Assistance Dogs UK

Quick Guide

Welcoming Guests with Assistance Dogs in Holiday Accommodation

www.assistancedogs.org.uk

Assistance Dogs UK

Assistance Dogs UK (ADUK) is a coalition of assistance dog charities that have been accredited by one of the two leading global authorities in the assistance dog industry, namely Assistance Dogs International and the International Guide Dog Federation. We also work with a range of organisations that are working towards the same accreditation that our members have achieved.

What is an assistance dog?

An assistance dog is a dog that has been highly trained to carry out a range of tasks and alerts that support a disabled person or person with a long-term medical or health condition.

Examples include a guide dog that guides a visually impaired person, a medical alert dog that alerts a person to an oncoming medical episode, or an assistance dog that alerts someone with a mental health condition to take medication.

Photo credit: Medical Detection Dogs

Thousands of disabled people have a trained assistance dog in the UK. Each one of these could be a potential customer so it is important that holiday accommodation owners and agencies understand their legal obligations so that they can be welcoming, inclusive, and accessible.

The Law

In the UK, disabled people have important rights under the Equality Act 2010 and the Disability Discrimination Act 1995 (Northern Ireland). It is unlawful for service providers and businesses, regardless of their size, to treat disabled people less favourably, e.g. refusing a service or offering a lesser service because a disabled person has an assistance dog.

In the context of the law, when it comes to providing access, a highly trained assistance dog should be treated as an auxiliary aid e.g. wheelchair or white cane, rather than as a pet dog.

It is important to remember that not every person with an assistance dog has a visible disability and not all assistance dogs will look the same.

Reasonable Adjustments

Holiday accommodation owners or agencies are required to make reasonable adjustments to enable a disabled person with an assistance dog to stay in their property.

This could include:

- making changes to any 'no dogs' policy to include 'except assistance dogs' - without the changes a disabled person with an assistance dog would be disadvantaged.

- allocating a dedicated outside space or 'spending area' where the dog can relieve itself if no garden is available.

In requesting a reasonable adjustment a disabled person may choose to share information with you about their impairment or health condition. However, this information is shared at the individual's discretion, and it is not appropriate to question or challenge someone about their disability.

A disabled person may need their dog with them at all times in order to be alerted to a medical episode, a sound or for physical assistance. It is not reasonable to dictate where an assistance dog can and cannot go in the property e.g. not allowing an assistance dog upstairs or in certain rooms or limiting which rooms in a holiday home can be used.

Staff and Volunteer Allergies and Phobias

It is not reasonable to deny someone access to holiday accommodation on the basis that future guests might have a dog allergy. If a regular guest is known to suffer from a dog allergy, the accommodation owner or agency needs to ensure that appropriate cleaning takes place before they arrive.

Disabled people should not be expected to bear the cost of any additional cleaning, staffing or other measures required to reduce risk.

Similarly, refusing access to a disabled person with an assistance dog due to fear of dogs among staff or customers is unlikely to be considered a justifiable response.

What to Expect

Assistance dogs should have been prepared and trained in a variety of environments so that they are capable and confident when out and about. An assistance dog is highly trained so will not pose a public nuisance.

Not all assistance dogs are trained by an ADUK member charity, but all assistance dogs should be highly trained by whoever does train them, whether that be a non-accredited charity, a professional trainer or individual.

The UK Equality and Human Rights Commission states that trained assistance dogs are

- likely to sit or lie quietly on the floor next to their owner
- unlikely to wander freely around the premises
- unlikely to foul in a public place

Holiday accommodation providers can be confident that highly trained assistance dogs from an ADUK member organisation will be

- trained to behave well in public
- safe with a reliable temperament
- healthy and will not constitute a hygiene risk
- fully toilet-trained
- recognisable by the harness, organisation-specific coat, lead slip or ID (though this is not a legal requirement).

Unexpected Behaviour

No assistance dog, no matter how highly trained and experienced is going to be perfect 100% of the time. Whilst they are trained to focus on their partner, from time to time they may be distracted. However, there are some behaviours that you would not expect to see such as

- dogs that have been not trained to behave well in public e.g. barking, lunging, or jumping up or pulling strongly on a lead (please note though that these are sometimes alert behaviours)
- dogs with aggressive or very fearful temperaments e.g. cowering or showing aggression
- poorly cared for dogs that constitute a hygiene risk or dogs that are not toilet trained

Identifying Assistance Dogs

Although most assistance dogs are recognisable by their jacket, harness, lead slip or bandana there is no legal requirement for them to wear these. Some people may choose not to use these visual cues for their assistance dog and legally, they are within their rights.

This lack of visible identification can create challenges for service providers in easily distinguishing assistance dogs from pet dogs.

All assistance dogs trained by an ADUK member organisation are issued with an ADUK booklet or card and may have an Assistance Dogs International App containing details about the dog and the charity that trained it.

Photo credit: Hearing Dogs

Not all assistance dog owners have trained their dog through a charity or carry specific ID, nor are they required to by law. There is no official register or certification process for assistance dogs in the UK so there is no legal 'proof' that you can ask for.

It may be unlawful to refuse a tenancy to a disabled person with an assistance dog because it has not been trained by an ADUK member. However, it could be considered reasonable, to seek reassurance that an assistance dog is highly trained and appropriately insured.

Additional charges

A holiday accommodation owner or agency cannot increase rent or charge additional fees to assistance dog owners, even if a contract states they charge extra for guests with pets.

Asking a disabled person with an assistance dog to pay additional fees or deposit to cover any damage that 'might' occur as a result of the assistance dog being in the property, could be deemed unreasonable and/or discriminatory.

Charges for actual damage caused by the dog could be pursued.

Assistance Dogs in Training

In order to prepare a dog for life working as a happy and healthy assistance dog, it's vital that they are exposed to a wide range of different environments and situations. To do this, many charities rely on the good will of service providers to allow them access.

Assistance Dogs in training are not referenced in either the Equality Act 2010 or the Disability Discrimination Act 1995 (Northern Ireland). As such it is ADUK's understanding that service providers are not legally obliged to give access to someone with an assistance dog in training in the same way that they would do a disabled person with a highly trained assistance dog.

ADUK members can take up to two years to prepare and train an assistance dog. Whilst there is nothing in the law about the age a highly trained assistance dog must be, it would be unlikely that a dog under a year old would be adequately prepared for the role.

Photo credit: Service Dogs UK

Emotional Support Dogs

An assistance dog is a highly trained dog that is prepared and trained to carry out tasks and alerts to mitigate for an impairment or life threatening health condition. An emotional support dog is a dog that offers comfort and companionship by being present, which requires no specialist training.

Emotional support dogs are not referenced in law, so it is ADUK's understanding that service providers are not legally obliged to allow access to someone with an emotional support dog.

Emotional support dogs and highly trained psychiatric assistance dogs are not the same thing. A disabled person with a highly trained assistance dog that mitigates a mental health condition should be given access to venues, goods and services.

Additional Sources of Information

For further details about welcoming disabled people who rely on assistance dogs see the Equality and Human Rights Commission's Assistance dogs: A guide for businesses and service providers

Other ADUK Quick Guides and Resources

ADUK has produced a range of Quick Guides and resources which provide information about the legal obligations anyone who provides a service has towards assistance dog partnerships.

Although many of the resources are aimed at service providers, venues and businesses they all contain information about the rights of disabled people and are designed to be of use to many different audiences.

All of our guides and resources can be found at our Information Hub.

ADUK Quick Guides provide general information and best practice regarding assistance dogs and, where relevant, ADUK's interpretation of applicable legislation. The content is intended for information sharing purposes only and does not constitute legal advice. If you require advice on a specific legal matter, we recommend seeking independent legal advice.

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Find out more about ADUK, our work and our members

www.assistancedogs.org.uk

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