



ConsultationResponse

FROM THE RSPCA IN WALES

Consultation response: Shared Regulatory Services proposed licence conditions for commercial Dog Day Care Premises - Animal Boarding Establishments Act 1963

August 2016

RSPCA Cymru welcomes the approach that the Shared Regulatory Services (SRS), covering Bridgend, Cardiff and Vale of Glamorgan Councils, is taking to ensure that the welfare of the dogs in licensee's care is paramount.

Under the Animal Welfare Act 2006, licensees carrying out commercial daycare and creche facilities for dogs are legally responsible for their welfare and must ensure that their needs are met. These are the need for a suitable environment, diet, ability to exhibit normal behaviour patterns, to be housed with or without other animals, if needed, protected from pain, suffering, injury and disease. It is essential that any licensee is aware, acknowledges and meets their legal obligations.

These conditions must also ensure that the training of staff members is suitable for the care of dogs and RSPCA Cymru is willing to work with SRS in helping to create a training matrix for staff members.

1.4 NO DOG REGISTERED UNDER THE DANGEROUS DOGS ACT 1991 MUST BE ACCEPTED FOR DAY CARE

RSPCA Cymru is concerned about the impact of breed specific conditions in which the character and personality of the individual animal is not taken into account¹. The Dangerous Dogs Act 1991 allows for dogs considered by a court not to pose a risk to public safety and in charge of a fit and proper person to be placed on the Index of Exempted Dogs. If all conditions are met and a Certificate of Exemption provided, the RSPCA would encourage allowing these dogs into the facility, so as to not punish the individual for their breed/type.

3.1 THE MAXIMUM NUMBER OF DOGS AND THE RATIO OF STAFF TO NUMBER OF DOGS TO BE KEPT ON PREMISES AT ANY ONE TIME SHALL BE AS SPECIFIED IN THE LICENCE DOCUMENT

It is important to assess the number of staff required on the basis of welfare outcomes and the needs of the dogs at the facility, however the RSPCA notes the usefulness of setting ratios for licensing purposes and to ensure minimum standards so that members of staff are able to adequately meet the welfare needs of the dogs in their care. The RSPCA has noted 5.8.2 contains a proposal of a ratio of one member of staff to every five dogs, where a risk assessment has not been done. The RSPCA recommends that the minimum ratio of staff member to dogs is no less than one staff member for every five dogs and a risk assessment must be completed should the ratio be greater than one to five. We would suggest that a risk assessment is completed by every licensee before a licence is granted.

¹ For more information about the RSPCA's concerns regarding s1 of the Dangerous Dogs Act 1991, please see <https://view.pagetiger.com/BSLAdogsdinnerreport/issue1>

It should also be noted this is in relation to full time members of staff. This ratio excludes any staff members in a managerial or reception based capacity.

4.5 THERE MUST BE SUFFICIENT SPACE AVAILABLE TO BE ABLE TO KEEP THE DOGS SEPARATELY IF REQUIRED.

Dogs that react inappropriately in social situations may be not be suitable for a daycare or creche environment. For example, those which are frightened or show aggressive responses. However, there may be occasions where it is necessary to remove a dog temporarily from the social group. Such dogs need to have adequate human company and opportunities to engage in other behaviours e.g. play through the provision of suitable toys to stop them becoming distressed or bored, such as suitably sized and safe kongs or treat balls (if approved by the owner) for instance. Depriving a dog of social contact and opportunities to engage in normal behaviour e.g. play, exploration and investigation can have a detrimental effect on their welfare. For further information the RSPCA has produced a guide to good practice on the welfare of seized dogs in kennels.²

In each case, consideration of the dog's size and his/her individual needs must be properly assessed, so as to ensure that the facility can continue to meet their welfare needs.

5.1.1 A WRITTEN TRAINING POLICY FOR STAFF MUST BE PROVIDED. SYSTEMATIC TRAINING OF STAFF MUST BE DEMONSTRATED TO HAVE BEEN CARRIED OUT.

RSPCA Cymru is concerned that the section on training in these conditions is limited. Staff members at a daycare facility should have an up to date knowledge on dog behaviour, including body language, play styles, behaviour management, as well as dog health, health and safety and canine first-aid. This training should be delivered from a qualified, experienced professional in these areas. Ideally, the facility will have a certified animal behaviourist overseeing the staff and management of the dogs.

Staff members must not use harsh, potentially painful or frightening training methods including shouting or smacking. It is illegal in Wales for anyone to use, or attach to a dog, an electronic shock collar under the Animal Welfare (Electronic Collars) Wales Regulations 2010. Staff members must be trained in the use of and should only use positive-reward based training including food, toys and praise.

5.2 CLEANLINESS

As part of the cleanliness conditions, we would suggest adding in that all chemicals used in cleaning the facility must not be detrimental to the health of the dogs if they come into contact with them. Ideally, facilities should not use products that have been tested on animals.

5.5.4 A SEPARATE WELL-STOCKED FIRST-AID KIT SUITABLE FOR USE ON DOGS MUST BE AVAILABLE AND ACCESSIBLE ON SITE AND DURING EXERCISE OF SITE.

As well as a suitable first-aid kit, suitable for use on dogs, a list of staff members who have undergone dog first-aid training should also be prominently on display.

5.8.2 THE LICENSEE MUST COMPLETE AND DOCUMENT A RISK ASSESSMENT OR DETERMINE THE RATIO OF STAFF SUPERVISION FOR THE NUMBER OF DOGS TO BE BOARDED AT THE ESTABLISHMENT. IN THE ABSENCE OF ANY DOCUMENTED ASSESSMENT THE RATION [SIC] SHALL BE NO LESS THAN ONE PERSON FOR EVERY 5 DOGS.

² The welfare of seized dogs in kennels: a guide to good practice, please see <https://view.pagetiger.com/RSPCAKennellingGuide2014/issue1/page3.htm>

We would suggest that the wording of this condition is amended to not allow the self determination of the ratio, unless it is lower than the ratio stated in 3.1, and that for a licence to be granted, the licensee must complete and submit a risk assessment to the local authority.

5.9 EXERCISE

As well as ensuring adequate exercise for each dog in the facility, provision should be made for the social needs of the dogs, not just interaction with other animals, such as toys and at least 30 minutes of human play with a staff member trained in safe play and dog behaviour.

5.9.1 DOGS MUST BE EXERCISED IN ACCORDANCE WITH THEIR OWNER'S WISHES. WHEN DOGS ARE TAKEN OFF THE PREMISES, THEY MUST BE KEPT ON LEADS UNLESS WITH THE OWNERS WRITTEN PERMISSION.

For the safety and welfare of each dog under the care of the staff member, we agree that dogs must be kept on the lead and would suggest that this is also the case even if the owner requests otherwise as the staff member may not have the required experience or be able to control the dog in an emergency situation. When staff members are taking dogs off the premises, we strongly suggest that the number of dogs is based on their individual welfare needs and should not exceed three dogs.

5.9.3 THERE SHOULD BE 9.3 SQUARE METRES (100 SQUARE FEET) OF FLOOR SPACE PER DOG WITHIN THE BUILDING TO ENSURE SUFFICIENT EXERCISE AND INTERACTION WITH THE OTHER DOGS.

The space provided within a daycare or creche facility should be sufficient to meet each dog's welfare needs i.e. to exhibit their normal behaviour patterns and to be with, or away from, other dogs as they require. There should also be enough resources e.g. beds, toys etc to provide for the welfare needs of each dog and to prevent competition or monopolisation. The space should also allow staff to observe all of the dogs all of the time.