

ASSISTANCE ANIMALS POLICY

SECTION 1 - PREAMBLE

1. This Policy was approved by the Deakin Residential Services (DRS) Chief Executive Officer.

SECTION 2 - PURPOSE

2. Deakin Residential Services (**DRS**) is committed to providing an inclusive, safe, and healthy environment for all residents. Deakin Residential Services aims to ensure that no residents are discriminated against because of their disability.

DRS recognises the importance of assistance animals in supporting persons with a disability in their everyday life and acknowledges that a person with a disability is entitled to be accompanied by a trained assistance animal in places where animals would ordinarily be excluded, including residential accommodation.

DRS recognises that it would be unlawful to discriminate against a person who is accompanied by an assistance animal by denying the person access to residential accommodation, or imposing particular terms and conditions on the person's accommodation, because the person is accompanied by the assistance animal.

SECTION 3 - SCOPE

3. This Policy applies throughout Deakin Residential Services.

SECTION 4: - POLICY

4. This Policy only applies to DRS residents and prospective residents, and it does not apply to guests/visitors.

5. **Assistance Animal**

An assistance animal refers to a dog that is *fully trained* to facilitate the participation of a person with a disability in accessing various aspects of personal and public life. In particular, DRS will only recognise a dog as an assistance animal, if the dog is fully trained:

- to assist a person with a disability to alleviate the effect of the disability; and

- to meet standards of hygiene and behaviour that are appropriate for an animal in a public place.

Assistance dogs are subject to particular protections. DRS will not require, as a term of providing accommodation to a person with a disability who has an assistance dog that:

- the dog be kept elsewhere; or
- the person pay an extra charge because of the dog.

6. Assistance Animal in Training

An assistance animal in training refers to a dog that is in the process of undertaking training to become an assistance animal. Assistance animals in training are not subject to the same legal protections as fully trained assistance animals, and as such applications will be considered at DRS' sole discretion.

DRS will only consider an application for an assistance animal in training to access DRS premises if:

- the dog has completed the equivalent of Assistance Dogs Australia's L-plate training (2-12 months) and is currently undertaking P-plate training (12-24 months); and
- DRS has completed a suitability assessment; and
- the dog is trained to meet appropriate standards of hygiene; and
- the dog is clearly identified as a dog in training (i.e. wearing an appropriate harness/tag/jacket).

Assistance animals in training must comply with the same conditions for accessing residential accommodation that apply to fully trained assistance animals.

7. Emotional Support Animals

The law does not consider 'emotional support animals' (commonly referred to as companion animals or therapy animals) that provide comfort but are not trained to alleviate the effect of a disability to be assistance animals. Accordingly, DRS does not recognise emotional support animals as enjoying the same legal protections as assistance animals.

It is lawful for DRS to treat emotional support animals in the same way that it would treat any other animal.

8. Requesting Evidence

To ensure that a resident and their assistance animal can be suitably accommodated, DRS staff may request that the individual provide information regarding the ways in which their assistance animal alleviates the effect of their disability.

Any student or resident that is accompanied by an assistance animal may be asked to produce evidence that:

- the animal is an assistance animal; or
- the animal is trained to meet standards of hygiene and behaviour that are appropriate for an animal in a public place.

9. What is Evidence that an Animal is an Assistance Animal?

DRS will accept the following as evidence that a dog is an assistance animal: an ID attached to the animal's coat/harness/leash, a letter from a training club attesting to the animal's training, or an Assistance Animal Pass issued by Public Transport Victoria.

If a person is unable to produce the required evidence or a member of staff is satisfied that the animal is unhygienic or unable to behave appropriately, it is lawful to deny access to the assistance animal.

10. Suitability Assessment

DRS will conduct a suitability assessment to ensure that a resident or prospective resident who requires an assistance animal is placed in accommodation that can appropriately accommodate the resident and their animal, having regard to the health and wellbeing of the individual and other residents, and the nature of the available accommodation.

11. Conditions for Accessing Residential Accommodation

Assistance Animals are permitted to live in DRS accommodation and to access DRS premises, subject to the following conditions:

- the animal must remain under the effective control of the person with the disability, or another person on behalf of the person with the disability, at all times (an assistance animal may be under the control of a person even if it is not under the person's direct physical control);
- the animal must not endanger the health or safety of other students, residents, staff, or animals;
- the animal must be free from any infectious disease;
- upon request, the person must be able to produce evidence of appropriate accreditation or training.

12. When Can DRS Request that an Assistance Animal be Removed?

DRS is permitted to request that an assistance animal be removed from DRS premises if any of the above conditions are not met.

DRS is permitted to request that an assistance animal be removed from residential accommodation if it would incur 'unjustifiable hardship' in allowing the animal to remain. DRS is responsible for proving that the presence of the animal would present an unjustifiable hardship.

The person accompanying the assistance animal must be given the opportunity to remain on the premises without being accompanied by the assistance animal.

13. Who is Liable for Damage Caused by an Assistance Animal?

DRS does not accept liability for damage caused by an assistance animal.

The person responsible for controlling the assistance animal is liable for any damage caused by the assistance animal.

SECTION 5: - PROCEDURE

N/A

SECTION 6: - DEFINITIONS

14. An assistance animal refers to a dog that is *fully trained*.

ASSOCIATED DOCUMENTS

N/A