

BRITISH HORSERACING AUTHORITY

CODE OF CONDUCT

GUIDANCE

The Code of Conduct (**‘the Code’**) forms part of the BHA – Rules of Racing (the **Rules**) and applies to all those bound by the Rules as set out under Rule (A)2 and Rule (A)3 (**Persons**). Individuals not bound by the Rules [**Non-Participants**] should be aware that the Code also applies to them and that, should they act contrary to the Code, they face potential exclusion from the sport.

Employees of the BHA or Racecourse would ordinarily be dealt with through the disciplinary mechanisms of the employing organisation. However, in rare cases, either where the case is so serious that it must be marked by further sanction or where the individual has left the employment of the organisation concerned, charges may be brought before the Independent Judicial Panel.

The BHA is committed to protecting the integrity of horseracing and considers the health and welfare of the sport’s participants a priority. The Code establishes a set and standards aimed at protecting the values of the sport of horseracing and making racing a great place to work based on a culture of respect. Everyone involved in the sport of horse racing is expected to uphold these values and standards.

Values

The horseracing industry values each individual who participates in any way in the sport. The industry aims to provide a respectful, supportive and safe working environment where everyone is empowered to achieve their full potential. The industry aims to provide a friendly, fun and respectful environment for all in anyway engaged with the sport.

The Disciplinary Process

Where there is sufficient evidence to suggest that a Person or Non-Participant has breached the Code the BHA will take disciplinary action.

The matter will be referred to a Disciplinary Panel except in the limited circumstances where either a solution-based approach or the ‘fast-track’ process is considered appropriate. Breaches by Non-Participants who do not cooperate with a BHA investigation, will be referred to the Independent Disciplinary Officer of the BHA to consider potential exclusion in the same fashion as set out in the Rules.

Before referring the matter to a Disciplinary Panel, the BHA will assess the seriousness of the breach of the Code and identify what level of breach the BHA considers to have occurred.

The final decision on penalty, however, is a matter for the Disciplinary Panel. This includes assessment of whether a particular incident has resulted in a low, medium or high level breach.

Penalty Guidance for breach of the Code is available [\[here\]](#).

1. Everyone must protect the dignity of others and treat others with politeness, respect and kindness.

1.1 Everyone has the right to be treated fairly and with dignity and respect by all they encounter through participation in the sport, including employers, employees, colleagues, BHA employees, racecourse officials, racehorse owners, mentors and spectators. Protecting the dignity of others means everyone, where it is safe to do so, should call out individuals who mistreat others and support those who have been targeted.

1.2 Everyone must treat others with respect. Everyone involved in the sport stands to benefit from creating an environment which is safe for all and where basic rights are respected and upheld.

1.3 A failure to treat another with respect could arise across a very broad range of behaviour and may very well involve another breach of this Code. By way of example, it may include belittling another (whether in person or online), spreading malicious rumours about another, teasing, scapegoating and / or attempting to isolate another, denying another their reasonable entitlements, condoning the mistreatment of another, hazing of another, unjustified and unwarranted criticism of another, private or public comment designed to (or likely to) offend / insult / humiliate / intimidate / threaten / disparage or vilify another or neglect of another by an individual in a position of responsibility. These examples are not exhaustive.

2. Everyone must ensure that the sport of horseracing is safe for all and free of any form of bullying and harassment.

2.1 There is no place in the sport of horseracing for any form of bullying or harassment. This applies at every level of the sport and to all.

2.2 Ensuring the sport is free of bullying and harassment means that everyone, where it is safe to do so, should call out individuals who engage in such behaviour and support those who have been targeted. If anyone has concerns, then support and guidance is available from the BHA and reporting to the anonymous RaceWise service is very much encouraged – **0800 0852 580** or visit [RaceWise](#).

2.3 Those in positions of responsibility must foster safe environments where this type of behaviour is considered unacceptable.

2.4 Bullying (or cyberbullying if conducted online) is any persistent behaviour, directed against an individual(s), which is intimidating, offensive or malicious and which undermines the confidence and self-esteem of the recipient or is likely to do so. Examples include persistent negative comments, spreading malicious rumours, ongoing insensitive jokes or pranks, insulting or aggressive behaviour, ignoring or excluding an individual, unjustified and persistent criticism, reducing someone's effectiveness by withholding information, constantly undervaluing effort.

2.5 Where bullying involves any form of misuse or abuse of power (real or perceived), it will be considered even more serious than bullying amongst peers. A lengthy period between incidents does not automatically mean that the behaviour will not be considered persistent: the level of offending will be relevant.

2.6 Harassment is unwanted conduct related to a Protected Characteristic which has the purpose or effect of violating another's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for another. Harassment also occurs where an individual engages in unwanted conduct of a sexual nature and the conduct has the purpose or effect of violating another's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for another. Harassment also occurs where an individual engages in unwanted conduct of a sexual nature that is related to gender or gender reassignment and the conduct has the purpose or effect of violating another's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for another.

2.7 Threatening behaviour, intimidation, blackmail, physical abuse and / or aggressive verbal abuse constitute a breach of this point of the Code. For the avoidance of doubt, single incidents of this type of misconduct constitute a breach of the Code.

3. No one shall engage in any form of sexual misconduct.

3.1 There is no place in the sport of horseracing for any form of sexual misconduct. This applies at every level of the sport and to all participants. Such misconduct includes, but is not limited to, persistent unwanted sexual advances, requests for sexual favours, sexual exploitation, verbal sexual assault, intentional sexual contact without consent, deliberate exposure, voyeurism, recording or photographing private sexual activity without consent and distributing or further spreading recordings or images of a sexual nature taken without consent to that distribution.

3.2 The welfare of participants is of paramount importance. Anyone who has experienced or witnessed misconduct or unacceptable behaviour may wish to contact the police in the first instance and, in any event, should report the matter to the BHA. In some circumstances, particularly where it is suspected that a crime has been committed, participants must report wrongdoing directly to the police and should also inform the BHA.

3.3 If a child or vulnerable person is in immediate danger the police should be called.

3.4 Anyone who has experienced or witnessed sexual misconduct may wish to contact the police in the first instance and should also report the matter to the BHA via intel@britishhorseracing.com, RaceWISE <https://forms.theiline.co.uk/bha> or on 0800 085 2580. The BHA Safeguarding Team are available to provide support and assistance to victims and witnesses of sexual misconduct and can be contacted at safeguarding@britishhorseracing.com or on 07826 552393.

3.5 Ensuring that the sport is free of sexual misconduct means that participants should offer support to those who have experienced sexual misconduct and, where it is safe to do so, should report individuals who engage in sexual misconduct. If a participant has concerns about potential sexual misconduct, then support and guidance is available from the BHA Safeguarding Team. Those in positions of responsibility must foster safe environments where sexual misconduct is considered unacceptable.

3.6 Any form of sexual misconduct will be treated with the utmost seriousness. Where the misconduct involves an individual in a position of power or authority over the target of the sexual misconduct this will be considered even more serious. Where the sexual misconduct involves any form of manipulation (for instance using alcohol or drugs to facilitate the offence) or entrapment of the target of the misconduct, it will be classed as a high-level breach.

3.7 Sexual misconduct can be intended or unintended.

3.8 It is not unusual for the target of a sexual assault to be unwilling to participate in an investigation / hearing inquiring into alleged sexual misconduct. This is even more likely where there is a power imbalance, or the target is vulnerable. This will not prevent a thorough investigation being conducted. There may well be other evidence that sexual misconduct occurred. Decisions as to whether a formal charge is appropriate will be made on the balance of the evidence.

4. Everyone who uses social media and the online space must act responsibly and not engage in any form of online bullying and harassment.

4.1 There is no place in the sport for any form of bullying or harassment and this includes the online space. This applies at every level of the sport and to all. All who use social media must consider carefully their use of social media and whether their use is likely to insult, humiliate, hurt or tease another. Everyone must consider whether communications they send treat the recipient with dignity and respect. Social media includes messaging platforms such as WhatsApp, Facebook Messenger, Snapchat, Instagram etc.

4.2 Any form of communication, electronic or otherwise, which is likely to insult, humiliate, hurt or tease another is a breach of this point of the Code.

4.3 Non-Participants can expect to be excluded from the sport should they be identified as having used social media as a tool of abuse.

5. No one shall abuse positions of power or responsibility or take advantage of those in a vulnerable position.

5.1 An abuse of a position of power or responsibility will not be tolerated and constitutes a breach of the Code. No one shall take advantage of those in a vulnerable position whether due to youth, a physical or intellectual disability, poor mental health, financial difficulties, a language barrier, relocation, inexperience, isolation or any other reason. Everyone has a role to play in ensuring that this is the case.

5.2 A non-exhaustive list of examples of unacceptable behaviour is stated at Point 1.3 above. Where an individual in a position of power or responsibility acts in such a fashion the matter will be treated even more seriously, particularly if the relationship is one of employer-employee.

5.3 Where an individual in a vulnerable position is taken advantage of the matter will be treated even more seriously.

6. No one shall discriminate on the basis of age, disability, gender reassignment, marital status, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.1 Racing is a diverse and inclusive sport into which everyone should be welcomed and have the opportunity to achieve their potential and enjoy our sport. Our sport can grow and thrive on a foundation of diversity and inclusion. It is against the law to discriminate against anyone on the basis of age, disability, gender reassignment, marital status, pregnancy and maternity, race, religion or belief, sex and sexual orientation (the Protected Characteristics).

6.2 All should be aware that the Protected Characteristics are protected in law by the Equality Act.