

A woman with long blonde hair, wearing a black puffer jacket and dark trousers, sits on a wooden chair at a round wooden table. She is looking thoughtfully to the side with her hand near her chin. In the foreground, a golden retriever wearing a maroon vest with the Hearing Dogs for Deaf People logo lies on the floor. The background shows a bright, open-plan office or meeting area with other people and tables.

Assistance dogs

A guide for
all businesses



Equality and
Human Rights
Commission

The Equality and Human Rights Commission

We have a statutory remit to promote and monitor human rights; and to protect, enforce and promote equality. We are committed to the vision of a modern Britain where everyone is treated with dignity and respect, and we all have an equal chance to succeed.

We have produced this guidance to help businesses understand what they can do to comply with their legal duties under the Equality Act 2010.

The Commission wishes to thank Hearing Dogs for Deaf People UK for their assistance with this guide.

Who should read this guide?

If you offer a service to members of the public whether for payment or not, whether you are a private business or a public service, this guide is for you. It explains what your legal duties are to assistance dog owners under the Equality Act 2010 and how you can meet them, often at no additional cost.

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1. What is an assistance dog?

Thousands of disabled people rely on an assistance dog to help them with day-to-day activities that many people take for granted. You may be surprised to learn that it's not only blind people that are helped by assistance dogs. Assistance dogs are also trained to help people with hearing difficulties, epilepsy, diabetes, physical mobility problems and more.

Assistance dogs carry out a variety of practical tasks for people as well as supporting their independence and confidence.

Assistance dogs are not pets

Assistance dogs:

- are highly trained
- will not wander freely around the premises
- will sit or lie quietly on the floor next to their owner
- are trained to go to the toilet on command and so are unlikely to foul in a public place.

Most are instantly recognisable by the harness or identifying coat they wear.

Most, but not all, assistance dog users will carry an ID book giving information about the assistance dog and training organisation together with other useful information.

‘Disabled people who use assistance dogs quite often experience **discrimination** that prevents them from doing everyday things other people take for granted’



2. Why should assistance dogs be welcomed by businesses?

Disabled people who use assistance dogs quite often experience discrimination that prevents them from doing everyday things other people take for granted. This is because shops, restaurants and other businesses sometimes object to assistance dogs being brought onto their premises. If this happens, the effect is to deny the disabled person the opportunity to buy goods or use services in the way other people do.

Potential consequences include losing valuable business and risking claims of disability discrimination, which could result in financial compensation.



3. What are my legal obligations?

The Equality Act 2010 says it is unlawful for a service provider to discriminate against a disabled person in 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.

This includes providing auxiliary aids and services such as an induction loop or Large Print materials.

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 assistance dogs are not welcome on literature or a booking form.

Positive discrimination: the law recognises the particular disadvantages that disabled people face and so treating disabled people more favourably than others is permitted.

It would be unlawful to refuse access to a disabled person accompanied by an assistance dog except in the most exceptional circumstances.

4. What do I need to do as a business owner?

How can I tell it is an assistance dog and not just a pet?

Assistance dogs:

- are highly trained
- will not wander freely around the premises
- will sit or lie quietly on the floor next to its owner.

If you have a lot of customer-facing staff, consider displaying a small sign or sticker on the door or wall at the entrances showing that assistance dogs are welcome. Make sure all relevant staff are made aware that they must allow access to assistance dogs.

Stickers are available from Assistance Dogs (UK) - contact details can be found on page 13.

What if the dog fouls on my premises?

Assistance dogs are trained to go to the toilet on command and so are very unlikely to foul in a public place.

My business sells food products, am I obliged to allow assistance dogs in?

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.

What if the assistance dog is a danger or nuisance to other customers or staff?

Assistance dogs are specially selected for their temperament and trained by expert dog trainers over a long period of time. They are tested in different situations over several months to make sure they are always under control and won't present a nuisance to anyone. For example, they don't jump up and will lie down at their owner's feet if the owner sits down to eat.

Disabled people who are partnered with assistance dogs also receive expert training to ensure that they can handle their dogs.

Why should I allow a disabled person to be accompanied by their assistance dog?

Disabled people rely on their assistance dogs to assist them with everyday tasks and would find it hard to manage without them. It would be unlawful to refuse access to a disabled person accompanied by an assistance dog except in the most exceptional circumstances. For example, in certain hospital wards.

Assistance dogs as well as being trained to carry out tasks can also provide emotional and psychological wellbeing and improve the confidence of disabled people who use them.

Are there cultural or religious reasons to deny service to a person with an assistance dog?

Religious or cultural beliefs have sometimes been cited as a reason for non-admittance of assistance dogs. However, service providers should permit access to assistance dogs and such beliefs are not a defence against non-compliance. However, this is a sensitive aspect of the access issue and tact should be used by all involved.

The Muslim Shariat Council have clarified that Muslims should accept assistance dogs in their businesses.

What if someone is or might be allergic to dogs?

Refusing to allow access to people with 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 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 assistance dogs.

‘It would be **unlawful** to refuse access to a disabled person accompanied by an assistance dog except in the most exceptional circumstances’



5. Where can I find further advice?

Assistance Dogs UK (a coalition of assistance dog organisations)

Tel: 01844 348100

Website: www.assistancedogs.org.uk

Guide Dogs

Tel: 0870 600 2323

Website: www.guidedogs.org.uk

Hearing Dogs for Deaf People

Tel: 01844 348100 (voice/minicom)

Website: www.hearingdogs.org.uk

Dogs for the Disabled

Tel: 01295 252 600

Website: www.dogsforthedisabled.org

Canine Partners

Tel: 08456 580480

Website: www.caninepartners.org.uk

Support Dogs

Tel: 0114 261 7800

Website: www.supportdogs.org.uk

Dog A.I.D.

Tel: 01543 899463

Website: www.dogaid.org.uk

Medical Detection Dogs

Tel: 01296 655888

Website: www.medicaldetectiondogs.org.uk

Dogs for Good

Tel: 01295 252600

Website: <https://www.dogsforgood.org/>

A number of other charities also provide training for assistance dogs.

Contacts

This publication and related equality and human rights resources are available from the Commission's website:

www.equalityhumanrights.com.

For advice, information or guidance on equality, discrimination or human rights issues, please contact the Equality Advisory and Support Service, a free and independent service.

Website	www.equalityadvisoryservice.com
Telephone	0808 800 0082
Textphone	0808 800 0084
Hours	09:00 to 19:00 (Monday to Friday) 10:00 to 14:00 (Saturday)
Post	FREEPOST Equality Advisory Support Service FPN4431

Questions and comments regarding this publication may be addressed to: **correspondence@equalityhumanrights.com**. The Commission welcomes your feedback.

Alternative formats

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