

Assistance animals – policy

This document should be read with the Animals in school policy.

Policy

Equity, diversity and inclusion principles are part of everyday practice in Department of Education facilities in accordance with the *Disability Discrimination Act 1992* (Cth). Assistance animals used to assist persons with a disability are permitted in Department of Education facilities. Assistance animals are required to be controlled, trained, and meet standards of hygiene and behaviour that are appropriate for an animal in a public place.

Consideration must be given to known medical conditions or reasonably held concerns of other students and staff prior to allowing assistance animals on school grounds. Appropriate measures must be taken to accommodate those conditions or concerns while allowing the attendance of the assistance animal.

Principals can refuse entry if they reasonably suspect that the assistance animal:

- is untrained or has not been accredited
- is unhygienic
- has an infectious disease and presents a threat to public health and safety.

Principals must apply the principles of procedural fairness to all processes when managing complaints in accordance with the Complaints management in schools policy.

The care and use of animals in Department of Education facilities must be in accordance with the *Animal Protection Act 2018*.

Appeals against refusal of entry

If the applicant believes their assistance animal has wrongfully been refused entry, they can contact the principal, in the first instance, or the department, in accordance with the Complaints management in schools policy and guidelines.

Business need

The objectives of the *Disability Discrimination Act 1992* (Cth) and the *Anti-Discrimination Act 1992* support the principles of equity, diversity and inclusion which are part of everyday practice in Department of Education facilities.

The Department of Education is required under sections 19 and 20 of the *Work Health and Safety (National Uniform Legislation) Act 2011*, to take reasonable measures to ensure the safety of students, staff and visitors.

This policy will ensure a consistent approach in all Department of Education facilities to give those with a disability confidence that others at those facilities are aware of the arrangements which support the attendance of their assistance animal and to provide for the management of and to prevent potential health and safety issues that arise because of the presence of assistance animals in Department of Education facilities.

Scope

This policy applies to all Department of Education facilities. When implementing the requirements of this policy, principals of government schools should, where possible, without compromising on health and safety requirements, seek to accommodate cultural beliefs within the school community.

Definitions

Term	Definition
Assistance animal	A dog or other animal that is trained and accredited to assist persons with a disability to alleviate the effect of the disability and meets the standards of hygiene and behaviour that are appropriate for an animal in a public place.
Department of Education facilities	All Northern Territory Government schools, educational settings and classrooms, all corporate offices, and other facilities utilised by the Department of Education to carry out its functions.

Roles and responsibilities

Principal is responsible for:

- developing a localised assistance animals procedure that allows for the contextual relevance of their school in line with this policy
- recording the reasons for their refusal to allow an assistance animals entry to the school and all evidence supporting the decision in accordance with the Complaints management in schools policy
- implementing this policy in their workplace.

Related legislation and policy

Legislation

- *Animal Protection Act 2018* - <https://legislation.nt.gov.au/en/Bills/Animal-Protection-Bill-2018-S-44?format=assented>
- *Anti-Discrimination Act 1992* - https://legislation.nt.gov.au/Search/~/_/link.aspx?id=CC1A6ED73BDE459085AD903F88351258&_z=z
- *Disability Discrimination Act 1992 (Cth)* - <https://www.legislation.gov.au/details/c2013c00022>

- *Work Health and Safety (National Uniform Legislation) Act 2011* - <https://legislation.nt.gov.au/Legislation/WORK-HEALTH-AND-SAFETY-NATIONAL-UNIFORM-LEGISLATION-ACT-2011>

Policy

- Animals in school policy - https://education.nt.gov.au/policies/health-safety#animals_in_schools
- Complaints management in schools policy - https://education.nt.gov.au/policies/conduct#complaints_management
- Complaint management in schools guidelines - https://education.nt.gov.au/policies/conduct#complaints_management

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Version	Date	Author	Changes made
1.0	January 2019	Operational Policy Coordination Unit	New policy – TRM EDOC2018/104998
2		Student Wellbeing and Inclusion Programs and Services	Administrative amendments to align roles and responsibilities to the structural alignment in effect from 1 July 2022, including NTG template and minor formatting.