

Assistance Dogs Policy for Students

Purpose

1. The University of Buckingham recognises that qualified Assistance Dogs play an important role in the safety and wellbeing of disabled people and has designed a policy on qualified Assistance Dogs as set out in this document
2. This policy addresses issues relating to qualified Assistance Dogs on University premises.
3. It is also intended to raise awareness for staff, students and visitors of the issues relating to qualified Assistance Dogs.
4. This policy is not intended to cover 'therapy animals' or 'working animals'. This is because these are not the same as qualified Assistance Dogs.

Terminology

5. '**University premises**' refers to property that is owned, operated or maintained by the University of Buckingham.
6. '**Disability**' reflects the definition of disability as set out in the Equality Act 2010.
7. For the purposes of this policy, all helping animals fall into **one** of the three following categories.
 - A '**qualified Assistance Dog**' is a dog specially trained to provide assistance to an individual with a disability. These dogs are treated as 'auxiliary aids'. Qualified Assistance Dogs are not pets and will not wander freely around the premises. As they are trained to go to the toilet on command, they are unlikely to foul in a public place. **Please see Appendix for full definition.**
 - A '**therapy animal**' is an animal prescribed to an individual as part of a treatment process for a physical or mental condition. Unlike qualified Assistance Dogs, a therapy animal does not facilitate mobility for its owner or assist on daily tasks, and need not accompany the owner at all times. A 'therapy dog' is **not** classed a 'qualified Assistance Dog'.
 - A '**working animal**' is an animal (usually a dog) that provides other services within the University, such as assisting law enforcement. A 'working dog' is **not** classed as a 'qualified Assistance Dog'.
8. This policy only covers the use of **qualified Assistance Dogs**. Matters relating to the use of other types of dog, including 'therapy dogs', are dealt with on a case-by-case basis under separate protocols.
9. In everyday discussions, there are many different terms that may be used to refer to a helping animal. However, the University cannot assume that these terms refer to a 'qualified Assistance Dogs'. Some *examples* of terms used to refer to helping animals are:
 - 'guide dog'

- 'service dog' (often used in the United States)
 - 'companion dog'
 - 'psychiatric service dog'
 - 'emotional support animal'
 - 'severe allergy alert dog'
 - 'autism Assistance Dog'
 - 'brace/mobility dog'
 - 'diabetic alert dog'
 - 'hearing dog'
 - 'seeing dog'
 - 'medical alert dog'
 - 'medical Assistance Dog'
 - 'visual Assistance Dog'
 - 'wheelchair Assistance Dog'
 - 'assistance animal'
 - 'therapy dog'
10. Regardless of the title an owner may prefer to use, this policy only covers animals which **also** meet the definition of a 'qualified Assistance Dog' as set out in the appendix of this policy.
11. The University will not assume that any helping dog, such as a 'therapy dog', is also a qualified Assistance Dog.

Context and Legal Framework

12. Thousands of disabled people rely on qualified Assistance Dogs to help them with day to day activities that many people take for granted. It is not only blind people that are helped by a qualified Assistance Dogs. Qualified Assistance Dogs are also trained to help people with hearing difficulties, epilepsy, diabetes, physical mobility problems and more.
13. The Equality Act 2010 says it is unlawful for an education provider to discriminate against a disabled person in any of the following ways:
- Direct discrimination: treating a person less favourably than others because of their disability or because of a perceived disability. For example, offering a service on worse terms.
 - Indirect discrimination: where a neutral policy or rule is applied to everyone but puts those with a disability at a disadvantage. For example, having a 'no dogs' policy.

- Discrimination arising from disability: discrimination for any reason connected to the person's disability that is not covered by other forms of discrimination.
 - Failure to make reasonable adjustments: where a physical feature, provision or practice puts a disabled person at a substantial disadvantage the service provider has a duty to take reasonable steps to alter, remove or avoid that disadvantage.
 - Harassment: creating an intimidating, degrading, hostile or offensive environment for a person because of their disability.
 - Discrimination by association: this is when a person who may or may not be disabled is treated less favourably because of their association or connection with a disabled person.
 - Victimisation: when a person, whether disabled or not, is treated less favourably because they have made a complaint about discrimination, or assisted someone else to make a complaint about discrimination; this includes being a witness.
 - Discriminatory advertisements: if a service provider advertises that in offering a service they will treat disabled people less favourably, this will amount to direct discrimination. For example, stating that qualified Assistance Dogs are not welcome on literature or a booking form.
14. With regards to positive discrimination, the law recognises the particular disadvantages that disabled people face and so treating disabled people more favourably than others is permitted.
 15. It would be unlawful to refuse access to a disabled person accompanied by a qualified Assistance Dog except in the most exceptional circumstances.
 16. Most qualified Assistance Dogs are instantly recognisable by a harness or jacket. However, the law does not require the dog to wear a harness or jacket to identify it as a qualified Assistance Dog.
 17. Some, but not all users of qualified Assistance Dogs, will carry an ID book giving information about the qualified Assistance Dog and the training organisation together with other useful information. This is not a legal requirement and users of qualified Assistance Dogs should not be refused a service simply because they do not possess an ID book.
 18. Qualified Assistance Dogs are highly trained, have regular veterinary treatments and are tested on a regular basis to make sure they don't present a health risk. The Chartered Institute of Environmental Health has determined that they are unlikely to present a risk to hygiene and should be allowed access to restaurants, cafes, hotels, food shops and other food premises.
 19. It should be noted that not all helping dogs are qualified Assistance Dogs. For example, 'therapy dogs' do not have the same legal status as qualified Assistance Dogs.

Applicability and Scope

20. This policy is intended to cover all students of the University of Buckingham who have a qualified Assistance Dog. **Staff** or **visitors** with qualified Assistance Dogs are dealt with under separate protocols.

21. Matters relating to the use of ‘therapy animals’ (including ‘therapy dogs’), and ‘working animals’ (including ‘working dogs’) are dealt with under separate protocols.

Policy

22. The University of Buckingham will:
- Take steps to establish whether the student’s dog is a qualified Assistance Dog as defined in this policy.
 - Welcome students with qualified Assistance Dogs.
 - On request, provide familiarisation with and orientation on campus as part of induction.
 - Provide spending pens for the toilet needs of qualified Assistance Dogs.
 - Provide water bowls for the use of qualified Assistance Dogs.
 - Raise awareness and provide guidelines for staff and students on the purpose of qualified Assistance Dogs and how to interact with them.
23. On the grounds of Health and Safety responsibilities to its staff, students and visitors, the University reserves the right to refuse access for:
- A dog that is not qualified by one of the eight membership organisations of *Assistance Dogs (UK)*. **See appendix for full list.** For example, a ‘therapy dog’ is not a qualified Assistance Dog.
 - A dog from another nation, which does not meet the full membership criteria of an established international Assistance Dog organisation. **See appendix for further details.**
24. The University reserves the right to remove or bar entry to a qualified Assistance Dog when it poses a direct threat to the health & safety of others. Unresolved animal misbehaviour may also provide grounds for removal, after all reasonable measures have been taken to address this.
25. Qualified Assistance Dog owners are responsible for any damage to persons or University property.
26. The University may restrict access of qualified Assistance Dogs to certain areas for health and safety reasons. Restricted areas may include research laboratories, medical facilities, areas where protective clothing is required, boiler rooms, etc. Applications for exceptions will be reviewed on a case-by-case basis.

Responsibilities – The Owner of the Qualified Assistance Dog

27. Qualified Assistance Dog owners will request permission from the University to bring qualified Assistance Dogs into the premises in advance of arrival on University premises.
28. They will provide information about the animal and its tasks/duties, when requested by University staff.

29. Owners are responsible for ensuring that their qualified Assistance Dogs are covered by full liability insurance and provide a copy to the University.
30. Owners must ensure that qualified Assistance Dogs are kept on a lead at all times when walking around the University estate or safely harnessed when unsupervised for short periods of time.
31. Qualified Assistance Dog owners must respect access restrictions established by the University on grounds of health and safety. Owners must ensure that qualified Assistance Dogs do not enter staff and students' privately assigned spaces, such as bedrooms and flats within residences, without permission.
32. It is the owner's responsibility to prevent and correct their qualified Assistance Dog's misbehaviour. Owners must make sure that their qualified Assistance Dogs do not cause harm or injury to others and damage to University property.
33. Owners must ensure the qualified Assistance Dog has its requirements in relation to toileting met.
34. Registered blind people are not required to clean up after their qualified Assistance Dog and these are expected to have received the appropriate training to avoid dog waste on campus.
35. Qualified Assistance Dog users share responsibility for the clean-up of the animal's waste, consistent with reasonable capacity. Owners must use the spending pens or designated areas identified by the University.
36. In the unlikely event that the dog does foul inside University buildings, the owner must report this to an appropriate member of staff to make arrangements with Facilities Management to clean and sanitize the area.
37. Animal care and supervision is the owner's responsibility. The owner will ensure regular health checks, vaccination, adequate standard of grooming, and the supply of food and drink at all times.
38. Owners of qualified Assistance Dogs that are ill, in poor health, excessively unclean or unkempt may be required to remove the animal from University premises. The University of Buckingham is not responsible for the loss, ill health, or death of a qualified Assistance Dog.

Responsibilities – The University

39. When a resident student has a qualified Assistance Dog, the Accommodation Office is responsible for informing other students in Halls, who are likely to come into contact with the qualified Assistance Dog and for asking them to confirm that they would not be adversely affected by the presence of the dog. The University will ensure that staff in Accommodation and Residences will be provided with training, so that they can respond appropriately to individual needs.
40. Estates and Infrastructure (Grounds & Gardens) staff will ensure the upkeep of Spending Pens for is sufficient for the health of the dog and the safety of the owner, including the provision of bins for dog refuse and the disposal of the refuse.

41. Student Support Services will advise students with qualified Assistance Dogs and signpost them to this policy to make them aware of the help provided by the University and their rights and responsibilities.
42. If required, the Disability Support Officer will liaise with the student's academic department and accommodation to ensure that any reasonable adjustments needed have been made.

Complaints

43. The University acknowledges that students or staff may raise concerns regarding the presence of qualified Assistance Dogs on University premises.
44. If a student with a qualified Assistance Dog has a complaint regarding the treatment of themselves or their dog, they should raise this issue with the department in which the problematic treatment occurred.
45. If a student or staff member wishes to raise a complaint regarding a qualified Assistance Dog, they should raise the issue with the department in which the problem occurred.
46. Every attempt will be made to resolve the matter informally, including the use of mediation where appropriate.
47. If the matter cannot be resolved informally, or if the request to resolve the complaint is not complied with, the issue will be escalated and dealt with through staff or student disciplinary procedures.
48. When considering and responding to a complaint, the following should be taken into consideration:
 - Qualified Assistance Dogs are highly trained to make sure they are always under control and will not be a nuisance to anyone. For example, they will not jump up and will lie down at their owner's feet if the owner sits down to eat. Disabled people who are partnered with qualified Assistance Dogs may also receive expert training to ensure that they can handle their dogs.
 - Qualified Assistance Dogs are trained to behave differently when they detect a problem. For example, Seizure Alert dogs are trained to behave differently when they detect a potential seizure. This may be misinterpreted by others as the dog misbehaving.
 - Religious or cultural conflicts have sometimes been cited as a reason for nonadmittance of qualified Assistance Dogs. However, service providers should permit access to qualified Assistance Dogs and such beliefs are not a defence against non-compliance. Religious or cultural beliefs cannot be used to prohibit access to qualified Assistance Dogs and their owners. However, this is a sensitive aspect of the access issue and tact should be used by all involved. The Muslim Sharia Council have clarified that Muslims should accept qualified Assistance Dogs in their businesses.
 - Refusing to allow access to people with qualified Assistance Dogs because other people 'might' be allergic to dogs is likely to be unlawful disability discrimination. This is because the Equality Act 2010 states that service providers must make reasonable

adjustments to policies for disabled people. This includes amending 'no dogs' and 'no pets' policies to allow access for qualified Assistance Dogs. If there is an identifiable person with an allergy to dogs then employers and service providers should take reasonable steps to ensure that person has minimal or no contact with dogs; reasonable steps are unlikely to include banning all qualified Assistance Dogs.

- Where a qualified Assistance Dog poses adverse health risk to a student or staff member, the University will seek medical documentation from the affected parties to determine suitable alternative arrangements for either or both parties.

Appendix – Full Definition of a qualified Assistance Dog

- For the purpose of this policy, a qualified Assistance Dog is one which has been specifically trained to assist disabled people and which has been qualified by one of the organisations registered as a member of *Assistance Dogs (UK)* or an equivalent organisation in another country (see below for full lists), and are permitted to accompany their owners at all times and in all places within the United Kingdom (unless there is a genuine health and safety risk).

- Examples for tasks carried out by qualified Assistance Dogs include:
 - Assisting people who are blind or are visually impaired. These dogs are commonly known as 'Guide Dogs'.
 - Assisting people who are deaf or are hearing impaired. These dogs are commonly known as 'Hearing Dogs'.
 - Tasks which their owner may find difficult or impossible for example:
 - Opening and closing doors
 - Calling an ambulance
 - Picking up objects
 - Assisting with dressing and undressing
 - Accompanying their owner whilst shopping etc.
 - Acting as a physical support
 - Raising the alarm
 - Operating control buttons
 - Switching lights on and off
 - Carrying items
 - Loading and unloading the washing machine
 - Fetching the telephone and other items

- Members of *qualified Assistance Dogs (UK)*:
 - *Guide Dogs for the Blind Association (GDBA)*
 - *Hearing Dogs for Deaf People*
 - *Support Dogs*
 - *Dogs for Good (formerly Dogs for the Disabled)*
 - *Canine Partners*
 - *Medical Detection Dogs*
 - *Dog A.I.D.*

- *The Seeing Dogs Alliance*
- Established international qualified Assistance Dog organisations
 - *qualified Assistance Dogs International*
 - *qualified Assistance Dogs Europe*
 - *International Guide Dog Federation*
 - Other such international bodies as may from time to time be recognised

Further Resources

Assistance Dogs (UK), www.assistancedogs.org.uk

Guide Dogs for the Blind Association (GDBA), www.guidedogs.org.uk

Hearing Dogs for Deaf People, www.hearing-dogs.co.uk

Support Dogs, www.support-dogs.org.uk

Dogs for Good (formerly Dogs for the Disabled), www.dogsforgood.org

Canine Partners, www.caninepartners.co.uk

Medical Detection Dogs, www.medicaldetectiondogs.org.uk

Dog A.I.D., www.dogaid.org.uk

The Seeing Dogs Alliance, www.seeingdogs.org.uk

Assistance Dogs International, www.assistancedogsinternational.org

Assistance Dogs Europe, www.assistancedogseurope.org

International Guide Dog Federation, www.igdf.org.uk

The Royal National Institute of Blind People www.rnib.org.uk

Equality Advisory and Support Service www.equalityadvisoryservice.com