Assistance Dogs UK

Quick Guide

Welcoming Assistance Dogs on Beaches, all year round

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: Canine Partners

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. .

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.

Should assistance dogs be allowed to visit the beach during high season?

Yes, in the UK disabled people have important rights under the Equality Act 2010 and the Disability Discrimination Act 1995 (Northern Ireland). It is unlawful to treat disabled people less favourably, e.g. refusing access to public spaces because a disabled person has an assistance dog. Furthermore, the Local Government Association's Public Spaces Protection Orders: Guidance for councils states that assistance dogs should be exempt and this should be explicitly stated in the wording of Public Space Protection orders.

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. Under the Equality Act 2010, it is the disabled person, not the dog, who has the right to access the beach, with the aid of their assistance dog. The dog will only be on the beach while working to assist its partner. During this time, it should be kept on a lead and under close supervision, not allowed to run freely.

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.

Photo credit: Hearing Dogs

If an individual asserts that they are disabled and that their dog is a highly trained assistance dog, and the dog behaves 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 and listed in the 'Expectations' section of this Guide then refusing, or revoking access may be justifiable.

Expectations

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

Service 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).

Assistance dogs on the beach

It is reasonable to expect a high level of responsible dog ownership. When an assistance dog is on the beach in high season you can expect:

- the dog to be on a lead
- the handler to clean up any fouling
- the dog to be focused on its partner

It is not reasonable to restrict a disabled person's access to the beach or sea by not allowing their assistance dog to accompany them.

‘Proof’

People with assistance dogs trained by an ADUK member organisation are issued with an ADUK booklet or card containing details about the dog and the charity that trained it. Some may use the Assistance Dogs International App on their phone to show that the organisation that trained their dog is accredited.

Not all disabled people who are partnered with an assistance dog will have trained their assistance dog through a charity so may not carry a specific ID, nor are they required to by law.

There is no official registration or certification process for assistance dogs in the UK so there is no legal ‘proof’ that you can ask for from someone who is accompanied by an assistance dog.

Assistance dogs in training

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.

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 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 there is not the same legal obligation to allow access to someone with an emotional support dog.

Summary

Disabled people with a trained assistance dog should be permitted access to the beach with their assistance dog on a basis of trust all year round.

However, the dog should only be present in a working capacity to allow the disabled person to access the beach and should not be running freely.

If the dog is a highly trained assistance dog and acts as such - i.e is calm and focused on their partner; is on lead and cleaned up after - they should be able to remain on the beach. If they are not meeting these standards then refusing or revoking access may be reasonable.

There is no requirement for documentation or ID for any partnership and it may be unlawful to deny access on the grounds that a person does not have these.

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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