

The Dales Pony Society

# Members' Handbook

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## **Introduction**

The purpose of this handbook is to provide members with the definitive versions of the Memorandum of Association, the Articles of Association, Regulations, the Breed Standard, Procedures, Policies, Rules, Codes of Conduct and Guidelines of the Dales Pony Society.

The handbook refers to forms and fees which are required for the Society to meet its objectives; comply with legislation; and carry out services. These forms and the current fees are available from the Secretary or can be downloaded from the Society website [www.dalespony.org](http://www.dalespony.org).

## THE COMPANIES ACTS 1985 TO 1989

### COMPANY LIMITED BY GUARANTEE AND NOT HAVING A SHARE CAPITAL

#### **MEMORANDUM OF ASSOCIATION OF THE DALES PONY SOCIETY**

1. The name of the Company (“the Society”) is The Dales Pony Society.
2. The registered office of the Society is situated in England and Wales.
3. The Objects (“the Objects”) of the Society are:
  - (1) to promote and encourage the breeding of high class Dales Ponies;
  - (2) to acquire the assets and discharge the liabilities of the unincorporated association known as “The Dales Pony Society” formed in 1916;

In furtherance of the objects but not otherwise the Council may exercise the following powers:

- (i) to maintain and publish a stud book for the registration of Dales Ponies which shall be called “The Dales Pony Stud Book”;
- (ii) to publish and or otherwise disseminate information on all matters concerning Registered Dales Ponies;
- (iii) to acquire, for the Society, property, goods and effects, and to sell or otherwise dispose of the same;
- (iv) to hold shows of ponies, and to offer prizes and premiums;
- (v) to raise funds and invite to and receive contributions provided that in raising funds the Council shall not undertake any substantial permanent trading activities and shall conform to any requirements of the law;
- (vi) to buy, take on lease or in exchange any property necessary for the achievement of the objects and to maintain and equip for use;
- (vii) subject to any consents required by law to sell, lease or dispose of all or any part of the property of the Charity;
- (ix) subject to any consents required by law to borrow money and to charge all or any part of the property of the Charity with repayment of the money so borrowed;

- (x) to employ such staff (who shall not be members of the Council) as are necessary for the proper pursuit of the objects and to make all reasonable and necessary provision for the payment of honoraria or pensions and superannuation for staff and their dependants;
  - (xi) to co-operate with other charities, voluntary bodies and statutory authorities operating in furtherance of the objects or of a similar charitable purpose and to exchange information and advice with them;
  - (xii) to establish or support any charitable trusts, associations or institutions formed for all or any of the objects;
  - (xiii) to appoint and constitute such advisory committees as the Council may think fit;
  - (xiv) to do all such other lawful things as are incidental to the attainment of these objects.
4. The liability of the members is limited.
  5. Every member of the Society undertakes to contribute such amount as may be required not exceeding £1.00 to the assets of the Society if it should be wound up while he or she is a member or within one year after he or she ceases to be a member, for payment of the debts and liabilities of the Society contracted before he or she ceased to be a member, and the costs, charges and expenses of winding up, and for the adjustment of the rights of the contributors among themselves.
  6. The income and profits of the Society shall be applied in promoting the objects and no part shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise by way of profit, to Members of the Society, and no Member of the Council shall be appointed to any office of the Society paid by salary or fees: provided that nothing in this document shall prevent any payment in good faith by the Society:
    - (1) of reasonable and proper remuneration for any services rendered to the society by any Member, officer or servant of the Society who is not a Member of the Council;

- (2) of interest on money lent by any Member of the Society or Member of the Council at a reasonable and proper rate per annum not exceeding 2 per cent less than the published base lending rate of a clearing bank to be selected by the Members of the Council;
  - (3) of reasonable and proper rent for property conveyed or let by any Member of the Society or Member of the Council; and
  - (4) to any Member of the Council of reasonable out-of-pocket expenses.
7. If the Society is wound up and after the satisfaction of all its debts and liabilities, there remains any surplus, it shall not be distributed among the members of the Society, but shall be given or transferred to some other body having objects similar to those of the Society or to another body the objects of which are charitable, chosen by the Members of the Society at or before the time of dissolution, and if that cannot be done then some other charitable object.

## THE COMPANIES ACTS 1985 TO 1989

### COMPANY LIMITED BY GUARANTEE AND NOT HAVING A SHARE CAPITAL

#### **ARTICLES OF ASSOCIATION OF THE DALES PONY SOCIETY**

##### **1 PRELIMINARY**

###### 1.1 In these articles:

“the Act” means the Companies Acts 1985 including any statutory modification or re-enactment of it for the time being in force;

“clear days” in relation to the period of a notice means that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect;

“the Society” means the Dales Pony Society;

“the Council” means the council of management of the Society; whose members are both Directors of the Company and Trustees of the Charity;

“the Charity” means the Society regulated by these articles;

and unless the context otherwise requires, words or expressions contained in these articles bear the same meaning as in the Act but excluding any statutory modification of it not in force when these articles become binding to the Society.

###### 1.2 The Society is established for the purposes expressed in the Memorandum of Association.

##### **2 MEMBERS**

###### 2.1 Applications for membership shall be in writing in such a form as may be required by the Council but must include an undertaking to be bound by the Memorandum and Articles of the Society.

###### 2.2 The Council shall have the right to refuse an application for membership without giving any explanation or reason for exercising such right. Persons under the age of 18 years shall be Junior Members

###### 2.3 The Council shall have the right for good and sufficient reason, and subject to a two-thirds majority of the Council taken on a poll, to terminate the membership of any Member, provided that the Member concerned shall have the right to be heard before any final decision is made.

2.4 Members of the Society shall be:

- i) Full Members or
- ii) Honorary Members, who may be elected by the members in General Meeting upon the recommendation of the Council or
- iii) Junior Members under the age of 18.

2.5 Privileges of Members:

All members shall enjoy the following privileges:

- i) To register and transfer Dales Ponies in the Dales Pony Stud Book.
- ii) To exhibit registered Dales Ponies at shows organised by the Society and to receive notice of such shows.
- iii) To receive notice of, and to attend all General Meetings of the Society.

### **3 SUBSCRIPTIONS**

- i) The annual subscription shall be set by the Council of the Society and will take effect from 1st January the following year. Subscriptions shall be due immediately an application for membership is accepted by the Society.
- ii) Junior Members shall pay the subscription at a reduced rate.
- iii) Members in arrears with their subscriptions for more than two months shall forfeit the privileges of the Society.
- iv) Honorary Members shall not be required to pay any subscriptions.

### **4 GENERAL MEETINGS**

- 4.1 The Society shall convene and hold its Annual General Meeting in the Winter of each year and shall specify the meeting as such in the notices calling it. The notices shall include the audited accounts of the Society. Not more than fifteen months shall elapse between the date of one Annual General Meeting and the next. So long as the Society holds its first Annual General Meeting within eighteen months of its incorporation it need not hold it in the year of its incorporation or in the following year.
- 4.2 All General Meetings shall be held in the United Kingdom at a time and place specified by the Council.
- 4.3 All General Meetings other than the Annual General Meeting shall be called Extraordinary General Meetings.



- 4.4 The Council may, whenever it thinks fit, convene an Extraordinary General Meeting.
- 4.5 The Council shall, on a requisition made in writing and signed by thirty or more Members, at the expense of the requisitionists, forthwith proceed to convene an Extraordinary General Meeting. Any requisition made by Members shall state the object of the meeting and the terms of any special or extraordinary resolution to be proposed and shall be left at the Registered Office of the Society. At such a meeting only matters specified in the notice shall be discussed.

## **5 NOTICE OF GENERAL MEETINGS**

- 5.1 At least twenty one clear days before every Annual General Meeting and every Extraordinary General Meeting called for the passing of a special resolution and at least fourteen clear days before every other General Meeting, notice specifying the place, the day and the hour of meeting, and, in the case of special business, the general nature of such business, shall be given to all Members and the Auditors of the Society.
- 5.2 The accidental omission to give notice to, or the non-receipt of a notice of a meeting by any person entitled to receive notice, shall not invalidate the proceedings at that meeting.

## **6 PROCEEDINGS AT GENERAL MEETINGS**

- 6.1 No business shall be transacted at any meeting unless a quorum of not less than thirty Members having the right to vote at the meeting is present at the commencement of such business.
- 6.2 If within one half hour of the time appointed for the meeting a quorum is not present, the meeting if convened upon a requisition of Members, shall be dissolved; in any other case it shall stand adjourned to the same day in the following week, at the same time and place, and if, at such adjourned meeting a quorum is not present, the meeting shall be dissolved.
- 6.3 The Chairman of the Society, or in his or her absence, the Vice Chairman, shall preside at every General Meeting of the Society. If neither the Chairman nor Vice Chairman is present at the time of holding the meeting, the members present shall choose a member of Council to be the Chairman of the meeting.

- 6.4 The Chairman may, with the consent of a meeting, at which a quorum is present (and shall be directed by the meeting) adjourn a meeting, but no business shall be transacted at any adjourned meeting other than business which might properly have been transacted at the meeting had the adjournment not taken place. When a meeting is adjourned for fourteen days or more, at least seven clear days' notice shall be given specifying the time and place of the adjourned meeting and the nature of the business to be transacted. Otherwise it shall not be necessary to give such notice.
- 6.5 A resolution put to the vote at a General Meeting shall be decided on a show of hands unless before, or on the declaration of the result of a show of hands, a poll is demanded. Subject to the provisions of the Act a poll may be demanded:
- i) by the Chairman; or
  - ii) by at least five Members having the right to vote at the meeting. A poll shall be taken as the Chairman directs and the Chairman shall appoint scrutineers who need not be Members. A declaration by the Chairman confirmed by the scrutineers that a resolution taken on a poll has been carried or lost shall be conclusive evidence of the fact and the number of votes cast for or against the resolution shall be disclosed.
- 6.6 Unless a poll is demanded a declaration by the Chairman that a resolution has been carried or lost and an entry to that effect in the Minute Book of the Society shall be conclusive evidence of the fact without proof of the proportion or number of votes recorded in favour or against the resolution.
- 6.7 In the case of an equality of votes, whether on a show of hands or on a poll, the Chairman shall have a second or casting vote, in addition to his or her vote as a Member.
- 6.8 The Minute Book of the Society shall be open to inspection of the Members at all reasonable times.

## **7 VOTES OF MEMBERS**

- 7.1 Subject to Article 6.7, the following shall be entitled to vote at all General Meetings of the Society:
- i) Full Members
  - ii) Honorary Members.
- 7.2 No Member shall be entitled to vote at a General Meeting if his or her subscription to the Society is more than two months in arrears.
- 7.3 No objection shall be raised to the qualification of any voter except at the meeting or adjourned meeting at which the vote objected to is tendered, and every vote not disallowed at the meeting shall be valid. Any objection made in due time shall be referred to the Chairman whose decision shall be final and conclusive.

## **8 COUNCIL OF MANAGEMENT**

- 8.1 The management of the affairs of the Society shall be conducted by a Council.
- 8.2 The Council shall consist of twelve Members of the Society.
- 8.3 The Members of the Council shall continue in office for a term of three years. Four Members of the Council shall retire each year but shall be eligible for immediate re-election without further nomination.
- 8.4 Members shall not be eligible for election to the Council unless they have been Full Members of the Society for a period of at least five consecutive years.
- 8.5 During July in every year the Council shall send a notice to the members:
- a) advising them of the date of the Annual General Meeting;
  - b) advising them of the vacancies on the Council and inviting nominations for the Council.
- 8.6 Nominations for the Council shall be in writing, signed by two Members of the Society and forwarded to the Secretary on or before the 1st September preceding the Annual General Meeting.
- 8.7 Where the number of nominations is less than or equal to the number of vacancies on the Council, the nominated Members will be automatically elected to the Council.

- 8.8 Where there are more nominations than vacancies on the Council, there shall be a postal ballot, which shall be conducted as a poll with a scrutineer, who is not a Member of the Society, appointed by the Chairman, and the results shall be notified at the Annual General Meeting.
- 8.9 Until the first Annual General Meeting the Council shall consist of the subscribers to the Memorandum of Association.
- 8.10 The quorum for a Council Meeting shall be seven Members of Council. The Chairman of a Council Meeting shall have a second or casting vote, in addition to his or her vote as a Member of Council.
- 8.11 If any Member of the Council fails to attend four consecutive Council Meetings without good reason, he or she shall be deemed to have been removed from the Council and his or her place filled by the next Member in line on the list of votes balloted at the previous Annual General Meeting.
- 8.12 The Meetings of the Council shall be held at such a place and time as the Council may decide.
- 8.13 Extraordinary Meetings of the Council may be convened by the Chairman, the Vice-Chairman, or any five members of the Council and shall be held at such time and place as may be appointed by the convenors.
- 8.14 The Council shall:
- i) have control over all the affairs and property of the Society and shall exercise all such powers of the society as it thinks fit;
  - ii) have power to make or amend regulations regarding the Registrations and Transfers, The Dales Pony Stud Book, Stallion Licences and Service book, Stallion, Colt and Mare Premiums, the Breed Shows, and the distribution of awards;
  - iii) review the Judges Panel annually. Judges shall be elected to or removed from the Society's Panel by a majority vote of the Council by a poll;
  - iv) maintain a record of all property, securities, cups or other trophies owned or held in trust by the Society and keep the same comprehensively insured to the full value;

- v) make available to Members details of all Premiums awarded by the Society.

## **9 OFFICERS**

### **9.1 President**

The Council may elect as President of the Society any person of whom they approve. The President shall be an Honorary Member. The President shall be entitled to attend all Council Meetings but has no vote as a right of holding the title of President.

### **9.2 Chairman and Vice Chairman**

The Chairman and Vice Chairman shall be Members of the Council. They shall be elected by the Council by a poll at the next Council Meeting after the Annual General Meeting and they shall retire at the Council Meeting following the third Annual General Meeting after their election. Each Chairman, on his or her retirement from the Chairmanship, shall as Past Chairman, be entitled to attend Council Meetings for the year following his or her retirement, but will have no vote as a right of holding the title of Past Chairman.

### **9.3 Secretary and Treasurer**

The Secretary and Treasurer shall be appointed by the Council. They both are entitled and are requested to attend all Council Meetings but have no vote as a right of holding the title of Secretary or Treasurer. The Secretary and Treasurer shall be appointed for such term at such remuneration and upon such conditions as the Council may think fit.

### **9.4 Assistant Secretary**

The Council may appoint Assistant Secretaries for such term at such remuneration and upon such conditions as the Council may think fit.

### **9.5 Life Vice Presidents**

The Council may elect as a Life Vice President of the Society, any Member who has given outstanding service to the Society. A Life Vice President shall be proposed and seconded in writing by two Members of the Society. The proposal shall be considered by the Council who may approve or reject the proposal. If the nominee is present at the Council

Meeting, he or she shall withdraw during consideration of the proposal by the Council.

A Life Vice President is entitled to attend all Council Meetings but has no vote as a right of holding the title of Life Vice President. A Life Vice President shall be an Honorary Member.

## **9.6 Inspectors**

The Council may elect as an Inspector for the Society, any Member who has demonstrated his or her knowledge of the Dales Pony to the Council. The Council will consider the period of time that the Member has been judging and breeding Dales Ponies.

## **10 AUDITORS**

Auditors shall be appointed and their duties regulated in accordance with sections 384 to 392 of the Act.

## **11 BREED STANDARD**

No alteration to the Description of the Dales Pony accepted by the Society shall be made except by the Members at an Extraordinary General Meeting called for the purpose.

## **12 MINUTES**

The Council shall keep minutes in books kept for the purpose:

- (1) of all appointments of Officers made by the Council; and
- (2) of all proceedings at meetings of the Society and of the Council and of committees of Council Members including the names of the Members of Council present at each such meeting.

## **13 ACCOUNTS**

Accounts shall be prepared in accordance with the provisions of Part VII of the Act.

## **14 ANNUAL REPORT AND ANNUAL RETURN**

The Council shall comply with its obligations under the Charities Act 1992 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual report and an annual return and their transmission to the Commissioners.

## **15 INDEMNITY**

Subject to the provisions of the Act every Member of Council or other Officer or auditor of the Society shall be indemnified out of the assets of the Society against any liability incurred by him/her in that capacity in defending any proceedings, whether civil or criminal, in which judgement is given in favour or in which he/she is acquitted or in connection with any application in which relief is granted to him/her by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Society.

## REGULATIONS

### 1 REGISTRATIONS

Registration of Dales Ponies can only be made through the Dales Pony Society. All foal registration applications must be received by the Secretary's office not later than 30th November in the year of their birth. All registrations must be completed by 31st December in the year of birth. Foals registered after this time must be parentage tested at the expense of the breeder. Where the sire of the foal is not owned by the breeder, the Registration Application form must be accompanied by the Service Slip, for the mare, from the Stallion's Service book. If the stallion's Service Log Sheet is not sent in by the owner of the stallion in the previous year, the breeder of the foal may be required to prove parentage by DNA testing at the breeder's expense.

All foals must be micro-chipped as a requirement of registration.

Breeders must arrange to have the foal micro-chipped, described by a Veterinary Surgeon, and DNA hair samples must be taken at this time, from both the foal (two samples) and its dam (one sample). The cost of micro-chipping and describing the pony is the responsibility of the breeder. Breeders or their family members that are Veterinary Surgeons must not complete documents themselves. If any micro-chip implanted in a pony is interfered with in any way, the registration of the pony may be deemed invalid.

Any application for a foal that has been produced using artificial insemination must be accompanied by the semen release document and a signed, stamped and dated document proving insemination of the mare by a vet or AI technician. Any registrations that are not accompanied by such documents will be required to be parentage tested using DNA from both parents.

Any application for a foal that has been produced using embryo transfer must be DNA parentage tested prior to registration at the mare owner's cost. There is a limit of two foals via embryo transfer plus one foal carried naturally per mare per year.



There is a recommended limit on registered names of 26 characters including spaces.

Foals will be registered as follows:

### **1.1 Colts**

Colts eligible for stallion status must be by a registered, licensed Dales Pony stallion and out of a registered Section A mare and must themselves display correct markings.

Under the provisional licensing system, colts by a registered, licensed Dales Pony stallion and out of a registered Section B mare, themselves displaying correct markings, can be put forward for a provisional stallion licence.

Mismarked colts from Section A or Section B mares, are not eligible to be stallions. These colts will be registered as gelding status colts in the gelding division of the stud book, under their relevant section.

### **1.2 Fillies and Geldings**

Fillies and Geldings are registered as follows:

Section A: By a registered, licensed Section A Dales Pony stallion out of either a Section A or Section B registered Dales Pony mare and displaying correct markings, as in the breed standard.

Section B: By a registered, licensed Dales Pony stallion and out of a Section A or B mare but displaying incorrect markings (downgraded).

Section X:

- a) By a registered but unlicensed or unapproved Dales pony stallion and out of a registered Dales pony mare.
- b) Progeny from any pony entered in Section X of the stud book.

### **1.3 Stallions**

All Section A Dales Pony stallions used for breeding and showing must pass the Stallion Licensing Procedures to be accepted as stallions in the stud book from three years of age. Colts may be licensed from January in the second year after birth.

Colts must be tested clear of Foal Immunodeficiency Syndrome (FIS) to be eligible for licensing.

Colts that fail the Stallion Licensing Procedures are required to be castrated to be re-entered into the gelding division of the stud book. Progeny from unlicensed stallions will be registered in Section X of the Stud Book.

## **2 FOUNDATION STOCK**

Only a limited number of Dales Ponies were inspected as "Foundation Stock" in Section D (Closed 31st December 1971). The Council of the Dales Pony Society reserves the right to re-open and close the Dales Pony Society stud book to such entries.

Three inspectors were required to register a pony which in their opinion was true to height, type and colour. In such cases their word was final. No inspector or member of the Council could inspect his or her pony for registration.

Fillies and geldings bred from a licensed Dales Pony stallion and out of a Section D registered Dales Pony mare were registered in Section C. Progeny of Section C mares were registered as Section B (upgraded).

## **3 SUSPECTED OR DOUBTFUL PEDIGREE**

All cases of suspected or doubtful pedigree of ponies and all cases of alleged misrepresentation relating to them which may be brought under the notice of the Society shall be dealt with by the Council and the following procedure shall be observed:

- a) If the Council resolve to investigate the case, it shall be referred to a special committee, with instructions to investigate the same accordingly, and to report thereon, to a subsequent meeting of the Council.
- b) If required, the pony will be brought, by the owner to a place appointed by the Society for inspection by a special committee. The pony may also be required to be DNA tested. All costs of such an inspection or test will be the responsibility of the owner of the pony.
- c) The Council shall have discretionary power to publish or not the result of any such enquiries and of expressing or withholding any

opinion upon the case and of otherwise dealing with the same in any manner they think fit.

- d) If misrepresentation of any pony is found to have occurred, the Council has the power to move the pony and all of its progeny to Section X of the stud. The person responsible may have their membership cancelled.

#### **4 LATE REGISTRATIONS**

Late registrations will be accepted providing the pony fulfils the requirements for registration and they are accompanied by full and satisfactory verification of pedigree by DNA testing of the pony for registration and its sire and dam. This will be at the expense of the person(s) applying. Applications should be made to the Secretary and a fee for late registration will be charged by the Society.

#### **5 PART BRED REGISTER**

The Dales Pony Society will accept part-bred offspring of either Dales Pony stallions or Dales Pony mares into the part-bred register.

Any horse or pony will be accepted provided that it has at least 25% proven Dales Pony breeding, calculated from either or both parents.

Entries will be accepted without inspection, subject to the condition that the Council has the right to require inspection, should it be felt necessary.

Foals must be registered by six months of age, or by 30th November in the year of their birth, whichever is the later. All foals must be micro-chipped when they are described by a Veterinary Surgeon prior to registration. DNA hair samples must also be taken at this time. Costs of micro-chipping and registration fee are the responsibility of the breeder. Animals from the Part-Bred Register are not acceptable into the pure bred stud book and there is no upgrading of part-bred stock into the main stud book.

## **6 PREFIXES**

The Dales Pony Society is affiliated to the Central Prefix Register, whose rules apply. A breeder is not required to have a Prefix, but if a Prefix is used, it must be registered with the Central Prefix Register. A Prefix should be applied for through the Dales Pony Society. Prefixes are registered for life and cannot be used by any other person without the written consent of the Prefix owner, or his or her executors.

A Prefix, if registered, must be applied to any Dales Pony eligible for entry into the Dales Pony Society stud book by the breeder. The Prefix cannot be subsequently altered, and regardless of loan agreements between breeders, it is the registered owner of the mare at the time of foaling who is deemed the breeder of the foal, and no other person's Prefix may be used on the offspring.

## **7 PASSPORTS**

All Dales Ponies are required to have an equine passport, the identification document for equines, under the Equine Identification (England) Regulations 2018 and EU Council Directives 90/427/EEC(5) and 2009/156/EC(6).

Under these regulations, all Dales Pony must be accompanied by its passport:

- when it is moved into or out of Great Britain
- when it is moved to the premises of a new owner or keeper (e.g. for training or breeding purposes)
- when it is moved to other premises for competition
- when it is moved off a holding to receive veterinary treatment (A period of 14 days following veterinary treatment is permitted for production of the passport if requested)
- when a sale takes place
- when the Dales Pony Society requests it.

The passport is a legal document and is the property of the Dales Pony Society. Great care should be taken of the passport as it is a history of the pony, cataloguing all ownerships, veterinary treatments and inspections.

The Dales Pony Society will undertake to issue a duplicate passport should be original be lost on payment of a fee. The owner is responsible for replacing through their veterinary practise, any veterinary records of relevance.

## **8 TRANSFERS OF OWNERSHIP**

Transfers of owner are made by use of a two-part form and must be made within 30 days of the sale.

It is the responsibility of the new owner to complete and sign the first part of the form and send it with the passport, accompanied by the appropriate fees, to the Secretary.

It is the responsibility of the vendor to send the second part of the form to the Secretary, to confirm the new owner, so that the transfer of ownership can take place in the stud book.

If the pony is jointly owned, we require all owners' signatures to be on the form.

The Dales Pony Society will not take responsibility for ownership disputes. In the event of an ownership dispute regarding an equine registered with the Dales Pony Society, you must notify the Society immediately so that we can flag the animal on our system to prevent any attempts to update the passport until the dispute is resolved with all parties.

## STALLION LICENSING PROCEDURES

Colts eligible for stallion status must be by a registered, licensed Dales Pony stallion and out of a registered Section A mare and must themselves display correct markings.

Under the provisional licensing system, colts by a registered, licensed Dales Pony stallion and out of a registered Section B mare, themselves displaying correct markings, can be put forward for a provisional stallion licence.

Mismarked colts from Section A or Section B mares, are not eligible to be stallions. These colts will be registered as gelding status colts in the gelding division of the stud book, under their relevant section.

All Section A Dales Pony stallions used for breeding and showing must pass the Stallion Licensing Procedures to be accepted as stallions in the stud book from three years of age. Colts may be licensed from January in the second year after birth.

Stallions that fail the licensing procedures, or those not have not been presented for licensing, will not appear in the stud book as Section A stallions, and any progeny will be registered in Section X of the stud book.

Applications for a stallion licence should be made to the Secretary, who will supply the necessary forms.

All colts must be FIS clear and the certificate lodged with the Secretary.

All applications are considered in Council for suitable breeding and markings.

The Council has the right to inspect any pony where there is documentary evidence that the pony does not conform to the breed standard or where the Council deems inspection necessary for the purposes of assessment for a stallion licence. The pony shall be brought to a place that the Council may decide for the purpose of inspection, and the costs of such an inspection will be the responsibility of the owner of the pony.

Following approval by Council, the Veterinary Surgeon will be supplied with the necessary forms for the examination. The name, signature, full postal address and stamp of the Veterinary Surgeon must be completed on the veterinary examination form. Breeders or their family members that are Veterinary Surgeons must not complete documents themselves.

The Veterinary Surgeon is required to collect a hair sample from the colt, to accompany the veterinary examination form. All colts will be DNA tested, and the pony identified by Veterinary Surgeon, using the micro-chip number. The veterinary fee for this test is the responsibility of the stallion owner. Owners are advised that a Veterinary Surgeon will not attempt to examine an unmanageable stallion. Unbroken colts should be halter trained and accustomed to being lunged.

If the colt is approved by Council and a satisfactory veterinary examination form has been submitted, the Secretary will contact the applicant. The applicant will be requested: to pay the appropriate fee to the Society and send the pony's passport to the Society for updating.

Following licensing, all stallions are issued with a Service Book and Service Log Sheets. Every service for the year must be recorded on a Service Log Sheet. The top copy of each Service Slip shall be given to the owner of the mare, as a requirement for registration of the resultant foal.

The Service Log Sheet must be signed and returned to the Secretary not later than the 30th of November every year. Failure to do so may lead to progeny requiring proof of parentage prior to registration.

If a licence is refused or revoked, the stallion owner is entitled to appeal. Any appeal shall be made to the Council, accompanied by the appeal fee, which will be returned if the appeal is successful. On appeal, an independent Veterinary Surgeon, with or without one or two Officials of the Society, will be appointed to re-examine the stallion and/or his progeny if relevant, and a report will be made to the Council. The decision of the Council following consideration of the appeal shall be final.

The Council of the Dales Pony Society may require any Stallion holding a licence to be re-examined or re-appraised at any time, for the purpose of ascertaining that there are no grounds for the revocation of the licence.

## **LICENSING OF STALLIONS OUT OF SECTION B MARES**

### **1 BACKGROUND**

In July 2021, following presentation of scientific evidence to the Council that genetic diversity in the breed is being lost due to a rapid narrowing of bloodlines in the current stallion population, the Council amended its January 2021 decision to allow correctly marked colts out of Section B grading up mares to be provisionally licenced as stallions. It was decided that, in addition to such colts out of grading up mares, the pool of colts eligible to become stallions could easily be further expanded by also allowing correctly marked colts out of mismarked Section B mares to become licenced stallions under a carefully controlled and monitored provisional licencing system. Any such colts must meet all other licencing requirements to be considered for a provisional licence.

This policy replaces the Policy on Licencing Colts out of Grading Up Mares issued in January 2021. This policy will apply equally to colts out of grading up Section B mares, and downgraded mismarked Section B mares.

### **2 PROVISIONAL LICENCE**

The provisional licence allows the stallion to sire a maximum of 5 registered foals after which the licence will be reviewed. If the stallion has sired 4 or more Section A foals, then the provisional licence will continue for a further 5 foals, of which 4 or more must be Section A. If these criteria are met, then a full licence will be issued with no further restrictions.

If the stallion has sired less than 4 Section A foals at either of the 5 foal provisional licence review points, then the licence will terminate and the stallion will no longer be a licenced stallion.

The Council will review all provisional licences annually and reserves the right to end the provisional licencing scheme at any time should the percentage of mismarked ponies within the breed increase.



### **3 PROCEDURES**

The application for a stallion licence is submitted which meets all licencing requirements in place at the time.

The Council reviews the application and can accept, reject (with a reason) or require further information.

Following acceptance by Council, a provisional licence is issued using the next available licence number annotated P e.g. 234P. The passport and stud book database are updated.

The Secretary monitors the number of registered foals sired by the stallion and whether they are section A or B. The Secretary will notify the owner whether the licence will be extended for a further 5 foals or revoked.

The Secretary continues to monitor the number of registered foals sired by the stallion and whether they are section A or B. The Secretary will notify the owner whether the licence is permanently confirmed or revoked. The passport and database are updated accordingly.

All provisional licences will be reviewed by Council annually and individual licences may be revoked early if Section B limits are exceeded before the full quota of foals is reached.

## BREED STANDARD

- General:** A strong, active pony, full of quality and spirit. True pony character: alert, high-couraged, intelligent and kind.
- Head:** Neat and ponylike, showing no dish. Broad between the eyes, which should be bright and alert. Pony ears, slightly incurving. Long foretop of straight hair down the face.
- Neck:** Strong and of ample length. Stallions should display a bold outlook with a well-arched crest. Throat and jaws clean-cut. Long, flowing mane.
- Shoulders:** Well-laid, long, sloping shoulders with well-developed muscles. Withers not too fine.
- Body:** Short-coupled and deep through the chest, with well-sprung ribs.
- Hindquarters:** Hindquarters deep, lengthy and powerful. Second thighs well-developed and very muscular. Tail well set on, not high, with plenty of long, straight hair reaching the ground.
- Hocks:** Broad, flat and clean. Well let down with plenty of dense flat bone below.
- Forearms:** Set square. Short and very muscular, with broad, well-developed knees.
- Feet, Legs and Joints** The very best of feet and legs, with flexible joints, showing quality with no coarseness. The cannons should display 8"-9" of flat flinty bone and well defined tendons. Pasterns should be nicely sloping and of good length. Ample silky, straight feather on the heels. Large, round, feet, open at the heels, with well developed frogs.
- Height:** The preferred height range is 14.h.h. to 14.2.h.h.
- Colours:** Black, brown, a few grey and bay, and occasionally roan.
- Markings:** A white star and/or snip on the head. White to the fetlocks of the hindlegs only. Mismarked ponies showing more white than this are registered as section B in the stud book and placed at the discretion of the judges.
- Action:** Clean, high, straight and true. Going forward on "all fours" with tremendous energy. The knee and hock are lifted, the hindlegs flexed well under the body for powerful drive.

## **BREED SHOW RULES**

These rules apply to all central and regional breed shows and any other shows organised by the Society.

### **COMPETITORS**

Shows are confined to members of the Dales Pony Society.

The following definitions apply when making entries for shows:

|                     |   |
|---------------------|---|
| Owner:              | The person whose name appears in the passport and stud book   |
| Exhibitor:          | The person who makes the entry to the show  |
| Handler/Rider:      | The person who is handling or riding the pony in the ring   |
| Novice Handler:     | Defined as 18 years and over, not to have won a first prize in an In-Hand class before 1st January in the current year  |
| Novice Ridden Pony: | The pony must not have won a first prize under saddle by 1 January of the current year. The pony must be shown in a snaffle bridle and ponies will be asked to canter |

The Exhibitor needs to be a paid-up Full Member. It is the responsibility of every exhibitor to ensure that all Handlers and Riders are fully paid up members of the Society, for insurance reasons.

An exhibitor may not knowingly exhibit a pony bred, sold, leased or produced by the judge or his/her immediate family.

### **PONIES**

1. All ponies must be registered in the Dales Pony Society Stud Book, excluding part-bred and those ponies registered in the Section X of the stud book. Misrepresentation of any exhibit other than its true colour or form, will cause it to be banned from the show, and may cause the owner's name to be removed from the membership list.
2. Ponies to be shown in their natural state. No trimming, clipping or pulling of mane, tails, or feathers on the legs. Tails may be rough-trimmed to prevent them dragging on the ground. No young stock (3 years and under) should be shown clipped.

3. In the interests of welfare and only for ponies 4 years and over, ridden and driven ponies may be body-clipped in the winter, taking rule 2 into account. Lower legs should not be clipped.
4. No plaiting except for the traditional plait at the top of the tail bearing ribbons if so wished.
5. No false hair or make-up of any kind is permitted.
6. All stallions 3 years and over must be licensed and in full stallion tack at all times, except when under saddle or in harness.
7. All foals exhibited must be by a licensed and registered Dales stallion and must be 3 weeks old or more on the show day. All foals must be haltered at all times.
8. Foals must not be shod and it is strongly recommended that yearlings are not shod.
9. All ponies entered in the show must be accompanied by their passports, or to be eligible to apply to the Society for a passport, as required by the Equine Identification (England) Regulations 2018.

### **RING FORMALITIES**

All ponies must be shown clockwise round the ring. No exhibit is allowed to overtake the exhibit walking or trotting in front. No exhibit will be allowed to enter or leave the ring without the permission of the steward.

Exhibitors are not allowed to speak to the judge unless spoken to. Any matters arising must be reported to the ring steward only.

Any pony not under sufficient control or being a danger to the public or other competitors will be asked to leave the ring.

### **DRESS AND ACCESSORIES**

No whips with lashes in all classes.

No spurs are allowed.

The Dales Pony Society requests that the best appropriate headgear will be worn, correctly fitted and with the harness fastened at all times when mounted. Hats must meet one of the following current safety standards/specifications as of 1 January 2024: PAS015 2011, VG1, (BS) EN1384 2023, ASTM F1163 2015 & 2023, SNELL E2016 onwards, AS/NZS 3838 2006 onwards. Some hats are badged with two or more standards, as long as a hat contains at least one compliant hat standard, then it is deemed suitable

for use. Anyone not following this recommendation will be asked to dismount and if they are in the ring, they will be asked to leave the ring. Handlers of ponies in In Hand classes aged 14 years and under must wear a correctly secured skull cap/riding hats that meets one of the above standards.

### **TROPHIES**

Trophies will be returned to the Society on receipt, for engraving, and they will then be presented to the winners when ready but must be returned to the Society on request.

### **COMPLAINTS**

Any complaint must be reported to the stewards. There will be an appeal fee of £20, which will be returned if the appeal is upheld following an enquiry. If the appeal fails the fee will be forfeited.

### **OTHER CONDITIONS**

The Society reserves the right to combine or divide classes as necessary. Any exhibitor whose pony is causing damage to the showground may be asked to leave the showground.

It is necessary that all exhibitors carry Public Liability Insurance for an adequate indemnity to protect against their negligence including any injury caused by their animals or property.

### **BREACHES OF RULES**

Breaches of any of the Show Rules, or any other Society rule, will be reported by the stewards to the Secretary, who will then place them before the Council for a ruling.

### **PRIVACY STATEMENT**

Exhibitors and Handlers may be photographed or videoed on show days for Society archives and publicity in newsletters, brochures, the Society's website and social media. By taking part in any Society organised shows exhibitors agree to being photographed or videoed for these purposes.

### **DISCLAIMER**

Neither the Society nor any of its officials or servants will be held responsible for anything that may happen, from any circumstances whatever, to exhibitors or their servants, or the public or any spectator, or through any animal or vehicle, exhibited at the show and it will be a condition of entry that each exhibitor shall not hold the Society responsible, and that he or she

indemnify the Society against any legal proceedings arising from any such cause or circumstance.

## **SHOW RULES AND RECOMMENDATIONS (OTHER THAN DPS BREED SHOWS)**

These rules and recommendations apply to Dales ponies shown at shows not organised by the DPS.

1. All ponies must be registered in the Dales Pony Society Stud Book, excluding part-bred and those ponies registered in the Section X of the stud book.
2. Ponies to be shown in their natural state. No trimming, clipping or pulling of mane, tails, or feathers on the legs. Tails may be rough-trimmed to prevent them dragging on the ground. No young stock (3 years and under) should be shown clipped.
3. In the interests of welfare and only for ponies 4 years and over, ridden and driven ponies may be body-clipped in the winter, taking rule 2 into account. Lower legs should not be clipped.
4. No plaiting except for the traditional plait at the top of the tail bearing ribbons if so wished.
5. No false hair or make-up of any kind is permitted.
6. All stallions 3 years and over must be licensed by the Dales Pony Society and are traditionally shown in full stallion tack, except when under saddle or in harness.
7. Youngstock is usually shown in white halters, and the mares are also traditionally shown this way, although riding or in-hand bridles are also permitted.
8. Foals must not be shod and it is strongly recommended that yearlings are not shod.
9. Tweed, not black is the correct attire for riders, and medium weight tack should be used to show the pony to advantage.
10. Misrepresentation of any exhibit other than its true colour or form, will cause it to be reported to the Dales Pony Society, and following discussion by Council, sanctions may be applied.

## **REQUIREMENTS AND CODE OF CONDUCT FOR JUDGES**

Judges should be mindful that the purpose of judging is to place the ponies in each class in order of merit, subject to breed requirements, conformation, quality and soundness.

### **REQUIREMENTS**

All judges must be current members of the Dales Pony Society. Applicants to be a judge must have been members for the last consecutive 5 years.

Judges must attend a Dales Pony Society Conference or Seminar a minimum of once within every FOUR years to enable them to remain on the Judges Panel. The judge's name may be deleted from the Judges Panel until the judge does make an attendance at a Dales Pony Society Conference or Seminar, at the Council's discretion.

Judges must be medically, physically and mentally fit to judge otherwise they may present Health and Safety issues for themselves and / or others. Judges must discontinue judging if they are not medically, physically and mentally fit. The Council reserves the right to ask for medical evidence of fitness to undertake judging duties if necessary.

A judge should stand down from judging if they feel they are no longer capable of continuing for whatever reason and inform the Dales Pony Society of their decision.

A judge must always check the schedule on receipt to ensure they are able to judge the classes requested, if unable to fulfil then contact the Show Secretary concerned immediately.

A judge must not judge the same classes at an affiliated show within a local area more than once during a season. A local area is defined as a 40 mile radius (as the crow flies) from the show grounds concerned.

A judge, if for any reason finds themselves unable to fulfil a judging commitment, they should personally contact the Show Secretary giving their reasons and offering to find a replacement judge.

A judge should arrive at the showground at least 30 minutes prior to the expected start time of their classes and report to the Show Secretary. If delayed for any reason, a judge should contact the show to advise of the late arrival.



## **RING CODE**

Judges must be smartly dressed at all times during the show where they are judging; casual clothing is deemed inappropriate.

A judge must wear a hat whilst judging.

A judge should discuss the format to be adopted in the ring, as they are expected to examine the ponies collectively then each pony individually and thank their steward after the classes.

A judge must not refer to the show catalogue prior to or during judging.

A judge must remain detached and impartial throughout their judging.

A judge must not use any mobile devices, smoke or consume alcohol whilst in the ring.

A judge's decision is final, the class ends when the judge dismisses the class.

A judge must only be accompanied into the ring by persons appointed and approved by the Show.

A judge must not converse with spectators throughout the time they are judging.

A judge must not call any exhibitor by name whilst in the ring.

A judge must consider removing any unruly animal from the ring, if in their opinion it is likely to cause an accident.

A judge must report any exhibitor who withdraws their animal from the ring without permission to the Dales Pony Society.

A judge must report to the Show Secretary any health and safety incidents or issues with competitors that occur whilst judging and ensure any relevant forms are completed.

A judge must not accept any hospitality from an exhibitor at a show where he/she is judging.

## **IMPARTIALITY**

Judges must not judge any animal owned, bred or leased by them or any member of their immediate family.

Judges must not judge an animal previously owned or produced by them or any member of their immediate family.

Judges must not judge an animal with which they or any member of their immediate family has had any financial involvement. Stud fees are NOT included.

Judges must not judge a rider or handler who has ridden, produced or shown in hand for them in the previous or current showing seasons.

Judges must not express their views on specific animals, exhibitors or judges or their judgement by use of any form of Social Media via the internet.

## **PASSPORT REQUIREMENTS FOR SHOWS AND EVENTS**

### **PASSPORT REQUIREMENTS**

A valid passport:

Must accompany the pony to all Dales Pony Society shows and events.

Must be available for inspection on collection of numbers.

Must be produced on request at any other time during the show or event.

May be checked against the pony's microchip at any time.

### **REMOVAL FROM THE SHOW OR EVENT**

The exhibitor will be told to leave the event immediately with all animals in the following circumstances.

If a valid passport cannot be produced.

If the microchip cannot be verified or does not match the passport.

## **EQUINE INFLUENZA VACCINATION POLICY**

### **VACCINATION REQUIREMENTS**

Equine Influenza vaccinations are strongly recommended for all ponies attending DPS Shows and events.

The current guidance from BEVA (British Equine Veterinary Association) on the recommendation for the first three vaccinations is as follows:

The first two vaccinations 21-60 days apart.

A third booster between 100-180 days.

An annual booster within 365 days thereafter.

No equine should enter competitions within 7 days of an EI vaccination.

Foals should commence vaccinations at 6 months old.

The current FEI ruling is for a six monthly booster as opposed to annual; therefore it is recommended that you check with shows that fall under FEI regulation before entering e.g. Windsor, HOYS etc.

It is also strongly advised that all animals are vaccinated against tetanus in accordance with manufacturer's instructions.

## **MEMBERS' CODE OF CONDUCT**

All members of the Dales Pony Society are expected to support and promote the objectives of the Society and are therefore bound by this Code of Conduct.

### **MEMBERS BEHAVIOURAL REQUIREMENTS**

1. Treat other members, guests, judges, stewards, officials and other volunteers fairly, equally and with respect and courtesy.
2. Behave responsibly and ensure they conduct themselves in a manner which will not injure the reputation of the Society, its events, organisers, participants, sponsors, other members, including the use of Social Media.
3. Not physically or verbally harass others.
4. Report any inappropriate behaviour of a member to the Council of the Society for action and follow up.
5. Not exhibit lame, ailing, overly fat or poor ponies, as the welfare of the pony is paramount to the Society.
6. Abide by and uphold the Articles of Association and Code of Conduct.
7. Pay any fees in relation to an event or offering (e.g. tickets or memberships) which that member has committed to, regardless of whether the member attends the event or not.
8. Notify the Secretary of any changes to address.

### **BREACHES OF THE CODE OF CONDUCT**

1. Any member, his or her employee, assistant or other person having charge of any animal or animals, refuses to obey directions of the stewards or any of the Society's officers, thus not behaving in accordance with the terms of the Code of Conduct at an event of the Society may be asked to leave the event and will not be entitled to a refund of any monies paid.
2. The inappropriate behaviour of any members will be investigated, discussed and an appropriate course of action will be taken by the Council, which may include a reprimand, suspension or revocation of membership.
3. Any member who is found guilty of breaking the law with respect to any animal's welfare will have their membership revoked.

## **SAFEGUARDING CHILDREN POLICY**

### **PURPOSE**

This policy is intended to protect children and young people who receive any service from the Dales Pony Society (DPS), including those who are the children of adults who may receive services from the Society.

As an organisation, the DPS believes that no child or young person should experience abuse or harm and is committed to the protection of children and young people. This policy is intended to provide guidance and overarching principles to those who represent it as volunteers, trustees or officers to guide their approach to child protection and safeguarding.

### **RESPONSIBILITY**

The DPS has adopted this safeguarding children policy and expects every adult working or helping with it to support it and comply with it.

Consequently, this policy will apply to all volunteers, trustees and officers working on its behalf.

The Chair of Council has particular responsibility for ensuring that children and young people are adequately safeguarded at all times and will undertake relevant training. Other Society officials may also be appointed as Safeguarding Officers as required and if so appointed will receive full training before undertaking any safeguarding duties.

### **THE RISKS TO CHILDREN**

Nearly every child grows up in a safe and happy environment and it is important not to exaggerate or overestimate the dangers. Nevertheless, there are situations where children need protection including but not limited to:

- Sexual abuse
- Grooming
- Physical and emotional abuse and neglect
- Domestic violence
- Inappropriate supervision by officers, trustees or volunteers
- Bullying, cyber bullying, acts of violence and aggression

- Victimisation
- Self-harm
- Unsafe environments and activities
- Exploitation

## **SAFEGUARDING CHILDREN AT EVENTS OR ACTIVITIES**

There are two types of event or activity which may be used by the DPS:

- Those open to adults and children of all ages
- Those for children accompanied by a parent or guardian

The DPS does not hold events for unaccompanied children.

At events and activities open to all ages, children under 16 must be accompanied throughout by an adult over the age of 18 who not only brings the child but also takes the child home afterwards. Young people aged 16 or 17 may attend unaccompanied if they bring the written consent and mobile telephone number of one of their parents or guardians.

At events and activities for children accompanied by a parent or guardian, children under 16 must be supervised throughout the event by an adult over the age of 18 who not only brings the child but also takes the child home afterwards. If a lone adult brings more than one child, then the children will have to stay together so that they can be supervised by one adult. Young people aged 16 or 17 may attend unaccompanied if they bring the written consent and mobile telephone number of one of their parents or guardians. Both 'events' and 'activities' are defined broadly as occasions where the DPS is providing a service.

## **DISCLOSURE AND BARRING**

The DPS will take very seriously any allegation of impropriety on the part of any member of the Society. A member of the Society who discovers anything amiss should immediately contact the Chair of Council or designated Safeguarding Officer.

The Council will review the allegation and the likely risk to children and, if appropriate, will consider banning the member from future events or revoking his or her membership, but both only in accordance with the rules

and procedures of the DPS which may be found in the Members Handbook and on the Society website.

No current DPS events or activities require adult participants to undergo DBS or police checks under the Safeguarding Vulnerable Groups Act 2006. This will be reviewed each time a new event or activity is introduced.

### **PREVENTION OF BULLYING**

The DPS will not tolerate the bullying of children either by adults or other children. If any incident of child-on-child bullying should arise at a Society event those involved will be separated immediately and the parents or guardians of the children involved will be asked to deal with the matter. The Council will review all incidents of child-on-child bullying and assess the likely future risk to children. If appropriate, the Council will consider banning a child from future events but only in full accordance with the rules and procedures of the DPS which may be found in the Members Handbook and on the Society website. Allegations of adults bullying children will be dealt with as a disciplinary matter according to the rules and procedures of the DPS.

### **MANAGING BEHAVIOUR, DISCIPLINE AND ACCEPTABLE RESTRAINT**

Adults supervising children at DPS events must never use any form of corporal punishment. If physical restraint is absolutely necessary to prevent injury to any person, prevent serious damage to property or inappropriate treatment of animals, then the minimum necessary restraint may be used, but only for that purpose.

The Council may apply a further disciplinary sanction in banning the child from DPS events either permanently or for a specified period of time. A parent or guardian aggrieved by such a sanction may appeal to the Chair of Council who will hear the views of all relevant persons. The decision of the Chair of Council is then final.

### **PHOTOGRAPHING CHILDREN**

People should expect to have their photograph taken at DPS events, and the Society reserves the right to publish suitable photographs of those attending



along with the names of the members involved. This includes children and young persons.

## **LEGAL FRAMEWORK**

This policy has been produced in accordance with the following:

- Children Act 1989 & 2004
- United Convention of the Rights of the Child 1991
- General Data Protection Regulations
- Human Rights Act 1998
- Sexual Offences Act 2003
- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012
- Children & Families Act 2014
- Working together to safeguard children 2017

## **POLICY APPROVAL**

This policy will be reviewed every three years or in response to significant new legislation, by the DPS Council, and amended as appropriate.

## **SAFEGUARDING ADULTS AT RISK POLICY**

### **PURPOSE**

The purpose of this policy is to outline the duty and responsibility of officers, volunteers and members operating on behalf of the Dales Pony Society (DPS) in relation to safeguarding adults at risk.

All adults have the right to be safe from harm and must be able to live free from fear of abuse, neglect and exploitation.

### **RESPONSIBILITY**

Everyone who participates in the running of the Society or who participates in its events is entitled to do so in a safe and enjoyable environment.

The DPS is committed to helping all officers, volunteers and members accept their responsibility to safeguard adults at risk from harm and abuse.

All suspicions and allegations of abuse and poor practice will be taken seriously and responded to swiftly and appropriately.

Officers, volunteers and members working with adults at risk have a responsibility to report any concerns to the Chair of Council or nominated Safeguarding Officer.

### **DEFINITION OF AN ADULT AT RISK**

An Adult (a person aged 18 or over) who 'is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'. (Definition from the Department of Health 2002)

This could include, but is not restricted to, people with learning disabilities, mental health problems, older people and people with a physical disability or impairment. It may also include victims of domestic abuse, hate crime and anti- social behaviour. The persons' need for additional support to protect themselves may be increased when complicated by additional factors, such as, physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems, social or emotional problems, poverty or homelessness.

### **TYPES OF ABUSE**

The Department of Health in its 'No Secrets' 2000 report suggests the following as the main types of abuse:

- Physical abuse – including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions.
- Sexual abuse – including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting.
- Psychological abuse – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.
- Financial or material abuse – including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- Neglect and acts of omission – including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.
- Discriminatory abuse – including race, sex, culture, religion, politics, that is based on a person’s disability, age or sexuality and other forms of harassment, slurs or similar treatment, hate crime.
- Institutional abuse – Institutional abuse although not a separate category of abuse in itself, requires specific mention simply to highlight that adults placed in any kind of care home or day care establishment are potentially vulnerable to abuse and exploitation. This can be especially so when care standards and practices fall below an acceptable level as detailed in the contract specification.
- Multiple forms of abuse – Multiple forms of abuse may occur in an ongoing relationship or an abusive service setting to one person, or to more than one person at a time, making it important to look beyond single incidents or breaches in standards, to underlying dynamics and patterns of harm. Any or all of these types of abuse may be perpetrated as the result of deliberate intent and targeting of adults at risk, negligence or ignorance.

## **RESPONSIBILITIES AND COMMUNICATION**

The DPS Safeguarding Adults at Risk Policy will be available to all officers, volunteers and members. It is important that adults at risk are protected from abuse. All complaints, allegations or suspicions must be taken seriously and reported to the Chair of Council or nominated Safeguarding Officer who will take action where appropriate.

The DPS has responsibility for ensuring that the policy and procedures are implemented, including undertaking disciplinary action in accordance with DPS Disciplinary Procedures if required and referring concerns to appropriate external bodies as appropriate.

The Chair of Council will act as Safeguarding Officer and will undertake relevant training. Other Society officials may also be appointed as Safeguarding Officers as required and if so appointed will receive full training before undertaking any safeguarding duties.

## **THE ROLE OF KEY INDIVIDUAL AGENCIES**

Adult Social Services – The Department of Health’s recent ‘No secrets’ guidance document requires that authorities develop a local framework within which all responsible agencies work together to ensure a coherent policy for the protection of vulnerable adults at risk of abuse.

All local authorities have a Safeguarding Adults Board, which oversees multi-agency work aimed at protecting and safeguarding vulnerable adults. It is normal practice for the board to comprise of people from partner organisations who have the ability to influence decision making and resource allocation within their organisation.

The Police – The Police play a vital role in Safeguarding Adults with cases involving alleged criminal acts. It becomes the responsibility of the police to investigate allegations of crime by preserving and gathering evidence. Where a crime is identified, the police will be the lead agency and they will direct investigations in line with legal and other procedural protocols.

## **LEGAL FRAMEWORK**

The Government guidance ‘No Secrets’, published in 2000, sets out a code of practice for the protection of adults at risk:

[www.gov.uk/government/publications/no-secrets-guidance-on-protecting-vulnerable-adults-in-care](http://www.gov.uk/government/publications/no-secrets-guidance-on-protecting-vulnerable-adults-in-care) The Care Act (2014), which came into force from April 2015, sets out for the first time a legal framework for safeguarding adults. Each Local Authority must have a Safeguarding Adults Board (SAB) that includes the local authority, NHS and police. SABs must meet regularly, develop shared safeguarding plans and publish an annual review of progress. SABs will carry out Safeguarding Adults Reviews in some circumstances relating to safeguarding failures. The Act also introduces a responsibility for Local Authorities to make enquiries and take any necessary action if an adult with care and support needs could be at risk, even if that adult isn’t receiving local authority care and support.

Human Rights Act 1998, the Mental Capacity Act 2005 and Public Interest Disclosure Act 1998

Data Protection Act 1998, Freedom of Information Act 2000, Safeguarding Vulnerable Groups Act 2006, Deprivation of Liberty Safeguards, Code of Practice 2008

The Mental Capacity Act 2005, covering England and Wales, provides a statutory framework for people who lack capacity to make decisions for themselves, or who have capacity and want to make preparations for a time when they may lack capacity in the future. It sets out who can take decisions, in which situations, and how they must go about this.

### **POLICY APPROVAL**

This policy will be reviewed every three years or in response to significant new legislation, by the DPS Council, and amended as appropriate.

## **SOCIAL MEDIA AND ELECTRONIC COMMUNICATION POLICY**

### **PURPOSE**

The DPS acknowledges the importance of the internet and social media sites including but not limited to Facebook, Twitter, Instagram, LinkedIn, home webpages, chat rooms, and all other forms of electronic communication and the role which such social media has in modern society. This policy applies to all members, including members of Council, when using social media and the internet. Failure to adhere to this policy could lead to disciplinary action and could also lead to civil and/or criminal proceedings being taken against a member.

### **MONITORING**

The DPS from time to time carries out internet searches to identify postings which include references to the DPS and its members.

### **POLICY**

1. Members should ensure that any material that is transmitted or posted to social media is clearly stated to be a personal view and is not held out to be, or could be mistaken as, the view of the DPS. Members must not post or transmit any material which could damage the name or reputation of the DPS, its members or former members, or which is derogatory to the character of or prejudicial to the interests of the DPS.
2. Members must not post or transmit any material relating to the DPS, members or former members or their horses or ponies, or which could otherwise be associated with or which may reasonably be attributed as coming from the DPS:
  - that is threatening, defamatory, obscene, indecent, seditious, offensive, pornographic, abusive, liable to incite racial hatred, discriminatory, menacing, scandalous, inflammatory, blasphemous, in breach of confidence, in breach of privacy or which may cause annoyance, distress or inconvenience.
  - which constitutes or encourages conduct that would be in breach of the DPS Memorandum and Articles of Association, Regulations, Rules and Codes of Conduct.

- which is a criminal offence, or which could give rise to civil liability, or otherwise be contrary to the laws of, or infringe the rights of any third party in, the UK or any other country in the world.

### **ONLINE SALES ADVERTS**

The DPS advertises sales posts on the DPS website free for Members and at cost for non-members. The DPS will not advertise sales posts on the DPS social media channels, but will post to advise that the website sales page has been updated.

## **COMPLAINT RESOLUTION AND APPEALS PROCEDURE**

### **RESOLVING COMPLAINTS**

The purpose of this procedure is to ensure that complaints are taken seriously, dealt with fairly, appropriately, objectively and recorded accurately. The procedure provides information for members, volunteers, and officials wishing to raise a complaint or problem.

### **WHAT COMPLAINTS ARE ACCEPTED?**

Complaints are accepted about how a person, whether a member, volunteer, or official have been treated by the Dales Pony Society or one of its members.

### **COMPLAINT ACCEPTANCE RULES**

Complaints must be raised within three months of the complainant knowing the facts. The Society will not deal with complaints that are older.

The Society does not generally investigate anonymous complaints.

The Society does not accept complaints that are raised on behalf of or regarding other people.

The Society does not accept complaints that are broadly or substantively the same as a previous complaint by the same complainant.

The Society does not progress complaints that we believe to be vexatious or malicious.

### **INITIAL MAKING OF A COMPLAINT**

Initially, an informal approach should be made to the Chair of Council using email or telephone to attempt to resolve the matter. It is hoped that many complaints can be dealt with quickly and informally.

Should the complaint be about the Chair of Council, then the Vice Chair should be approached.

If this informal approach fails to resolve the matter, then the matter needs to be a formal written complaint.

### **FORMAL WRITTEN COMPLAINT**

If the initial informal complaint process has failed to resolve the matter, a formal written complaint in writing by post or by email addressed "For the attention of Council" and sent to the Secretary. An acknowledgement of receipt will be made.



A formal complaint must include the complainant's full contact details, a concise statement of the complaint, and the desired outcome to resolve this complaint.

A Society Representative may need to speak to the Complainant and others to understand the complaint fully and the circumstances surrounding the complaint in order to investigate further.

The Society Representative will refer the matter to Council who will make their decision and advise the Complainant of its decision in writing.

Any Council Member who declares an interest in the complaint or its parties will stand down from the decision making process.

Three Council members drawn by lot will stand down from the decision making process and take no further part. These three Members will form the Appeal Committee should it be required.

### **DEALING WITH A COMPLAINT**

In order to have a full understanding of a complaint, the circumstances surrounding it and how to deal with it, the person(s) conducting investigations may need to speak to the Complainant, and other people, including, where applicable, the person about whom the complaint is made. It must be borne in mind that the majority of those taking part in the complaint resolution process are volunteers and have other calls on their time. It may therefore take a while to resolve a complaint. The Society aims to deal with all complaints in a timely manner and updates on progress will be provided to both parties as necessary.

The Complainant will be kept informed of the progress and outcome of your complaint with an acknowledgement within seven days and regular updates. The society aims to deal with all complaints in a timely manner and regular updates on progress will be provided to both parties as necessary.

### **APPEAL AGAINST THE OUTCOME OF A COMPLAINT**

If the Complainant is not satisfied with the outcome of the complaint or the way in which it was handled, then an appeal may be made, in accordance with the following procedure.

The Appeal must be lodged in writing with the Chair of Council, within 14 days of receiving the decision of the Council.

An Appeal Deposit of £100 must be made to the Dales Pony Society.

An acknowledgement of the appeal will be made within seven days of lodging it.

The Chair or Vice Chair of Council will convene an Appeal Committee consisting of three Council Members not involved in the original decision, chaired by the Company Secretary who will facilitate the process but not have a vote.

The Chair and Vice Chair have joint authority to change the composition of the Appeal Committee in exceptional circumstances.

The appeal must clearly explain the basis on which the appeal is being made and the preferred outcome to resolve the issue. Only evidence obtained during the initial investigation may be reviewed as part of the appeals process, no new additional evidence may be submitted.

In order to have a full understanding of the complaint, the circumstances surrounding it and how to deal with it, the Appeal Committee may need to speak to the Complainant, and other people, including the person, where applicable, about whom the complaint was made.

The Appeal Committee will consider the process undertaken to handle and the outcome of the original complaint.

The Complainant will be advised of the outcome of the Appeal Committee.

The Appeal Committee's decision is final. There is no further escalation or action to be made. The Society will not consider further any action regarding the complaint or the appeal. Appeal fees will be returned in the event of a successful appeal.

Where a person is the subject of the complaint and wishes to appeal against the outcome or sanction, that person may submit one appeal in writing as above. Only evidence obtained during the initial investigation may be reviewed as part of the appeals process, no new additional evidence may be submitted. Once the appeal has been considered and a decision made no further appeals will be considered.

## **CHARITY REGULATORY BODIES**

As a charity, the Dales Pony Society is regulated by Charity Commission. In very serious matters, which may include whistleblowing, the regulatory body may consider acting on a complaint made to it directly. The regulatory body will not generally become involved with a dispute between members of the charity or where a concern is about policies followed or actions taken by the Trustees within the law and the provisions of the charity's governing document. The Dales Pony Society complaint resolution process should deal properly with a complaint; however, a person has the right to raise a serious issue directly with the Charity Commission at [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk).

## **COMPLAINTS REGARDING REGISTRATIONS AND PASSPORTS**

Registration of Dales ponies into the stud book is regulated by 2016 Commission Implementing Regulation (EU) 2015/262 (the '2016 EU Regulation'). In England, this is implemented by The Equine Identification (England) Regulations 2018 which replace the Horse Passports Regulations 2009. In Wales, The Equine Identification (Wales) Regulations 2019, and in Northern Ireland, The Equine Identification Regulations (Northern Ireland) 2019. Now that the UK has left the EU, the 2016 EU Regulation has been retained in UK law by the European Union (Withdrawal) Act 2018, subject to amendments made by the Equine (Records, Identification and Movement) (EU Exit) Regulations 2019 (as amended). As a result of the NI protocol, the retained 2016 Regulation has no application in NI and NI is instead still subject to the 2016 EU Regulation as it has effect in the EU rather than the UK retained law.

Society policies are set out in the Registration Regulations and the Introduction of each volume of the published Stud Book. The Society publishes a registration form containing Registration Guidance and Fees for foals. By signing the registration application form the applicant confirms that they will abide by the terms and conditions set out in that document.

Applicants should ensure that they are familiar with all the above documents.

A person cannot complain if they:

- are making an initial request for a service;
- have failed to meet required deadlines;
- have failed to supply all required information;
- have failed to pay all required fees.

Complaints cannot be made about loss or delay caused by the actions or inactions of third parties beyond the control of the Society. Examples would be (but are not limited to) industrial action or loss of items in the post caused by failure to use tracked postage as recommended by the Society.

It is strongly advised to inspect equine passports carefully and immediately on receipt.

The Dales Pony Society  
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