

ADUK QUICK GUIDE



Welcoming Assistance Dogs on Beaches, all year round

www.assistancedogs.org.uk | Registered Charity 1119538

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.

Assistance dogs are dogs that have been highly trained to carry out a range of tasks and alerts to support a disabled person or person with a long-term medical condition.

Over 7000 people rely on ADUK member-trained assistance dogs in the UK.

Each one of these could be a potential service user, so it is vital to understand legal obligations to ensure your organisation is welcoming, inclusive, and accessible.



Key terms used in this guide

Partnership: Used to describe a disabled person and their assistance dog.

Disability: A physical or mental impairment which has a substantial and long-term adverse effect on the ability of an individual to carry out normal day-to-day activities.

The Law

The Law In the UK disabled people have important rights under the Equality Act 2010 and the Disability Discrimination Act 1995 (Northern Ireland).

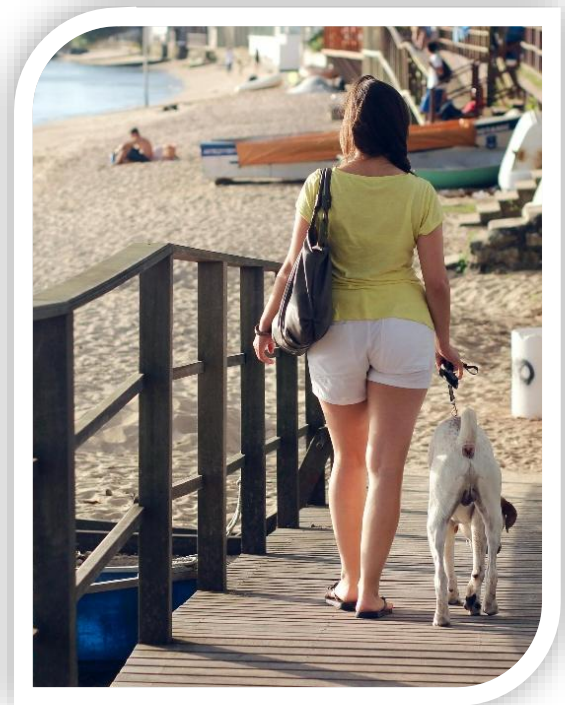
The law states that anyone offering a service, be that private business or public service must make reasonable adjustments for disabled people so that they can access their venue, goods and services. Except in the most exceptional circumstance e.g. a surgical hospital ward, this would mean allowing access to a disabled person and their assistance dog, even if you do not normally accept pet dogs.

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 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.



Recognising an Assistance Dog

Although most assistance dogs are recognisable by their jacket, harness, lead slip or bandana there is no legal requirement for these to be worn. Some people may choose not to use these visual cues and legally, they are within their rights. This lack of visible identification can create challenges in easily distinguishing assistance dogs from pet dogs.

Regrettably, some individuals may use this to falsely claim that their pet dogs are assistance dogs. All assistance dogs trained by an ADUK member organisation are issued with an ADUK ID Booklet containing details about the dog and the charity that trained it. Some owners may also have the Assistance Dogs International App on their phone.

Expectations

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
- 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.

It is reasonable to expect a high level of responsible dog ownership. You can expect an assistance dog visiting a beach in high season to be always kept on a lead, and for their handler to clean up any fouling, and the dog to be focused on its partner. It is not reasonable to restrict the disabled persons access to the beach or sea by not allowing their assistance dog to accompany them.

Assistance dogs may mitigate:

- Physical impairments such as mobility issues
- Long term health conditions
- Autism
- Mental health conditions, such as PTSD

They might do this by using just some of the following task and alert behaviours:

- Picking up dropped items
- Alerting their handler to medical episodes
- Providing deep pressure therapy
- Creating space for their handler or guiding their handler through crowds
- Retrieving items, such as medication
- Notifying their handler of noises, such as alarms

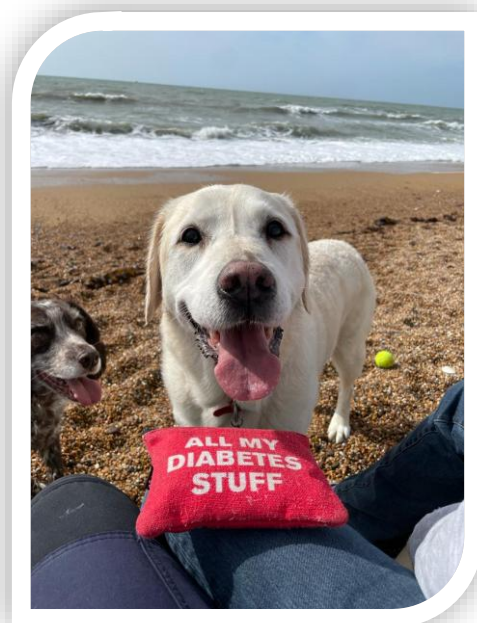
Considerations

A highly trained assistance dog can mitigate for a wide range of impairments and health conditions using different tasks and alerts to do so. Disabled people who rely on highly trained assistance dogs should be able to access beaches with their assistance dog, on or off season in line with the 2010 Equality Act.

There is no formal means of identifying an assistance dog in the UK. It is not a legal requirement for assistance dogs to wear a harness, jacket or lead slip, or for a disabled person to provide any identification for themselves or the assistance dog.

It is also important to understand that assistance dogs can come in all breeds; they are not exclusively Labradors.

ADUK recommends treating each person as an individual and if they assert 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 below then refusing, or revoking access may be justifiable.



Assistance Dogs in Training

In order to prepare a dog for life working as an assistance dog, it is vital that they are exposed to a range of different environments and situations. Assistance Dogs in training are not referenced in legislation. 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/puppy. Some disabled people will train their own assistance dog and service providers can consider such requests on a case by case basis.

Emotional Support Animals

Emotional support animals are not referenced in law, so it is ADUK's understanding that there is not the same legal obligation to permit access to someone with an emotional support animal.

Summary

People who rely on assistance dogs 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. This does not mean the dog should be running freely.

If the dog is a highly trained assistance dog and acts as such; 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 these grounds that a person does not have these.

Writing a high season beach policy for assistance dogs

ADUK cannot offer legal advice or guidance. However, we have produced the following template for producing your own Assistance Dog Policy and can review and fact check a completed policy.



The template is free to use and recommends headings and information. However, depending on the nature of your business you might wish to drop or add sections. Whatever you choose, ADUK can review your policy on completion.

ADUK Policy Guidance

****Enter organisation name** Assistance Dog Policy**

Use this template to build your policy against the policy checklist suggested by ADUK.

ADUK cannot offer legal advice or create your policy. However, we can fact check and review a completed policy.

Policy Intent

- ✓ *Identify why this policy has been created.*
- ✓ *Specify that people reliant on assistance dogs must not suffer any kind of discrimination, meeting the legal obligations of the Equalities Act 2010.*
- ✓ *This statement can go further, if it meets your service aims.*

The Law

- ✓ *Be clear on the legislation [Equality Act 2010](#) and the [Disability Discrimination Act 1995](#) (Northern Ireland)*
- ✓ *Communicate legislative requirements to policy users.*
- ✓ *Identify that it is the disabled person who carries the legal rights and protections, not the assistance dogs.*

Access Rights

- ✓ *Outline that people with assistance dogs have the right to access all public areas of an organisation including bathrooms and dining areas, except in the most exceptional circumstance e.g. (sterile environments)*
- ✓ *Outline areas of your premises which may not be able to accommodate an assistance dog accompanying their partner and offer reasonable adjustments.*
- ✓ *Highlight that not every person with an assistance dog has a visible disability and not all assistance dogs look the same. Unless the information is needed to make reasonable adjustments, it is not appropriate to question a person about their impairment or health condition.*

Definition of terms

- ✓ Clearly lay out what an assistance dog is.
- ✓ Illustrate that assistance dogs mitigate a range of disabilities.
- ✓ Identify that assistance dogs can come in all breeds; they are not exclusively Labradors.
- ✓ Consider the difference between an assistance dog and emotional support animal.

Types of Assistance Dogs

- ✓ Note ADUK members are not the only providers of Assistance Dogs, they can be trained by non-ADUK members as well as owner trainers.

How to identify Assistance Dogs

- ✓ Note there is no official register or certification process for assistance dogs.
- ✓ Be clear there is no form of legal proof that a dog is an assistance dog.
- ✓ Illustrate it is not a legal requirement for assistance dogs to wear a harness, jacket or lead slip, or for a disabled person to provide any identification for themselves or the assistance dog.
- ✓ Encourage a position of trust for people with assistance dogs, based on the expectations for assistance dog behaviour.

Expectations

- ✓ Identify that assistance dogs are highly trained, based on expectations for assistance dogs.
- ✓ Consider your duty of care to staff, volunteers and other service users.
- ✓ Provide reasonable expectations for people who rely on assistance dogs accessing your organisation.

N.B There are no legislative standards. Remember, these are organisation dependent.

Assistance Dogs in Training

- ✓ Consider whether your organisation will accept assistance dogs in training.
- ✓ If assistance dogs in training are accepted, define the level of flexibility on expectations for assistance dogs.

Toileting requirements

- ✓ Reference toileting arrangements which may be on or off premises.
- ✓ Highlight safe and appropriate access routes to the toilet area that should be wide enough to allow the dog and its owner to pass through together to the area and meet accessibility standards.
- ✓ Ensure access this area in a reasonable time frame. E.g., if at a football stadium, the partnership should have enough time to access this area and get back within half time.

Putting your policy into practice

- ✓ Set out your organisation's expectations in regard to treating disabled people who rely on a highly trained assistance dog with respect and without making assumptions about their impairment or health condition.
- ✓ Provide an access plan for regular service users, depending on the nature of the service provided.
- ✓ Outline protocol if there are questions about the legitimacy of an assistance dog. Staff should be guided on how to raise this correctly, without discriminating against the assistance dog owner.

Additional Sources of Information

For more 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.

- Welcoming Customers with Assistance Dogs
- Welcoming Employees with Assistance Dogs in the Workplace
- Welcoming Tenants with Assistance Dogs in Rented Accommodation
- Welcoming Assistance Dogs in Schools
- Welcoming Students with Assistance Dogs in Further & Higher Education
- ADUK Member Trained Dogs Poster
- 'What is an Assistance Dog' Animation
- 'Service Providers & Employers Guide to Assistance Dogs' Animation

Find out more about ADUK, and its members and watch our animation at www.assistedogs.org.uk



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