

Rt Hon Caroline Nokes MP
Chair, Women and Equalities Select
Committee
By email only

From: John Kirkpatrick, Interim Chief
Executive

Our ref: 20240515Nokes

Wednesday 15 May 2024

Dear Ms Nokes,

Improving support for people with assistance dogs

Thank you for the opportunity to provide written input to the Committee to assist its 22 May 2024 oral evidence session on assistance dogs and the role they play in supporting disabled people.

The Commission is aware of reports from disability rights stakeholders that access refusals may be increasing. We hope that your Committee's inquiry session will be helpful in exploring these concerns and the reasons behind reported increases.

EHRC guidance

On 11 March 2024, we reissued and promoted [refreshed guidance](#) (initially published in December 2017) on assistance dogs for public and private service providers and businesses. It explains their legal duties in relation to assistance dog owners under the Equality 2010, and how they can meet them. This

clarifies that it would be unlawful to refuse a service to a disabled person accompanied by an assistance dog except in the most exceptional circumstances.

Trends in access refusals

The Commission works closely with the Equality Advisory and Support Service (EASS), which is a telephone helpline that advises and assists individuals on issues relating to equality and human rights across England, Scotland and Wales. It provides us with data on trends in enquiries to the service, to inform our regulatory work.

EASS has told us that between 27 March 2023 and 27 April 2024, it received 47 reports relating to assistance dogs (EASS receives approximately 4500 calls per quarter in which discrimination or human rights issues are identified; the majority of these relate to disability issues). The most commonly reported issues related to denial of service, accommodation and housing, and issues pertaining to documentation and accreditation, particularly in relation to owner trained dogs and emotional support dogs. Complaints and information received by our own Regulatory Hub and Correspondence Unit reflect these concerns. Since 2021, the Hub and its predecessor team considered around 13 matters relating to assistance dogs. The most common issue raised with us was denial of service. Other issues related to documentation or accreditation, and issues in housing and education settings. We refer complaints from individuals to EASS for advice and support.

A key issue raised with us through correspondence has been access refusals where the assistance dog is ‘owner trained’ and not trained and registered with Assistance Dogs UK (ADUK). We have also received enquiries from organisations and service providers seeking guidance on their obligations in relation to assistance dogs, or ‘emotional support animals’. These include questions about how to balance access for assistance dogs against hygiene and consideration of dog allergies, and enquiries seeking clarity about the law in relation to assistance dogs and emotional support animals.

Our refreshed guidance addresses many of these issues and explains that assistance dogs may be owner-trained. While some assistance dog users will carry an ID book giving information about the assistance dog and the training organisation, this is not a legal requirement and assistance dog users should not be refused a service simply because they do not possess an ID book. The refreshed guidance also includes a question and answer about emotional support animals, in response to queries we have received on this topic.

We hope this information is useful to the Committee. Please let me know if your Committee has any questions about our work in this area; I look forward to seeing the outcome of the session.

Yours sincerely,



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