

# Farriers Registration Council



Established under the  
Farriers (Registration) Act 1975

## **FARRIER & APPRENTICE CODE OF PROFESSIONAL CONDUCT**

**2017 EDITION**

# The Guiding Principles

## Your clients are entitled to expect that you will:

- make horse welfare your first consideration in seeking to provide the most appropriate attention for horses committed to your care including due regard to a safe working environment
- ensure that all horses under your care are treated humanely and with respect
- maintain and continue to develop your professional knowledge and skills
- uphold the good reputation of the farriery profession
- recognise the limits of your professional competence
- be honest and trustworthy
- communicate openly with clients and be professional at all times
- foster and maintain a good relationship with your clients, earning their trust, respecting their views and protecting client confidentiality
- foster and endeavour to maintain good relationships with your professional colleagues
- respond promptly, fully and courteously to complaints and criticism
- understand and comply with your legal obligations

## Duties and Responsibilities of Farriers

This booklet describes the principles of good farriery practice, and standards of competence, care and conduct expected of you in all aspects of your professional work.

The Guide is split into three parts:

- Part 1 - The specific responsibilities that you should strive to adhere to as a farrier
- Part 2 - The guidelines to assist you with these responsibilities
- Part 3 - The specific duties and responsibilities of apprentices

**The Disciplinary Committee refers to this Guide as the standard for conduct expected of Registered Farriers and it may be quoted in disciplinary proceedings.**

A profession is any type of work which needs special training or a particular skill, often one which is respected because it involves a particular level of education and qualification. The word 'professional' within the context of this Guide refers to all aspects of a farrier's craft and business dealings, in the widest context of the word.

This booklet cannot, of necessity, cover everything, but is intended to set general standards.

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## **Purpose of the Farriers (Registration) Act 1975, as amended**

The Act was set up as:

An Act to prevent and avoid suffering by and cruelty to horses arising from the shoeing of horses by unskilled persons; to promote the proper shoeing of horses; to promote the training of farriers and shoeing smiths; to provide for the establishment of a Farriers Registration Council to register persons engaged in farriery and the shoeing of horses; to prohibit the shoeing of horses by unqualified persons; and for purposes connected therewith.

## **Farriers' Declaration**

**All apprentices take the following declaration upon graduating from the Diploma course and it applies to all Registered Farriers:**

"I solemnly and sincerely declare  
that I will pursue the work of my Craft  
with diligence and integrity,  
maintain the established standards  
of the Farriery Profession,  
and accept the professional responsibilities  
now entrusted to me,  
and that my constant endeavour will be to ensure  
the welfare of horses committed to my care."

## **PART ONE**

### **The Responsibilities of a Farrier**

This section sets out the specific responsibilities that Registered Farriers must strive to follow

## Introduction

- 1. Rights and responsibilities go hand in hand. Accessibility, accountability and transparency are expected of every regulated profession. All legislation governing the various professions is designed to meet these requirements and to protect the public interest by ensuring a high level of education and training combined with personal and professional integrity. The Farriers (Registration) Act 1975, as amended, which governs the farriery profession is no exception.**

## Your Responsibilities to Horses

*A 'horse', in this context and throughout the Guide, includes pony, mule, donkey or other equine animal.*

- 2. Farriers must:**
  - a. treat all horses humanely, with respect, and with welfare as the primary consideration
  - b. make proper arrangements for the provision of relief (for example holiday leave or extended periods of absence) and emergency cover
  - c. maintain proper standards in all equipment, including mobile forges and business premises
- 3. Farriers must not cause any horse to suffer by:**
  - a. carrying out any unnecessary action
  - b. employing excessive restraint or discipline
  - c. failing to advise the need to contact a Veterinary Surgeon when appropriate
  - d. neglect
- 4. Farriers are advised not to commence working with an animal if it is felt that the conditions (i.e. present temperament of the horse or present condition the horse is kept in) are unfavourable to a successful outcome or such that they may compromise their own, or others, health and safety.**

## Your Responsibilities to Your Clients

*A 'client', in this context, and throughout the Guide, is defined as a person whose horse has been shod or trimmed by the farrier within the last ten weeks and is not known to have become the client of another farrier.*

- 5. The provision of farriery services creates a legal relationship with the client under which farrier should:**
  - a. ensure that clear information is provided about practice details, contact arrangements, terms and conditions, services, prices, insurance cover and complaints procedures [See section 30]
  - b. keep records of appointments which may be referenced to at a later date
  - c. respond to clients' enquiries as quickly as possible. A time scale is not set but factors to consider include:
    - The means and ease by which the client can be contacted
    - The urgency, nature and complexity of the enquiry
    - The availability of either party
    - Whether information is needed from a third party
  - d. take all reasonable care in using their professional skills
  - e. keep their skills and knowledge up to date by undertaking regular Continuing Professional Development (CPD) [See section 36]
  - f. not attend (shoe or trim) any animal in the absence of the client, or a person who takes responsibility for the horse in the client's absence, without prior arrangement [See section 7]
  - g. keep within their own areas of competence save for the requirement to provide emergency first aid
  - h. advise clients when a second opinion or further professional advice is required
  - i. work in conjunction with a Veterinary Surgeon's advice where appropriate
  - j. ensure that all their staff are properly trained and supervised where appropriate
  - k. recognise that the client has freedom of choice

- 6. The farrier/client relationship is one of mutual trust and respect, under which a farrier must:**
- a.** maintain client confidentiality providing it does not conflict with the horse's welfare [See section 28]
  - b.** treat the client with respect and observe professional business courtesies, for example strive to arrive for appointments at the agreed time and keep clients informed of any delays that may occur
  - c.** give due consideration to the client's concerns and wishes where these do not conflict with the horse's, or your own, welfare or health and safety [See section 37]
  - d.** provide fully itemised invoices and bills if requested
  - e.** provide an adequate period of notice if he/she does not wish to continue to work for a client for whatever reason
- 7. Owners often ask the farrier to catch, tie up and release the horse before or after trimming and shoeing. Farriers are not required to do so, but if they choose to accept these additional risks, they must perform them with all due skill and care.**

**Farriers are advised to check with their insurers as to whether they are covered to work on horses unattended by their owner [See section 35].**

## **A Client's Responsibilities to the Farrier**

*Make sure that your clients are aware of their responsibilities under this Section.*

### **8. It is the client's responsibility to provide:**

- a. a clean, dry standing with good light and a non-slip surface
- b. a secure, safe ring to which the horse can be tied
- c. protection from rain, wind and bad weather
- d. a properly fitted, sound head collar/halter with a good rope of adequate length
- e. competent assistance available should the farrier require it

### **9. The client should:**

- a. ensure that the shoeing area is safe for the horse and farrier
- b. ensure that the horse is used to being handled and, if appropriate, has a companion animal close by. In the event of a horse being unruly the client or their agent, should agree with the farrier, on the management of the horse
- c. **understand that certain methods of control may be required to preserve life, health and safety and that a farrier has the right to decline to shoe a horse, or to discontinue shoeing, if it is felt that to proceed would compromise his or her own health and safety, that of others, or that of the horse**

## **Your Responsibilities to the General Public**

*The farrier has a vital part to play in terms of education and protection in matters of animal welfare.*

**10. Farriers must:**

- a. co-operate with colleagues and other professionals when appropriate
- b. promote responsible horse management
- c. use their professional status to provide only factual information to the general public

**11. Farriers may accept or refuse any person as a client, bearing in mind their obligation to the welfare of the horse in an emergency.**

**12. Any public demonstrations of shoemaking or shoeing must be carried out to high standards and must not bring the profession into disrepute.**

## Your Responsibilities in Relation to Your Professional Colleagues

*It should be borne in mind that a good relationship between farriers and Veterinary Surgeons enhances the reputation of both professions and is in the best interests of animal welfare.*

### 13. Farriers must:

- a. provide all relevant information promptly to colleagues taking over responsibility for a horse
- b. refer cases responsibly [See section 41]
- c. if advertising, do so in a professional manner and only in accordance with the relevant legislation [See section 31]
- d. observe professional standards in the conduct of their business

### 14. Farriers must not:

- a. speak or write (including online) disparagingly about professional colleagues or their standard of work [See section 39]
- b. discourage a client from seeking a second opinion [See section 41]
- c. knowingly permit anyone to practice farriery illegally or aid and abet, counsel or procure a person to do so

### 15. Apprentices

Throughout their training, except when at college, apprentices work on behalf of their Approved Training Farrier (ATF) who is responsible for the quality of their work and their professional behaviour.

**ATFs are expected to use proper judgement in deciding on the level of supervision appropriate. This may be:**

- a. Direct, Continuous and Personal Supervision: The ATF is standing over the apprentice or at least in the same room, forge or stable and observing the apprentice
- b. Supervision: The ATF is nearby, in the same premises and can be located quickly and easily

- c. Under Direction: The ATF has discussed the shoeing plan prior to work being undertaken but is not present; the apprentice is working alone using his/her own initiative

**16. Apprentices may not practice farriery independently of their ATF's business while undertaking an apprenticeship. Once an apprentice has completed the apprenticeship they may apply for registration; once registered they may practice farriery. An apprentice may make preparations for starting a business in the closing stages of their apprenticeship by agreement with his or her ATF.**

**17. Employees**

Employees, including apprentices, should be treated in a fair and reasonable manner, without discrimination, and in accordance with their contracts of employment.

## **Your Responsibilities Under the Law**

**18. Farriers should be familiar with and comply with relevant legislation including:**

- a. the Farriers (Registration) Act 1975, as amended
- b. the Veterinary Surgeons Act 1966
- c. the Animal Welfare Act 2006, the Animal Health and Welfare (Scotland) Act 2006 and any other relevant animal welfare legislation
- d. the Health and Safety at Work Act 1974 and regulations thereunder, including Radiation Protection, Control of Substances Hazardous to Health (COSHH) and other similar legislation as it applies to farriery practice
- e. the Data Protection Act 1998 and its application to professional and client records
- f. employment, Inland Revenue, VAT and social security legislation as it applies to farriery practice
- g. the Provision of Services Regulations 2009
- h. the Equality Act 2010 including the direct or indirect discrimination of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation

- 19. Farriers must be aware of their responsibilities as witnesses of fact, or as expert witnesses in any civil or criminal proceedings in which they may be involved.**
- 20. All employers are required to carry out a risk assessment of their premises, and all farriers are advised to do so. Those farriers who employ staff are required to hold employee's liability insurance except where exempted in law. [See sections 34 and 35]**

## **Your Responsibilities to the FRC**

- 21. All Registered Farriers are required to:**
  - a. inform the FRC of any changes to their registered details within a specified period of one month**
  - b. inform the FRC of any caution or conviction received, by annual declaration (with effect from 1 January 2016). There is no requirement to disclose convictions or cautions which are spent, except for ATFs who will be working with people under 18; those ATFs are required to disclose all convictions and cautions, even if spent (unless those convictions or cautions are protected)**
  - c. to respond promptly and constructively to any request from the FRC for comments in relation to any allegation or complaint made against them (See section 27a)**

## Your Responsibilities in Relation to the Treatment of Horses

22. 'Farriery' is defined by Section 18 of the Farriers (Registration) Act 1975, as amended, as follows:

*"any work in connection with the preparation or treatment of the foot of a horse for the immediate reception of a shoe thereon, the fitting by nailing or otherwise of a shoe to the foot or the finishing off of such work to the foot".*

23. The practice of farriery is restricted by the Farriers (Registration) Act 1975, as amended, to those who are registered by the Farriers Registration Council. The only exceptions are:

- a. a Veterinary Surgeon
- b. a person undergoing approved training in farriery if carried out in the course of his/her training
- c. a veterinary student working under the supervision of a qualified Veterinary Surgeon or Registered Farrier
- d. a person rendering first aid in case of emergency to a horse

24. The Veterinary Surgeons Act 1966 defines veterinary surgery as the 'Art and Science of veterinary surgery and medicine' [See section 43] which includes:

- a. the diagnosis of diseases and injuries to animals
- b. giving advice based on such diagnosis
- c. medical and surgical treatment of animals
- d. the performance of surgical operations on animals

25. The Veterinary Surgeons Act 1966 restricts the practice of veterinary surgery to persons whose names are included in the registers of the Royal College of Veterinary Surgeons. There are some minor exceptions which include:

- a. owners may give minor medical treatment to their own animals
- b. any person may administer first aid for the purpose of saving life or relieving pain

## **Your Responsibilities if Things Go Wrong**

*The Farriers (Registration) Act 1975, as amended, imposes on the Investigating Committee responsibility for considering every formal complaint made against a farrier, and when the allegations might justify removal or suspension from the Register of Farriers, referring the complaint to the Disciplinary Committee.*

### **26. Initially, Farriers are advised to:**

- a.** encourage clients to discuss any farriery related problems they may have
- b.** use a sympathetic approach in response to a complaint rather than immediate denial and defensiveness. This does not in itself amount to an admission of liability
- c.** communicate constructively with their clients, as many complaints arise from misunderstandings

### **27. Subsequently Farriers must:**

- a.** respond promptly and constructively to any request from the FRC for comments in relation to any allegation or complaint made against them
- b.** be prepared to explain and justify any action or decision taken in the course of their professional activities

**Failure to respond will raise a misconduct issue [See sections 48 and 56]**



## **PART TWO**

### **The Guidelines**

This section provides guidance in support of the responsibilities outlined in Part 1 and advice on good practice

## **Disclosure of Information**

### **28. Client Confidentiality**

The farrier/client relationship is founded on trust and in normal circumstances a farrier must not disclose to any third party any information about a client or their horse given by the client. This duty also extends to the farrier's employees.  
[See section 6a]

When asked to examine a horse that is the subject of a claim or complaint, the farrier should ensure that statements of fact are clearly differentiated from opinions. Comment should be confined to what is apparent at the time of inspection and not relate to conjecture about what might or might not have been the situation previously. Opinions must only be given in areas where the farrier is professionally competent, and must not include the diagnosis of diseases or injuries. [See section 24 of this Guide and section 19 of the Veterinary Surgeons Act 1966]

The Data Protection Act 1998 gives anyone the right to be informed about certain personal data relating to themselves on payment of an administration charge.

## **Fees and Related Matters**

*The FRC has no jurisdiction under the Farriers (Registration) Act 1975, as amended, over the level of fees charged by farriers. There is no statutory scale of charges and fees are a matter for negotiation between farrier and client.*

### **29. Unpaid Bills**

A farrier is entitled to charge a fee for the provision of services and where a fee remains unpaid to place the matter in the hands of a debt collection agency, or to institute civil proceedings for example in the small claims court.

In the case of persistently slow payers and bad debtors it is acceptable to give them notice in writing that farriery services will no longer be provided.

## Promoting the Practice

### 30. Practice Information

Farriery practices should provide good quality factual information about the nature and scope of the services they provide, in keeping with the requirements of the Provisions of Services Regulations 2009. This information should include:

- a. the name and legal status of the business
- b. the business address and contractual details allowing for rapid communication
- c. professional qualifications held
- d. FRC computer number and evidence of registration with the Council, as the professional body operating the Register of Farriers, e.g. Annual Registration Card
- e. a VAT identification number, if applicable
- f. any terms and conditions of business, for example, arrangements for covering bookings and out of hours emergency attention
- g. the existence of any after-sales guarantee not imposed by law
- h. the price of the service, where the price is pre-determined
- i. the main features of the service, if not already apparent from the context
- j. information about professional liability insurance cover including the contact details of the insurer
- k. contact details where recipients can request information or make a complaint, directly to the farrier in the first instance or if appropriate the FRC

All the information must be given in a clear and unambiguous manner and in good time before the contract is concluded or before the service is provided, when there is no written contract. [See section 5a]

### **31. Advertising**

All publicity or advertising material must be lawful, decent, honest and truthful in compliance with the British Codes of Advertising Practice and Sales Promotion.

Advertising must not be of a character likely to bring the profession into disrepute, e.g. unsolicited approach by telephone or visit ('cold-calling'), or by criticizing fellow farriers. [See section 13c]

### **32. Specialist Claims**

Farriers are encouraged to display formally recognised professional qualifications that they possess such as DipWCF, AWCF or FWCF or equivalents. They may make reference in their letterheads and advertising material to commercial trade qualifications and to areas of specialist expertise, but must ensure that any such qualification cannot be confused with formally recognised farriery qualifications, and that any claims to specialist expertise are based on proper training and experience.

### **33. Public Life and Interaction with the Media**

Farriers can make a worthwhile contribution to the promotion of horse welfare and responsible ownership by taking part in public life, whether in national or local politics, community service, or involvement with the media (including press, television, radio or the internet).

When commenting to the media, farriers should endeavour to ensure that any statement is factually correct, distinguishing clearly between personal opinion or political belief and established facts. They should be careful not to express or imply that any personal view is shared by a professional body unless previously authorised to do so by that professional body.

## **Maintaining Practice Standards**

### **34. The Premises**

All fixed and mobile forges must be safe for staff, clients and horses. They must be adequately equipped for the services offered by the practice. [See section 20]

### **35. Insurance**

Farriers are required to have professional (business) indemnity insurance which must cover their professional activities. Farriers will be asked to confirm they have professional (business) indemnity insurance by annual self-certification. The FRC may conduct a random check of farriers professional (business) indemnity insurance from time to time, and by asking for confirmation of insurance details when a Farrier is referred to the Investigating Committee of the Council.

Farriers are strongly encouraged to take public liability insurance appropriate to their needs, and employer's liability insurance where appropriate.

## Keeping up to Date

### 36. Continuing Professional Development

Farriers are expected to continue their professional education by keeping up to date with the general developments in farriery and to keep their knowledge and skills up to date throughout their working life.

It is mandatory for Approved Training Farriers to complete a minimum of 10 CPD points each year.

As from 1 January 2016 it has been mandatory for all newly qualified Registered Farriers to complete a minimum of 10 CPD points each year.

All Approved Training Farriers and newly Registered Farriers (as from 1 January 2016) are expected to register their details onto the CPD website soon after qualifying.

CPD records should be kept online at [www.farrierycpd.org](http://www.farrierycpd.org), as a file on a computer or as a hardcopy to provide evidence of doing so and these records must be available to the Council on request. Failure to comply could be deemed as serious professional misconduct.

Failure to take part in CPD may also affect an ATF's ability to work with FRC approved colleges and training providers.

Failure to comply may lead to a referral to the Disciplinary Committee as a matter of serious professional misconduct and the fact that a Registered Farrier has not undertaken any CPD or failed to provide proof that they have undertaken any CPD may count against them in the event of their competence being considered by the Disciplinary Committee.

Continued and flagrant breaches by ATFs and newly Registered Farriers of the requirements may merit a referral to the Disciplinary Committee in their own right.

Employers should encourage and facilitate participation of their staff and apprentices in CPD programmes. Continuing professional development is generally viewed as positive and if CPD is to become mandatory in the future, it is encouraged that, at this time, farriers obtain their points for good practice.

Newly Registered Farriers should seek support and assistance from experienced colleagues until they are confident of their own ability to provide a full professional service.

Farriers are encouraged to join professional and trade associations.

Those returning to practice, or changing direction, should undertake appropriate training to ensure that they are competent to do so.

**Full details on the FRC's CPD Policy can be found within the 'Guide to Continuing Professional Development'.**

### **37. Communication and Consent**

Good communication skills in professional and support staff are essential to good farriery practice.

Farriers should endeavour to ensure that they discuss the shoeing plan with the client if practicable and ensure discussions with the client are clear and unambiguous, giving the client every opportunity to take a full part in any discussions. Explanations should be given whenever possible in non-technical language. Appropriate records should be kept of advice given.

Farriers should accept that their own preference for a certain course of action cannot override the client's specific wishes other than on welfare grounds. It is, however, permissible for the farrier to withdraw his/her services in the event of such disagreement. [See section 6c]

## **Relationship with Colleagues**

### **38. Employees**

Employment legislation requires that a contract of employment must be provided within two months of the start of employment, and employees should be advised in writing of any subsequent changes to their terms and conditions of employment. Where employees are apprentices, the employing ATF should provide a legally approved contract. Details of standard terms of employment contracts can be obtained from ACAS or a legal adviser.

### **39. Speaking or Writing About Colleagues Within or Outside the Practice**

No farrier should speak or write (including online) disparagingly of a colleague to a third party, since the effect is to undermine public confidence in the profession. This does NOT however apply to evidence given in a court of law and in instances where professional negligence or misconduct may be involved and where in the interests of justice, everyone must be able to speak freely. [See section 14a]

### **40. Disputes Between Farriers**

In the interests of the whole profession, farriers are advised to make every effort to resolve their disputes by dialogue and direct communication. This may involve an informal procedure such as mediation or conciliation where an independent person is chosen by the parties to assist them in reaching a mutually acceptable solution. Neither a mediator nor a conciliator has any power to impose a solution.

## Referrals and Second Opinions

### 41. Referrals

All farriers should recognise when a case is outside their own area of competence and be prepared to refer it to a colleague whom they are satisfied is competent to carry out the investigations or treatment involved. This often involves contacting the client's Veterinary Surgeon with the knowledge of the owner. Asking for a second opinion is not a sign of weakness or inferiority. Properly arranged consultations will advance the reputation of both parties in the eyes of the public and the owner. Farriers should be aware that the client has a right to request a referral or second opinion. In such cases, the initial contact should be made by the primary farrier or Veterinary Surgeon as appropriate and the client then asked to arrange the appointment.

The distinction between a second opinion and a referral should be clearly understood by both farrier and client. A second opinion is for confirmation of the proposed course of action, whereas a referral to a referral practice will be for possible treatment, after which the case should be referred back to the original farrier. Neither a second opinion farrier nor a referral practice should ever seek to take over the client.

A case history and instructions as to the particular reason for referral should be supplied. Any further information which may be requested should be supplied promptly.

Farriers should not use a referral as an opportunity to pass on difficult clients, or known bad debtors.

The primary farrier should have the opportunity to correct or amend his/her work before referral to another farrier, if a problem has been highlighted by a third party.

Referrals to other farriers should not be made without the primary farrier's knowledge. [See sections 13b and 14b]

### 42. Taking Over Clients

Although both farrier and client have freedom of choice, as a matter of professional courtesy and in the interests of the welfare of the horse involved, a farrier should not knowingly take over a colleague's customer without informing the colleague in question. Farriers should not encourage clients to leave another farrier in favour of themselves or attempt to take advantage of temporary arrangements such as referrals or holiday cover to gain clients. [See section 13a]

## Treatment of Horses

### 43. Farriers and Veterinary Surgeons

**The key to good relations and effective treatment is direct communication between Farrier and Veterinary Surgeon [section 19 of the Veterinary Surgeons Act 1966]**

Both Farriers and Veterinary Surgeons are involved in the treatment of horses' feet. While Veterinary Surgeons are exempt from the restrictions in the Farriers (Registration) Act 1975, as amended, farriers are not exempt from the restrictions in the Veterinary Surgeons Act 1966, and may not carry out procedures deemed to be acts of veterinary surgery.

There is no clear demarcation line between Registered Farriers and Veterinary Surgeons in the exercise of their respective professional responsibilities, so that much depends on individuals and the relationship between them. Decisions as to whether a particular procedure should be performed by one or the other are a matter for consultation and co-operation. Farriers should make every effort to discuss cases personally with Veterinary Surgeons.

Farriery includes trimming and balancing the hoof and the fitting of any shoes. Where a Veterinary Surgeon requires particular work from a Registered Farrier, this should be specified in personal contact between them, or in writing. Verbal messages passed via the client should be confirmed by direct contact.

Where the farriery work to be carried out goes beyond the basic trimming of the feet and the fitting of shoes, farriers should ensure that they have the necessary competence. If farriers are presented with conditions for which they do not have the training, experience or skill, they should seek advice or help from a suitably experienced Registered Farrier or Veterinary Surgeon.

A farrier must not normally penetrate sensitive structures, cause unreasonable stress to the animal, make a diagnosis or administer drugs. If he/she feels that either the Veterinary Surgeon is treating the animal incorrectly or a further condition is present requiring treatment, he/she should notify the Veterinary Surgeon or advise the owner to call in the Veterinary Surgeon. If a Veterinary Surgeon considers that a farrier's work is inadequate or should be modified he/she should contact the farrier directly. Neither should make detrimental comments about the work of the other unless in the course of a formal complaint to their regulatory bodies, the Farriers Registration Council or the Royal College of Veterinary Surgeons. [See section 24]

### 44. Acts Not Considered as Farriery

Activities such as trimming feet or removing old shoes when there is no intention of fitting shoes afterwards do not fall within the definition of farriery, and so it is not an offence for others to carry them out. However, the Farriers Registration Council recommends that such work should still be carried out by Registered Farriers or Veterinary Surgeons where appropriate.

## Complaints and Disciplinary Matters

*The FRC is required by statute to investigate any complaint against a Registered Farrier which may give rise to an allegation of serious misconduct in any professional respect. The FRC receives complaints on a wide variety of issues all of which have to be considered initially in order to establish whether or not they contain issues within its jurisdiction, and also in order to fulfil the public's legitimate expectations of a statutory body.*

### 45. Authority of the FRC

Under the Farriers (Registration) Act 1975, as amended, the FRC has authority to remove from the Register any farrier who has:

- a. procured a fraudulent registration
- b. been convicted of an offence involving cruelty to animals
- c. been found guilty of serious misconduct in a professional respect

### 46. Fraudulent Registration

This would arise if someone were to gain admission to the Register of Farriers by falsely claiming to have the appropriate qualifications at the time of registration.

### 47. Criminal Convictions

The FRC is required to consider any conviction against a Registered Farrier which involves cruelty to animals.

Other serious criminal offences may have to be considered if they indicate that a farrier may have been guilty of serious professional misconduct.

Not every criminal offence will necessarily be notified to the FRC or referred to the Disciplinary Committee, but rather only those which are likely to affect the farrier's ability or fitness to practice, call their honesty into question, endanger the public or bring the profession into disrepute. [See section 21b]

### 48. Serious Misconduct in a Professional Respect

The circumstances in which serious misconduct in a professional respect may be considered to have occurred are so varied that it is impossible to catalogue or even envisage them all.

Generally speaking, a minor breach of this Guide to Professional Conduct might well not amount to serious misconduct. Repeated minor breaches could well do so. However a single, serious breach might also lead to such a finding.

The kind of behaviour which would almost certainly be regarded as serious misconduct would be that which severely compromises the welfare of a horse e.g. refusal to attend a horse which appears to be in distress as a result of a shoeing or trimming, or working beyond one's own current knowledge and/or experience. Failure to respond to written requests from the Farriers Registration Council may also raise a serious misconduct issue. [See also sections 27 and 56]

#### **49. Unethical Conduct**

Unethical behaviour is essentially a departure from that standard of behaviour accepted as the norm among members of the profession.

Although serious misconduct in a professional respect may well be unethical, unethical behaviour may not necessarily be considered as serious misconduct unless there are repeated substantiated instances which may undermine the credibility of farriery as a skilled and ethical profession.

#### **50. Professional Negligence**

Professional negligence occurs when a Registered Farrier has failed to show a fair, reasonable and competent degree of skill when carrying out farriery and as a result of which damage has occurred. Such negligence might also be regarded as serious misconduct in a professional respect, especially if the failure seemed to be deliberate, gross or frequent. In either case, those with higher qualifications or who claim specialist status are expected to have correspondingly higher standards.

Alleged cases of professional negligence are usually heard by the civil courts who have power to award compensation, damages and/or costs. The FRC has no such powers, so complainants may decide to follow the civil route as well as, or instead of, the disciplinary one. This would not prevent the Disciplinary Committee from considering serious misconduct in a professional respect if the FRC thought it likely to have occurred but, unless there was a risk of further damage to horses, the disciplinary hearing would usually not take place until the civil action had been heard.

## **51. Disciplinary Procedures**

FRC disciplinary powers are exercised through the Investigating and Disciplinary Committees, established in accordance with the Farriers (Registration) Act 1975, as amended.

## **52. The Investigating Committee**

The Investigating Committee comprises of the Chairman of Council plus five other Members of the Council. At least one Member must be a practising farrier, or have been previously actively engaged in farriery for a period of not less than five years.

Its duty is to investigate formal complaints which might be considered to be serious misconduct in any professional respect, fraudulent registration or convictions of an offence involving cruelty to animals. The Investigating Committee must decide whether the allegation is sufficiently serious, and the evidence sufficiently strong, for the matter to be referred to the Disciplinary Committee for its consideration (i.e. those which may be capable of leading to the removal of the farrier's name from the Register or their registration being suspended).

## **53. The Disciplinary Committee**

The Disciplinary Committee comprises of a Chairman elected by Council and eight other Members of Council, at least one of whom must be a practising farrier, or have been previously actively engaged in farriery for a period of not less than five years. No person who has acted as a member of the Investigating Committee with respect to any case shall act as a member of the Disciplinary Committee with respect to that case.

The Disciplinary Committee is a properly constituted judicial tribunal applying the same standard of proof as that of a criminal court (i.e. "beyond reasonable doubt").

If the Disciplinary Committee finds the charges against the Respondent (Registered Farrier) proven, it may order the Respondent's name to be removed from the Register of Farriers or his/her registration to be suspended for a specified period.

Alternatively, judgment may be postponed for a stated period or the Committee may make no direction but warn the Respondent as to his/her future conduct.

Any Respondent against whom a direction has been made has a right of appeal to the High Court or, in Scotland, to the Court of Session. The appeal must be lodged within 28 days after receiving notification of the Committee's direction. The direction itself will not take effect until after this 28-day period has expired or until any appeal has been heard or determined.

When a Registered Farrier's name is removed from the Register (striking off) he/she may not carry out any acts of farriery, as defined in the Act. He/she may apply to have his/her name restored to the Register but will be required to reappear before the Committee to satisfy it that he/she is fit to return to practice.

In the case of a suspension the Registered Farrier is similarly debarred from carrying out any acts of farriery, until the period of suspension has expired, at which time the farrier's name will be automatically restored and he/she may resume practice.

#### **54. Awards of Compensation and Damages**

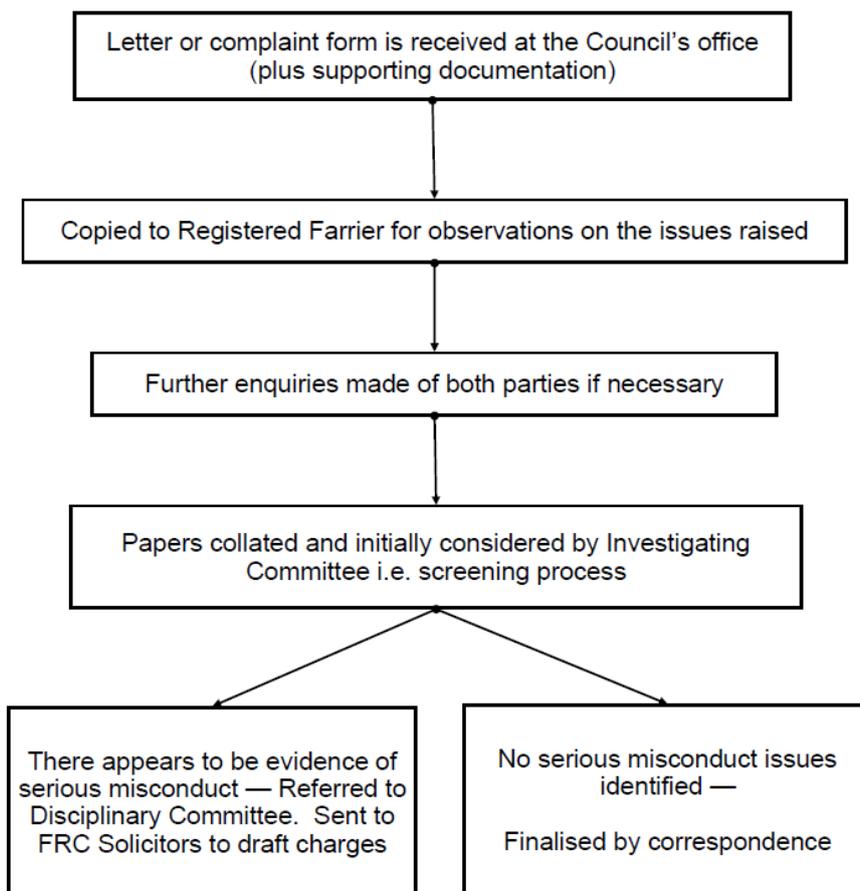
The FRC has no power under the Farriers (Registration) Act 1975, as amended, or other legislation to award compensation or damages which are the normal remedies when negligence is proven. Thus allegations of negligence which cannot be resolved directly as between farrier and client are matters for adjudication by the civil courts. The FRC cannot usurp the court's jurisdiction.

#### **55. FRC Jurisdiction**

FRC jurisdiction applies to all Registered Farriers practising in Great Britain, and to all Registered Farriers practising in any part of the world whom, although practising abroad, have voluntarily retained FRC registration. Where there is a local farriers' board or regulatory body, however, the FRC would expect that body to act rather than intervene itself. Similarly, the FRC will take into account any local circumstances in considering allegations of serious professional misconduct made against Registered Farriers practising abroad.

## 56. FRC Complaints Procedure

The FRC must investigate all complaints made against Registered Farriers which fall within its jurisdiction, however trivial they may appear, in accordance with the following procedure (much simplified in the interest of clarity).



Similar procedures are followed when a conviction for cruelty is reported to the FRC.

In many cases the farrier's response will reveal that the matter does not amount to serious misconduct and the FRC can resolve the complaint by correspondence at the Investigating Committee stage. It is, however, incumbent upon farriers to respond constructively to any allegations. Persistent failure to do so will in itself raise a misconduct issue.

Normally farriers may indicate that they choose to exercise their 'right to silence' and the complaint may then go forward unrebutted but, as a general rule, adverse inferences will be drawn if a farrier elects not to respond to allegations.



## **PART THREE**

### **Apprentice Farrier**

## **57. Duties and Responsibilities of Apprentices**

Apprentices need to be prepared for life as a registered professional in a public-facing role with responsibilities for equine welfare. Being fit to practise is a fundamental requirement of any professional. Fitness to practise is not just about achieving academic qualifications; it is about being of good character, being responsible and being worthy of the trust and confidence of the public and your peers.

Farriers found not fit to practise may face sanctions, possibly even removal from the Register. Approved Training Farriers (ATFs) and training providers have a responsibility to address any potential fitness to practise concerns in their students. This is necessary because apprentices are the future of the profession, and they will work with equines and come into contact with the public during the course of their training.

## **58. Principles of Behaviour for Apprentices**

It is not possible to provide an exhaustive list of behaviours expected of an Apprentice Farrier; this guide sets out broad principles and example behaviours expected of apprentices in the context of three key areas – people, private and student life, and practice.

Although Apprentices are not yet qualified as farriers you should familiarise yourself with all of the *Code of Professional Conduct* (the *Code*) and aim to follow its guiding principles.

## 59. People

You will come into contact with a range of people in the course of your education and training. Maintaining relationships is vital and will require effective communication skills and teamwork.

DO:	DON'T:
✓ Communicate effectively with clients, the public and professional colleagues; listen carefully and respond appropriately	✗ Breach client confidentiality without proper justification, including the posting of comments, pictures and videos on social media
✓ Be open and honest, including with clients. Respect clients' needs and requirements	✗ Be persistently rude or lack courtesy when dealing with your ATF, clients, colleagues and college staff
✓ Ensure you do not disclose information about a third party, unless the client gives permission or there is an appropriate justification	✗ Use inappropriate or offensive language and/or behaviour towards your ATF, fellow students, colleagues or clients, including bullying
✓ Respect the skills and experience of your qualified colleagues and work under their direction	✗ Make disparaging comments about fellow students, colleagues, clients, ATFs or college staff
✓ Understand and respect that clients are free to give or withhold consent to treatment	✗ Use aggressive, threatening or violent behaviour
✓ Respect diversity and respect the cultural differences, values and beliefs of others	✗ Ignore the instructions of your ATF, a tutor, colleague or client
✓ Treat others courteously, with consideration and respect	✗ Go beyond the scope of client consent
✓ Recognise that others may question your fitness to practise, and demonstrate insight and engagement with associated investigations	✗ Be dishonest in any context

## 60. Private and Student life

Fitness to practise encompasses not only your professional competence and practical skills, but also the way in which you conduct yourself outside the professional environment; this includes your private life and student life.

The *Code* states that farriers should uphold the good reputation of farriery. As an Apprentice Farrier you should also uphold the reputation of the profession at all times and consider how your behaviour and conduct could affect the trust that the public places in the farriery profession.

Remember: wherever you are, you are representing the farriery profession, your ATF and your College.

DO:	CONCERNS AFFECTING FITNESS TO PRACTISE:
✓ Take responsibility for your own behaviour by accepting and engaging with the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.	✗ Substance misuse e.g. drugs and alcohol
✓ Develop and demonstrate skills and attitudes that will allow you to participate fully in and contribute positively to life in modern Britain	✗ Criminal convictions or cautions
✓ Take responsibility for your own physical and mental health, seeking treatment and limiting practice if necessary; and communicating with your ATF and College as appropriate	✗ Cheating in examinations, plagiarising coursework and assessments, passing off other people's work as your own
✓ Abide by the rules and regulations of your ATF, college and other organisations linked to your studies	✗ Forging an ATF's signature on Registration documents
✓ Honour commitments and take responsibility for your work	✗ Submitting fraudulent CVs, application forms and employment references
✓ Attend mandatory teaching sessions or make alternative arrangements with your ATF and/or College	✗ Misuse of social media
✓ Submit academic work on time	✗ Failure to seek medical treatment or other support
✓ Co-operate with formal investigations about you or others	✗ Refusal to follow medical advice or treatment plans

## 61. Practice

Section 16 of the Farriers (Registration) Act 1975 permits persons serving under articles of apprenticeship which satisfy the prescribed terms and conditions, to carry out acts of farriery.

There are some important conditions:

- Acts of farriery can only be carried out under the direction, supervision or direct, continuous and personal supervision of an ATF
- The ATF is the employer
- The farriery is carried out in the course of the Apprentice Farrier's training

“Direction” means that the ATF instructs the Apprentice Farrier as to the task to be performed, but is not necessarily present.

“Supervision” means that the ATF is present on the premises and is able to respond to a request for assistance if needed.

“Direct, continuous and personal supervision” means that the ATF is present and giving the Apprentice Farrier his or her undivided personal attention.

Failure to comply with these conditions not only renders your actions illegal, but may also have wider implications for animal welfare. Compliance is therefore, paramount to demonstrating that you are fit to practise.

In addition, you must respect that in delegating acts of farriery to you, your qualified ATF retains responsibility for your actions at all times, and your ATF may be held to account for their decisions.

DEMONSTRATE FITNESS TO PRACTISE BY:	CONCERNS AFFECTING FITNESS TO PRACTISE:
✓ Working under the direction and supervision of your ATF as required by Section 16 of the Farriers (Registration) Act 1975	✗ Undertaking farriery without direction or supervision
✓ Ensuring that colleagues and clients know that you are a student	✗ Lacking insight into your limitations and lack of experience
✓ Making animal welfare your primary consideration when attending to equines	✗ Deliberately ignoring instructions or advice
✓ Taking responsibility for your working practices including ensuring you are appropriately supervised	✗ Taking unnecessary risks and compromising animal welfare
✓ Understanding the professional responsibilities and legal obligations relevant to farriery practice, including the legislation relevant to the welfare of equines	✗ Purporting to have qualifications you do not have
✓ Working within the limits of your competence and being aware of personal limitations; demonstrating awareness of when and from where to seek advice, assistance and support	✗ Falsely completing/signing documentation
✓ Providing care that is appropriate and adequate; and reporting any concerns about the patient (the equine)	
✓ Reporting errors or mistakes (including your own) to your ATF, college staff or other appropriate body	

## 62. Use of Social Media

“Social media” is the term used to describe websites and online applications that encourage social interaction between users and content creators. Examples include media sites that allow public posts and comments (e.g. Twitter), content sharing sites (e.g. YouTube, Instagram and Flickr), professional and social networking sites (e.g. LinkedIn and Facebook), internet forums, discussion boards, blogs and instant messaging.

It is recognised that social media is likely to form part of everyday student life. Such media can be valuable communication tools and can enhance your personal and academic life. However, the use of social media is not without risk and you should be mindful of the consequences that may arise from its misuse.

You have a responsibility to behave professionally and responsibly when offline, online as yourself and online in a virtual capacity (e.g. as an avatar or under an alias). Farriers may put their registration at risk if they demonstrate inappropriate behaviour when using social media and the same principles apply to Apprentice Farriers. You must uphold the reputation of the profession at all times. If you misuse social media you may jeopardise your position with your ATF and/or at college; this could subsequently result in your referral to the Investigating Committee of the FRC on joining the Register of Farriers.

WHEN USING SOCIAL MEDIA, YOU SHOULD:	AVOID MAKING/POSTING OR FACILITATING STATEMENTS, IMAGES OR VIDEOS THAT:
✓ Remember the <i>Code</i> must be followed at all times, even under the anonymity of social media	✗ Contravene any internet or social media policy set out by your ATF and/or College; comments or statements made or facilitated by you may reflect on your ATF, College and the wider profession
✓ Maintain and protect client confidentiality by not disclosing information about a client or their equine that could identify them on social media, unless the client gives their express consent. In certain circumstances, it may be possible to have online discussions about anonymised cases	✗ Cause undue distress or provoke anti-social or violent behaviour
✓ Be respectful and protect the privacy of others	✗ Are offensive, false, inaccurate or unjustified. Comments which damage an individual's reputation could result in a civil claim for defamation for which you could be personally liable
✓ Be proactive in removing content that could be viewed as unprofessional	✗ Abuse, bully, victimise, harass, threaten or intimidate fellow apprentices, colleagues, ATFs, college staff or others
✓ Comply with any internet or social media policy set out by your ATF and/or College	✗ Discriminate against an individual based on his or her race, gender, disability, sexual orientation, age, religion or beliefs, or national origin

This list is not exhaustive; there are many different types of social media misuse.

Please carefully consider protecting your privacy when using social media; it should be remembered that online information can readily be accessed by others and that once it is published online, the information can be difficult, if not impossible to remove. In addition, others may comment on the information or circulate or copy to others. It is therefore sensible to assume that everything shared online will be there permanently and that content uploaded anonymously can, in many cases, be traced back to the original author.

## Reminder

- The Guiding Principles at the beginning of this booklet, are intended to provide an overview to good professional conduct.
- Farrier's specific responsibilities are given in Part 1 and guidelines have then been set out in Part 2 to assist you.
- Apprentice's specific responsibilities are given in Part 3.
- This booklet cannot be exhaustive. The Farriers (Registration) Act 1975, as amended, does not include a definition of 'serious misconduct in any professional respect'. It would be difficult, if not impossible, to provide such a definition.
- Serious or persistent failures to meet the standards in this booklet may put your registration at risk.
- One potential criterion for assessing whether serious professional misconduct has occurred is to ask whether the act done or not done, falls below the standards which might reasonably be expected of a competent and experienced farrier.

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