Assistance Dogs UK

Quick Guide

Welcoming Assistance Dogs in Schools

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

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, including local authorities and schools, 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.

Children with Assistance Dogs

Placing an assistance dog in a school setting with a child is a complex situation that requires a lot of assessment to ensure that it is suitable for the child and the dog.

When ADUK members place a dog with a child who will routinely take the dog to school, it is the result of a detailed and considered process that requires a realistic assessment from everyone involved.

Alongside meeting the needs of an individual student, schools also have a duty of care to all students, staff and people visiting the school.

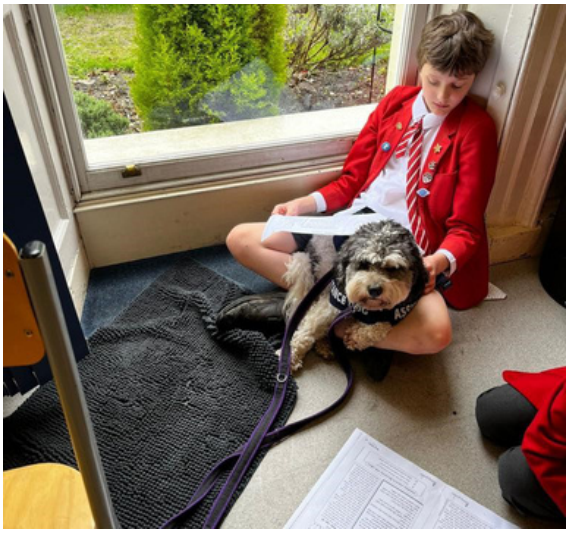

Photo credit: Dogs for Autism

It is not possible for someone under the age of 16 to be legally responsible for a dog in a public setting. This means that if a disabled student with an assistance dog is going to be welcomed at a school, there must be a dedicated adult that is responsible for supervising and meeting the needs of the dog. In some instances, this may be a teaching assistant or a 1:1 support worker.

Educational Health Care Plans

If a student has requested that they be accompanied by an assistance dog, then it is likely that this would be part of their Education Health Care Plan.

If a student's Education Health Care Plan 'requires' that they be supported by an assistance dog, then a school has a statutory obligation to make reasonable adjustments to meet that student's needs.

If a school does not believe that it can meet the needs of the student, it would need to state why. If it is a 'recommendation' or the student has no plan in place, then the school should explore and assess how they can best meet the student's needs, and if reasonable and possible, consider accommodating their highly trained assistance dog.

Reasonable Adjustments

Reasonable adjustments might be different for each student and might not always result in full access for a student with an assistance dog but may include:

- Having a dedicated member of staff be responsible for the dog at all times.
- Arranging for the assistance dog to accompany the student on a part time basis.
- Allocating a dedicated outside space or ‘toileting area’ where the dog can relieve itself (ADUK has additional resources on this).
- Meeting the student’s needs in a different way
- Finding an alternative school that can reasonably accommodate a child with an assistance dog

Parents/carers with Assistance Dogs

Some parents/carers may rely on an assistance dog and need to bring that dog into the school grounds when arriving with or collecting a child.

ADUK members encourage anyone with a trained assistance dog to talk to the school in advance and discuss access. If the dog has been trained by an ADUK member, then schools can be confident that it will be highly trained and well behaved.

If you are unsure about the training the dog has received or have any concerns about the dog’s behaviour you should talk through the issues with the person and explain to them that you may need to carry out a risk assessment to determine how to proceed.

If an individual asserts they are disabled and that their dog is a highly trained assistance dog, and the dog acts as expected, it may be unlawful to deny them access. If it becomes evident that the dog is not behaving in line with the list of expected behaviours outlined by the Equality and Human Rights Commission, then refusing, or revoking access may be justifiable.

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 charity, a professional trainer or an 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

Schools 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 may sometimes be 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 containing details of the dog and the charity that trained it, and some owners may have the Assistance Dogs International App.

Not all assistance dog owners have trained their dog through a charity or carry specific ID, nor are they required to by law.

Photo credit: Hearing Dogs

Assistance Dogs Around Food

Highly trained assistance dogs should be allowed access to restaurants, food retailers and other premises where food is available.

Due to the very specific training and health tests that highly trained assistance dogs will go through, certainly dogs trained by ADUK members, they are unlikely to be a risk to hygiene in premises where food is available.

This would not include areas where food is prepared for sale such as professional or commercial kitchens.

Photo credit: Support Dogs

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 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.

Therapy dogs

A therapy dog is a general term to describe a dog that is used to benefit a range of people in a therapeutic way. Some pets take part in visiting programmes, whilst others take part in structured activities as part of a therapeutic programme or practice. Therapy dogs have not been trained to support the needs of an individual person and are not referenced in law.

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 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.

Contact Assistance Dogs UK

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Find out more about ADUK, our work and our members

www.assistancedogs.org.uk

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