Westmuir Equine Services
Westwood, P (Miss)
Whalsay Riding Club
Wheter, R J (Prof)
Whiteloch Farm Riding Stables
Wilson, D (Mr)
Women’s Food and Farming Union
RESPONDENT INFORMATION FORM: DRAFT EQUINE WELFARE CODE OF PRACTICE

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name:
Postal Address:

1. Are you responding: (please tick one line)
   (a) as an individual                             go to Q2a/b and then Q4
   (b) on behalf of a group/organisation           go to Q3 and then Q4

INDIVIDUALS

2a. Do you agree to your response being made available to the public (in The Scottish Government library and/or on The Scottish Government website)?

   Yes   Go to Question 2b
   No    we will treat your response as confidential. Go to Question 4.

   2b. Where confidentiality is not requested, we will make your response available to the public on the following basis (please tick one of the following boxes)

      Yes, make my response, name and address all available
      Yes, make my response available, but not my name or address
      Yes, make my response and name available, but not my address

ON BEHALF OF GROUPS OR ORGANISATIONS:

3. The name and address of your organisation will be made available to the public (in The Scottish Government library and/or on The Scottish Government website). Are you also content for your response to be made available?

   Yes
   No    We will treat your response as confidential

SHARING RESPONSES/FUTURE ENGAGEMENT

4. We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you in the future, but we require your permission to do so. Are you content for The Scottish Government to contact you in the future in relation to this consultation response?

   Yes       No
Consultation on the Draft Equine Welfare Code of Practice

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19 October 2007
INTRODUCTION

1. Under the Animal Health and Welfare (Scotland) Act 2006 (the “Act”) anyone who owns or is in charge of an animal has a legal duty to take reasonable steps to ensure its welfare. The legislation quoted in boxes throughout this document is not part of the Code but is intended to highlight the relevant legal requirements. The law, as quoted in these boxes, is that in force on the date of publication or reprinting of the Code.

2. Breach of a provision of this Code, whilst not an offence in itself, can be used in evidence where somebody has been accused of an offence under the Act. Equally the Code can be quoted by anyone who has acted in accordance with its provisions, as a defence against any prosecution under the Act.

3. This Code applies in Scotland only and has been issued by the Scottish Ministers, following its approval in draft by the Scottish Parliament. It covers all equines for which a person is responsible. In this Code “Equines” is intended to cover all domestic horses, ponies, donkeys, and hybrids including mules. Where the word “horse” is used in this Code, that reference applies to all equines.

4. This Code provides a practical guide to those owners and keepers responsible for equines in Scotland and details a set of underpinning principles of horse care which are designed to cover the differing management techniques required for the many circumstances in which horses are kept in Scotland.

5. A horse which is being treated by a veterinary surgeon may have additional or special needs specified by the vet which will supersede the requirements of this code.

HORSE PASSPORTS

6. The Horse Passports (Scotland) Regulations 2005 require all equines, regardless of age or status, to be accompanied by a passport. All horse owners must obtain individual passports for each horse owned. Passports can be held by the horse owner or keeper but must be held with the horse at all times. Horses without passports cannot:

- be moved for the purpose of being entered in a competition;
- be moved for the purpose of being used for breeding;
- be moved out of Scotland;
- be moved to the premises of a new keeper;
- be sold or have ownership transferred; nor
- be sent to slaughter for human consumption.
THE DUTY OF CARE

7. Before buying a horse potential owners need to consider a number of important issues:

- the cost of keeping a horse, since the purchase cost may be minimal compared to the ongoing costs. The ongoing costs will vary depending on the needs of the individual horse, where it is kept and what it is used for. A potential owner should draw up a budget based on their own circumstances. This is necessary in order to decide whether the ongoing costs are affordable. In drawing up a budget, the owner should remember that along with the day to day costs for keeping there is likely to be additional expenditure for items such as supplementary feeding, worming, insurance, veterinary fees (including regular vaccinations), farriery and equipment, etc. A full five stage vetting by an independent veterinary surgeon is recommended and should be considered.

- how much time will need to be spent in looking after the horse and will the owner have the time to exercise the horse;

- the skills and knowledge of horse care which they possess;

- what is the right horse for each situation; and

- how and where the horse will be kept.

8. A potential owner also needs to consider what contingency plans they should put in place; for example: the provision for stable and transport for grass-kept horses should emergency veterinary treatment be required; having isolation facilities available; and alternative arrangements for the care of the horse should the keeper become incapacitated for any reason. These contingency arrangements should be reviewed when there is any change in the owner, keeper or horse’s circumstances.

9. Under Section 24 of the Animal Health and Welfare (Scotland) Act 2006 animal owners and keepers have a legal duty of care for the animals for which they are responsible. This duty can therefore apply to livery yard owners, transporters and anyone who has agreed temporarily to take care of a horse:
10. People are therefore responsible for an animal if they own or manage it. An owner has ongoing responsibility for their animal even if another person is in charge of it. A parent or guardian of a child under 16 years old is responsible for any animal that is owned or cared for by the child. This ensures that an adult can normally be identified as a person responsible for an animal. If an owner leaves an animal in the care of another person, it is the owner’s duty to ensure the keeper is competent and has the necessary authority to act in an emergency.

11. The duty of care placed on a horse owner or keeper is based on the ‘Five Freedoms’-

- **Freedom from Hunger and Thirst** - by providing ready access to fresh water and a diet to maintain full health and vigour.
- **Freedom from Discomfort** - by providing an appropriate environment, including shelter and a comfortable resting area.
- **Freedom from Pain, Injury or Disease** - by prevention or rapid diagnosis and treatment.
- **Freedom to Express Normal Behaviour** - by providing sufficient space for habitation and exercise, proper facilities and company, as appropriate.
- **Freedom from Fear and Distress** - by ensuring conditions and treatment, which avoid mental suffering.

Section 18 of the Animal Health and Welfare (Scotland) Act 2006 states:

(1) In this part, references to being responsible for an animal mean being responsible for it on a permanent or temporary basis.

(2) In this Part, references to being responsible for an animal include being in charge of it.

(3) For the purpose of this Part, a person who owns an animal is always to be regarded as being a person who is responsible for it.

(4) For the purpose of this Part, a person (“person A”) is to be regarded as responsible for any animal for which a person who is under 16 years of age, of whom person A has actual care and control, is responsible.

(5) For the purposes of this Part, a person does not relinquish responsibility for an animal by reason only of abandoning it.

12. Responsibility for an animal therefore includes having an understanding of the specific health and welfare needs of the animal and having the appropriate knowledge and skills to care for the animal. Those responsible for animals will also have to comply with the legislation and should be aware of the appropriate Codes of
Practice, and to know when to seek qualified advice and help and who to approach, e.g. a farrier or a veterinary surgeon.

13. More information about the welfare provisions of the Animal Health and Welfare (Scotland) Act, and more details of the responsibilities of a horse owner or keeper, can be found by referring to the documents detailed in the “Sources of Information” at the end of this Code of Practice.

Section 24 of the Act states:

(1) A person commits an offence if the person does not take such steps as are reasonable in the circumstances to ensure that the needs of an animal for which the person is responsible are met to the extent required by good practice.

(2) The circumstances to which, for the purposes of subsection (1), regard is to be had include-
   (a) any lawful purpose for which the animal is kept,
   (b) and lawful activity undertaken in relation to the animal.

(3) For the purposes of subsection (1), an animal's needs include –
   (a) its need for a suitable environment,
   (b) its need for a suitable diet,
   (c) its need to exhibit normal behaviour patterns,
   (d) any need it has to be housed with, or apart from, other animals
   (e) its need to be protected from suffering, injury and disease.

(4) This section does not apply to the destruction of an animal in an appropriate and humane manner.

14. These needs are explained in more detail in this Code; however, an individual horse may have other needs that need to be met to ensure its wellbeing. If an owner or keeper is unsure what these might be it is important that they seek advice from a veterinary surgeon or an organisation such as the British Horse Society, the International League for the Protection of Horses, or the Scottish SPCA. Contact details for these organisations can be found in the “Sources of Information” at the end of the Code of Practice. Specific welfare advice in relation to competition horses can be sought from the relevant sporting disciplines or governing body.
THE NEED FOR A SUITABLE ENVIRONMENT

15. A horse owner or keeper must provide their horse with a suitable environment in which to live.

Shelter

16. Not all horses will need a stable. Some hardy breeds with thick coats are capable of living outdoors throughout the year, provided they can obtain shelter from the prevailing winds, summer sun and flies. Shelter can be natural (for example trees or hedges) or man-made (such as a field shelter) depending on the field environment and type of horse. However, where horses are of less hardy breeding, clipped, very young or elderly they do require stable accommodation or other shelter to protect them from the cold and damp; or very hot weather.

Stable Accommodation

17. Welfare aspects should be considered when constructing or altering buildings to provide housing for horses. The main considerations are the safety and comfort of the horses, ease of access and adequate drainage and ventilation. If poorly designed or managed, stabling can contribute to the rapid spread of disease, cause injury and pose significant fire risks. The following comments apply equally to all forms of housing including individual stables, stalls and communal barns.

- **Construction**: the building should be constructed soundly, with no exposed surfaces or projections likely to cause injury. All surfaces should be capable of being cleaned and disinfected. If surfaces are treated, non-toxic paints or wood preservatives should be used.

- **Fixtures and fittings** such as tie rings, hay racks and water bowls should be free of sharp edges and positioned so as to avoid injury, particularly to the eyes. If used, hay nets should be fixed at the horse’s head height, allowing the horse to eat comfortably yet avoiding the risk of the horse getting its feet or head collar caught in the net when empty.

- **Floors** should be reasonably even, non-slip and designed to give good drainage, taking stable waste away from the horse.

- **Doors** should be a minimum of 4 ft wide and open outwards. They should be capable of being securely fastened with top and bottom bolts.

- **Roofs** should be high enough to provide adequate ventilation including good air circulation. There should be a minimum clear space to the eaves of 60-90 cm (2-3 ft) above the ears of the horse in its normal standing position.

- **Light**: sufficient light is essential within all stabling both for the horse to see adequately and also to enable inspection and safe handling of horses at all times. This can include portable lighting. Light bulbs should be enclosed in safety fittings with cabling secured well out of reach.
• **Windows and ventilation slats** should provide adequate air circulation without creating draughts. Perspex or safety glass (with grilles fitted between the horse and the glass) is advisable. One window or top door should normally be open at all times.

18. As horses and ponies vary so greatly in size it is difficult to set an ideal size for loose boxes, barns or stables. However, as a minimum, each horse should have sufficient room to lie down, readily rise and turn around in comfort. Boxes for foaling and for mares with a foal at foot will require additional space. All passageways should be sufficiently wide to enable horses to be led safely past other horses and provide sufficient room to enable a horse to be turned round comfortably.

19. Groups of horses can be kept together in communal barns but care should be taken to ensure that all horses get adequate access to hay, feed and water. Sufficient space should be provided to allow free movement and to allow all the horses to lie down at the same time.

20. Adequate and suitable bedding material is necessary in all equine accommodation to provide warmth, protection against injury and to enable the horse to lie down in comfort. Bedding material should be non-toxic and allow effective drainage, or be absorbent enough to maintain a dry bed and assist in keeping the air fresh. Whatever bedding is used, it should be well-managed and changed or cleaned regularly.

21. Fire is always a risk in stable areas. Advice should be sought from the local Fire Prevention Officer in relation to statutory requirements. All equipment and services (lighting units, fire extinguishers and alarm systems) should be kept clean, inspected annually by an appropriately qualified person and kept in good working order. All electrical installations at mains voltage should be installed by a qualified electrician, be inaccessible to horses, well insulated, safeguarded from rodents and properly earthed. All metal pipework and structural steelwork should be properly earthed. Highly inflammable liquid material or combustible material should not be stored in or close to stables where horses are housed. Roof beams and other ledges should be cleaned regularly. Smoking in stable areas should be prohibited.

22. Stabled horses should be capable of being released quickly in the event of fire or other emergencies in accordance with a pre-agreed emergency turnout plan.

**Pastures**

23. As a general rule, each horse requires a minimum of one acre (or 0.4047 hectares) of good grazing if no supplementary feeding is being provided. However this will depend on the ground conditions, the time of year, type of horse and degree of pasture management employed.

24. It is not always practical or possible to remove horses from fields or pastures which become muddy, however, it is essential that the horse does have a comfortable, well drained area on which to stand and lie down, and on which to be fed and watered.
25. Fences should be strong enough and of sufficient height to prevent horses from escaping (for example higher fences may be required for stallions) and designed, constructed and maintained to avoid the risk of injury with no sharp projections. Gateways should be designed to allow for the easy and safe passage of horses, and gates should be fastened securely to prevent injury and escape. In some situations gates may need to be padlocked. Barbed wire should not be used in fields used by horses and where plain wire is used measures should be taken to ensure it is sufficiently visible to the horse.

26. Electric fences should be designed, installed and maintained so that contact with them does not cause more than momentary discomfort to the horse; all power units should be correctly earthed. Horses contained by electric fencing need extra supervision until they become accustomed to it. Temporary internal subdivisions created out of electrified tape and plastic posts or the use of tape provides an effective internal barrier, but these should not be used as the sole boundary fence.

27. A good pasture management programme is advisable to avoid over-grazing, maintain good drainage and control weeds. This may include, for example, picking up droppings, rotating grazing areas and where possible removing horses when the ground is very wet to prevent poaching (where the pasture breaks into wet muddy patches) and health problems.

28. Fields should be kept clear of dangerous objects and poisonous plants. Ragwort is one of the plants covered under the Weeds Act and should be removed and disposed of carefully wherever found. Cut ragwort should not be left where horses could have access to it as it remains toxic after being cut.

Under the Weeds Act 1959 Scottish Ministers can, if satisfied that specified weeds are growing upon any land, serve a notice requiring the occupier to take action to prevent the spread of those weeds. An unreasonable failure to comply with a notice is an offence.

29. Other plants such as yew and laburnum are also extremely toxic to horses therefore horses should not have access to these (or their clippings) at any time. Where fields back on to housing care should be taken to ensure that horses do not gain access to garden waste including lawn cuttings.

Tethering

30. Tethering can be defined as securing an animal by an appropriately attached chain, to a centre point or anchorage, causing it to be confined to a desired area. Tethering is not a suitable method of long-term management of an animal, as it restricts that animal's freedom to exercise itself, to find food and water, or to escape from attacks by dogs or the extremes of hot and cold weather. It also risks an animal becoming entangled, or injuring itself, on tethering equipment. Tethering may be a useful as an exceptional short-term method of animal management during brief stops during a journey, to prevent danger to the animal, or to humans, whilst proper long-term arrangements are made, or in medical cases where short-term restriction of
food intake is required under veterinary advice. The need for regular supervision is paramount. More details on the conditions which should be met when horses are tethered are set out in Appendix A.

**Rugs**

31. Not all horses will need a rug in inclement weather as some hardy breeds with thick coats are capable of living outdoors throughout the year without rugs. Some of these hardy breeds often thrive better without rugs, as rugs can sometimes be a cause of skin irritation. However, where horses are of less hardy breeding, clipped or elderly they may require a rug to help keep them warm and dry during cold, wet weather.

32. Rugs and hoods should be of the correct size to suit the horse, of the correct type (i.e. designed for the use to which it is being put), of the correct weight to suit the horse and the weather conditions, and correctly fitted to prevent rubbing, hair loss and abrasions. Rugs should be regularly removed so the horse’s body condition and general health can be checked. Ideally this should be done daily.

33. Rugs should be cleaned and, if necessary, repaired regularly and all fastenings kept in good working order. A spare rug should be available to allow a very wet rug to be dried out.

**Supervision**

34. Horses at grass should be inspected at least once a day, preferably more often. Stabled or group-housed horses should be inspected at least twice a day, again preferably more frequently. Particular attention should be paid to their gait, demeanour, feet, body condition and appetite so that early signs of disease, injury, illness or signs of parasites can be noticed and appropriate treatment promptly provided. Skin problems (e.g. lice, rain scald, mud fever, ringworm and sweet itch) are particular problems found in horses at pasture.

35. Hooves of horses should be picked out daily and at the same time examined for signs of injury, loose shoes, impacted foreign material or anything else unusual.

36. Apart from those on turnout with little work, horses should be groomed regularly, but not excessively (which could remove the protective grease from the coat), to ensure that the coat is clean, free from wounds or parasites and to detect rug, tack or harness rubbing.

**THE NEED FOR A SUITABLE DIET**

**Feed**

37. Horses are naturally “trickle” feeders, who eat little and often, whose diet is mainly grasses, which have a high roughage and low energy content. Horses should be provided with a balanced, predominately fibre-based diet: either grass, hay, haylage or a hay replacement in order to mimic their natural feeding pattern as
closely as possible. Horses should be fed little and often, whether roughage or concentrates are being fed, and at regular feeding times.

38. Good grazing should ensure an adequate intake of roughage and minerals; if grazing is poor supplementary feeding may be required. One way to limit grazing in large areas of grazing land is to divide the land into strips by using electric fencing.

39. All conserved forage should be of good quality; it should be clean (free from soil, debris and poisonous plants), smell fresh and be free from dust and mould. Feeding forage at floor level is good for horses’ respiratory health, provided the underlying ground is kept reasonably clean. It also means that the horse eats in a similar position to that when grazing naturally.

40. The quantity of concentrates fed to a horse as supplementary feed in addition to any grazing or similar fodder should be no more than that necessary to provide the required energy for the type of work done and body condition of the horse. Each feed should be well mixed and freshly prepared. Horses should not be worked on a full stomach.

41. Feed should be correctly processed, stored in vermin-proof containers, and carefully handled to prevent spoiling and to ensure the nutritional value is maintained. Feed containers and utensils should be kept clean to discourage rodents. Contaminated, mouldy or stale leftover food and forage should not be fed to the horse and should be removed daily.

42. Where loose horses are fed in groups there should be one feeder per horse plus an extra feeding point. Two horses’ lengths should be allowed between feeders to minimise the risk of injury to horses through competition for food.

43. The weight and condition of every horse should be monitored regularly to avoid welfare problems and feeding adjusted as necessary for animals that are too fat or too thin. Obesity and over eating remains the major cause of laminitis. At any time of year fat animals will fall into the high risk category for developing laminitis. Fat animals, particularly when the lush spring grass with its high energy content is freely available, are particularly at risk. Grazing may therefore need to be restricted at this time. See Appendix B for details of Condition Scoring which can help owners and keepers monitor their horse’s weight and condition to avoid both obesity and emaciation.

Water

44. It is essential that all horses have adequate access to a clean supply of fresh water, or that adequate clean water is made available to them on a regular basis throughout the day. Natural water sources such as streams are not always satisfactory, as they may be contaminated, so an alternative supply may be required unless natural water sources are clean, copious, have easy access and do not have a sandy base which may cause problems if disturbed when the horses drink. Extra care should be taken during hot or icy weather to ensure the water supply is maintained and sufficient, for example, by regularly breaking the ice during cold spells or providing an additional water source during hot weather. Additional water may need to be provided after exercise.
45. The trough should be securely fixed at a convenient height to allow, if necessary, horses of different size to drink comfortably and it should not be possible for the horse to paw the water or dislodge the trough and knock it over. There should be no sharp edges, protruding corners or exposed taps – they should be boxed in. Water troughs and containers should be cleaned regularly to prevent the build up of algae. Troughs should be positioned in a way so that it would not be possible for a horse to be trapped or cornered in the area of the trough.

THE NEED TO EXHIBIT NORMAL BEHAVIOUR PATTERNS

46. Horses and ponies require adequate exercise, or freedom to exercise, and this will require time and effort from the horse owner or keeper. Horses that are continuously stabled should be either exercised (ridden or in hand) or be given space in which to exercise themselves each day, unless under veterinary advice to do otherwise.

47. Horses require calm, consistent and sympathetic handling by competent people. Horses respond best to a firm but gentle approach and to rewards for correct responses.

THE NEED TO BE HOUSED WITH, OR APART FROM, OTHER ANIMALS

48. Being gregarious animals horses prefer to live in social groups. They should therefore be socialised with their own species, preferably with an equine companion or if this is not possible, with another animal. They also enjoy human company so, if kept on their own, they require more frequent human contact and supervision. Donkeys have particular socialisation needs and can, for example, become ill if separated from a companion.

49. Horses should always be treated as individuals even when kept in large groups. When forming new groups care should be taken to avoid fighting and stress, particularly if they are to be mixed together. This risk can be reduced by increasing the space allowance or by penning the new animal close to the existing group for a short period and / or removing back shoes of all animals during the introduction period. Separation of incompatible animals is particularly important in this system; horses should not be mixed in fields or communal barns if any one individual is aggressive, nor should shod horses normally be mixed with those that are unshod. Incompatible individuals, such as entire males (colts, stallions) and “rigs” (a stallion with undescended testicles or a horse which has been incompletely castrated) should be separated. In communal barns mares heavily in foal or with foal at foot should also be separated from other horses. When living in groups horses always develop a pecking order, so it is important to be aware of bullying and it is important that the correct amount of feed and water is provided for all the horses in the group. Care needs to be taken to ensure that those lower down the pecking order are getting the feed and water which they require.
50. As a general rule the more horses kept; the more time, effort and resources are required to safeguard the welfare of the horses. The size of the group is also important.

THE NEED TO BE PROTECTED FROM SUFFERING, INJURY AND DISEASE

<table>
<thead>
<tr>
<th>Section 19 of the Animal Health and Welfare (Scotland) Act 2006 states:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) A person commits an offence if-</td>
</tr>
<tr>
<td>(a) the person causes an animal unnecessary suffering by an act, and</td>
</tr>
<tr>
<td>(b) the person knew, or ought to have known, that the act would</td>
</tr>
<tr>
<td>have caused the suffering or be likely to do so.</td>
</tr>
<tr>
<td>(2) A person who is responsible for an animal commits an offence if</td>
</tr>
<tr>
<td>–</td>
</tr>
<tr>
<td>(a) the person causes the animal unnecessary suffering by an act</td>
</tr>
<tr>
<td>or omission, and</td>
</tr>
<tr>
<td>(b) the person knew, or ought to have known, that the act or</td>
</tr>
<tr>
<td>omission would have caused the suffering or be likely so to do.</td>
</tr>
</tbody>
</table>

Discipline and restraint

51. It is an offence to cause an animal unnecessary suffering therefore any discipline should be appropriate, timely, reasonable and proportionate. Similarly any restraint method used to assist normal management or treatment of the horse should be the most mild and effective method available and should be applied by a competent person only for the minimum period necessary. Sedatives must only be used under veterinary advice.

Prompt recognition of ill health

52. Everyone responsible for the supervision of horses should be able to recognise signs of ill health and have a basic knowledge of equine first aid. It is also important that owners and keepers have access to a veterinary surgeon to diagnose or treat any illness, injury or disease and have their contact details easily available, including out of hours details. Horse passport should be easily accessible, otherwise some treatments may not be available.
53. Owners and keepers of horses should be able to recognise the normal behaviour of their horses and recognise the signs that indicate poor health. These include:

- change in appetite (for food and water);
- change in droppings;
- change in demeanour or behaviour;
- losing body and coat condition; and
- the presence of any injury or lameness.

54. When a horse becomes unwell, the cause of this deterioration should be identified and immediate remedial action taken. Veterinary advice should be obtained if the horse appears to be ill or in pain and the cause is not clear or if initial first aid treatment is not effective. In the case of foot problems, advice could be obtained from a registered farrier. Advice from the veterinary surgeon or farrier should be followed diligently.

55. Veterinary advice should be sought immediately if the horse is suffering from severe lameness, recumbency, acute pain, respiratory distress or large open wounds.

**Routine health care**

56. A parasite control programme should be put in place following consultation with a veterinary surgeon; this may include the use of wormers, and appropriate faecal worm egg counts. Careful pasture management including the rotation of grazing and dung collection is an important part of an effective parasite control programme.

57. There should be adequate control of infectious and contagious disease by a programme agreed with a veterinary surgeon, which will include appropriate hygiene and isolation procedures and vaccination.

58. Teeth should be inspected by a veterinary surgeon or qualified equine dental technician at least once a year, and rasped or otherwise treated if necessary. Horses with worn or abnormal teeth are unable to chew their food properly which leads to poor digestion. Owners and keepers should look out for signs of this problem, such as: half-chewed food dropping out of the mouth; poor condition and lack of energy; and abnormal mouth movements when ridden.

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The Farriers (Registration) Act 1975 states:

Under this Act it is an offence for an unregistered person to describe himself as a farrier or shoeing smith, and it is an offence...
for an unregistered person to carry out an act of farriery. An act of farriery is described as "any work in connection with the preparation or treatment of the foot of a horse for the immediate reception of a shoe thereon, the fitting by nailing or otherwise of a shoe to the foot or the finishing off of such work to the foot”.

59. Every horse owner and keeper should have some understanding of the care of a horse’s feet, which grow continuously and the need to treat lameness promptly and effectively. Feet should be trimmed by a competent person and attention should be given to their growth and balance. Horses ridden or driven on roads or hard, rough surfaces should be regularly shod by a registered farrier. The Farriers Registration Act 1975 requires anyone shoeing horses to register each year with the Farriers Registration Council. This includes those people who only shoe their own horses. Loose shoes and those with risen clences should receive prompt attention from a farrier to prevent possible injury. Hooves should be trimmed or re-shod as advised by the farrier, which should usually be every 4-8 weeks.

60. Flies can cause a great deal of irritation to horses, particularly during the summer, and can introduce infection to wounds so an appropriate treatment from a veterinary surgeon should be used. Midges can also be a source of irritation during the spring and summer and can cause sweet itch. Consideration should be given to preventative fly and midge control through the use of fly repellents, fly rugs or masks and, for horses sensitive to fly or midge bites, stabling at dawn and dusk when flies and particularly midges are most active.

Saddlery and Harness

61. Saddlery and harness should be suitable for the purpose, being appropriate to the needs and abilities of both horse and rider. They should be correctly fitted, preferably by a qualified saddle fitter, and regularly cleaned and maintained in good order to ensure comfort, safety and effectiveness.

62. Boots and bandages: if used, these should be suitable for the purpose, correctly fitted to avoid discomfort or injury and only left on for the minimum time necessary.

Transporting Horses

63. The transportation of horses and ponies should always be as safe and stress free as possible and in accordance with current rules and regulations.

Annex 1 of EC Regulation 1/2005 requires that animals are fit to be transported and states that:

No animal shall be transported unless it is fit for the intended
journey, and all animals shall be transported in conditions guaranteed not to cause them injury or unnecessary suffering.

Animals that are injured or that present physiological weakness or pathological processes shall not be considered for transport and in particular if:

(a) they are unable to move independently without pain or to walk unassisted;
(b) they present a severe open wound, or prolapse;
(c) they are pregnant females for whom 90% or more of the expected gestation period has already passed, or females who have given birth in the previous week;
(d) they are new born mammals in which the naval has not completely healed.

(c) and (d) do not apply to registered equidae if the purpose of the journey is to improve the health and welfare conditions of birth, or for newly born foals with their registered mares, provided that in both cases the animals are permanently accompanied by an attendant, dedicated to them during the journey.

Registered equidae have a restricted definition and only applies to those covered by article 2(c) of Directive 90/426 EEC and covers horses registered by a breeding or other authority but excludes those intended for slaughter.

Euthanasia

64. It may be necessary, in the event of incurable illness, old age or permanent unsoundness or, more suddenly, in the event of an accident, to arrange the humane destruction of a horse. The horse's welfare must always come first. Therefore, in the interests of the horse, owners should give the issue their full consideration well before the time comes to make a decision to prevent the horse suffering unnecessary pain and distress.

65. Where, in the opinion of a veterinary surgeon, a horse is significantly suffering, has not responded to treatment for a serious injury or condition involving significant pain, has a disease or injury from which there is no prospect of recovery and for which no treatment is available, or where a horse is in such a condition that it would be inhumane to keep it alive, the animal should be humanely destroyed without delay by veterinary surgeon or an appropriately experienced and equipped person such as a knackerman or hunt kennel employee by an approved method.

66. In a non-emergency situation, where a horse is permanently unsound or has a recurring or permanent and steadily worsening condition, a rational decision should be made with due regard for the horse's future and welfare.
67. As horses become older their needs may become greater, they may well require increased supervision and additional veterinary care. When a horse reaches the end of its active working life, or is very elderly, consideration should be given to whether the horse can be provided with a good quality of life in retirement. Owners have a responsibility to ensure that they or whoever is entrusted with the care of such an animal is fully aware of the needs of that animal otherwise consideration should be given as to whether it would be kinder to have the horse painlessly destroyed.
APPENDIX A: TETHERING

A  **Suitability of the Animal**

1. Not all animals are suitable for tethering,
2. Young animals; horses under two years old should not be tethered.
3. Pregnant animals should not be tethered in the last third of pregnancy.
4. Nursing mothers should not be tethered
5. Mares should not be tethered near stallions
6. Stallions should not be tethered
7. Sick animals should not be tethered
8. Old (over 20 years old) animals should not be tethered.

B  **Site.** (the area to which the tethered animal has access)

1. The site should be reasonably level, have good grass cover, and be free of any objects, natural or man made, which could ensnare the tether.
2. A site in which a high proportion of the herbage consists of weeds is not suitable.
3. The site should not be waterlogged.
4. The site should not be crossed by any public right of way.
5. The site should not have anything on it, which might injure an animal.
6. The site should not be used without the written permission of the landowner.
   Written permission should include a requirement to abide by this code.
7. An adequate area for tethering should allow access by any part of the horse’s body and with an extra 4 metres between the hind quarters of one horse and another.

C  **Tethering Equipment.**

1. Either a well-fitting leather head collar, or a broad leather neck strap must be used. These should be fitted with a 360° swivel device where the chain is attached.
2. The chain should be approximately 20 ft in length, and must be strong enough to prevent breakage, but light enough to prevent pressure sores from the tethering equipment. Rope or nylon should not be used.
3. The ground stake must not protrude above ground level, and must be fitted with a 360° swivel.

D  **Food and water.**

1. In many cases the site will provide adequate food in the form of grass; where this is the case the tether site should be changed at least once daily to ensure the quality of the pasture.
2. If the grass is not sufficient for the animal’s need, sufficient forage food should be available throughout each day.
3. Water should be made available, regularly, in a spill-proof container.
4. Containers for concentrate food should be kept in a clean and safe condition.
E  **Shelter.**

1. Animals should not be exposed to the full heat of the sun, to heavy rain, snow or hail, or to strong winds for other than very short periods. In extremes of weather shelter should be provided.
2. Shelter should, at a minimum, provide shade from the sun and from severe wind. In prolonged rain, a well drained area must be available.

F  **Exercise**

1. Animals must be given freedom to exercise off the tether for a reasonable period at least once a day.

G  **Supervision.**

1 Tethered animals require a high level of supervision, and should be inspected no less frequently than six hourly intervals during normal waking hours.
2. Provision should be made to deal with situations where extremes of weather or other circumstances occur.

H  **Identification.**

1 All tethered animals should be marked in such a way as to be permanently identifiable, and from this identification the keeper or owner should be able to be readily contacted.
2 This could be achieved by use of a freeze-brand or microchip registered with a 24-hour access database.
3 Alternatively the animal could have some form of identification attached to the head collar or neck strap giving full details of the keeper or owner.

I  **Other requirements.**

1. They may need protection from ill-intentioned persons.
APPENDIX B

BODY CONDITION SCORING OF HORSES

0  Very Poor

1  Poor

2  Moderate

3  Good

4  Fat

5  Very Fat
# Body Condition Scoring of Horses

<table>
<thead>
<tr>
<th>C/S</th>
<th>Pelvis</th>
<th>Back and Ribs</th>
<th>Neck</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1 Poor</strong></td>
<td>Prominent pelvis and croup. Sunken rump but skin supple. Deep cavity under tail.</td>
<td>Ribs easily visible. Prominent backbone with sunken skin on either side.</td>
<td>Ewe neck, narrow and slack base.</td>
</tr>
<tr>
<td><strong>2 Moderate</strong></td>
<td>Rump flat either side of back bone. Croup well defined, some fat. Slight cavity under tail.</td>
<td>Ribs just visible. Backbone covered but spines can be felt.</td>
<td>Narrow but firm.</td>
</tr>
<tr>
<td><strong>3 Good</strong></td>
<td>Covered by fat and rounded. No gutter. Pelvis easily felt.</td>
<td>Ribs just covered and easily felt. No gutter along the back. Backbone well covered but spines can be felt.</td>
<td>No crest (except for stallions) firm neck.</td>
</tr>
<tr>
<td><strong>4 Fat</strong></td>
<td>Gutter to root of tail. Pelvis covered by fat. Need firm pressure to feel.</td>
<td>Ribs well covered - need pressure to feel. Slight crest</td>
<td>Wide and firm.</td>
</tr>
</tbody>
</table>

(Based on the Carroll and Huntington Method)
To obtain a body score, score the pelvis first, then adjust by half a point if it differs by one point or more to the back or neck.
BODY CONDITIONING SCORING FOR DONKEYS

1. POOR

2. MODERATE

3. GOOD

4. FAT

5. OBESE
<table>
<thead>
<tr>
<th></th>
<th>NECK AND SHOULDTERS</th>
<th>WITHERS</th>
<th>RIBS AND BELLY</th>
<th>BACK AND LOINS</th>
<th>HINDQUARTERS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>POOR</strong></td>
<td>Neck thin, all bones easily felt. Neck meets shoulder abruptly, shoulder bones felt easily, angular.</td>
<td>Dorsal spine of withers prominent and easily felt.</td>
<td>Ribs can be seen from a distance and felt with ease. Belly tucked up.</td>
<td>Backbone prominent, can feel dorsal and transverse processes easily.</td>
<td>Hip bones visible and felt easily (hock and pin bones). Little muscle cover. May be cavity under tail.</td>
</tr>
<tr>
<td><strong>MODERATE</strong></td>
<td>Some muscle development overlying bones. Slight step where neck meets shoulders.</td>
<td>Some cover over dorsal withers, spinous processes felt but not prominent.</td>
<td>Ribs not visible but can be felt with ease.</td>
<td>Dorsal and transverse processes felt with light pressure. Poor muscle development either side midline.</td>
<td>Poor muscle cover on hindquarters, hip bones felt with ease.</td>
</tr>
<tr>
<td><strong>IDEAL</strong></td>
<td>Good muscle development, bones felt under light cover of muscle/fat. Neck flows smoothly into shoulder, which is rounded.</td>
<td>Good cover of muscle/fat over dorsal spinous processes withers flow smoothly into back.</td>
<td>Ribs just covered by light layer of fat/muscle, ribs can be felt with light pressure. Belly firm with good muscle tone and flattish outline.</td>
<td>Cannot feel individual spinous or transverse processes. Muscle development either side of midline is good.</td>
<td>Good muscle cover in hindquarters, hip bones rounded in appearance, can be felt with light pressure.</td>
</tr>
<tr>
<td><strong>FAT</strong></td>
<td>Neck thick, crest hard, shoulder covered in even fat layer.</td>
<td>Withers broad, bones felt with firm pressure.</td>
<td>Ribs dorsally only felt with firm pressure, ventral ribs may be felt more easily.</td>
<td>Can only feel dorsal and transverse processes with firm pressure. Slight crease along midline.</td>
<td>Hindquarters rounded, bones felt only with firm pressure. Fat deposits evenly placed.</td>
</tr>
<tr>
<td>OBESE</td>
<td>Neck thick, crest bulging with fat and may fall to one side. Shoulder rounded and bulging with fat.</td>
<td>Withers broad, unable to feel bones.</td>
<td>Large, often uneven fat deposits covering dorsal and possibly ventral aspect of ribs. Ribs not palpable. Belly pendulous in depth and width.</td>
<td>Back broad, unable to feel spinous or transverse processes. Deep crease along midline bulging fat either side.</td>
<td>Cannot feel hip bones, fat may overhang either side of tail head, fat often uneven and bulging.</td>
</tr>
</tbody>
</table>

Half scores can be assigned where donkeys fall between scores. Aged donkeys can be hard to condition score due to lack of muscle bulk and tone giving thin appearance dorsally with dropped belly ventrally, while overall condition may be reasonable.
APPENDIX C: SOURCES OF INFORMATION

Legislation
- Animal Health & Welfare (Scotland) Act 2006
- The Weeds Act 1959
- Horse Passports (Scotland) Regulations 2005

Websites of relevant organisations
- www.bhsscotland.org.uk
- www.ilph.org
- www.bhs.org.uk
- www.newc.co.uk
- www.pcuik.org
- www.bva.uk
- www.beva.org.uk
- www.wef.org.uk
- www.farrier-reg.gov.uk

Publications relevant to topics covered by Code
- Scottish Government Publication
  Horse Passports: Guidance for all horse owners.

- British Horse Society Publications:
  The Complete Horse & Pony Care
  BHS Guide to Grassland management
  The BHS Complete Manual of Stable Management
  The BHS Veterinary Manual

- Pony Club Publications:
  Manuel of Horsemanship
  Keeping a Pony at Grass

- National Equine Welfare Council
  Equine Industry Welfare Guidelines Compendium

- British Equine Veterinary Association
  Horse Care Guide