

Dog and Cat Management Board

***Approved Training Course (Control Orders) Policy***



**Government of South Australia**

Dog and Cat Management Board

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## Policy

### 1. Legislative Context

Section 50 of the *Dog and Cat Management Act 1995* (the Act) enables Councils to make a Control Order in relation to a dog.

Council may require attendance at an 'approved training course' as part of the requirements of a 'Barking', 'Nuisance', 'Menacing', or 'Dangerous' dog Control Order. Section 50 (7) of the Act defines an 'approved training course' as one approved by the Board.

### 2. Policy Statement and Purpose

The purpose of this policy is to:

- (a) Set out the criteria that must be met for the Board to approve a training course; and
- (b) To outline the obligations of Council; a person responsible for the control of a dog subject to a Control Order; and approved dog trainers in regard to approved training courses.

### 3. Definitions

Approved training course	A training course approved by the Board and which is delivered by a person who has Board approval to deliver a course for a Control Order.
Board Staff	Staff of the Dog and Cat Management Board
Control Order	An order placed on a dog under Section 50 of the <i>Dog and Cat Management Act 1995</i> .
Council	As defined in the <i>Dog and Cat Management Act 1995</i> .
Counter-conditioning	The process of teaching a dog to have a pleasant feeling in response to something that they once feared or disliked.
Desensitisation	The process of gradually exposing a dog to an object, person, or situation that causes fear or anxiety, to reduce their sensitivity to that object, person, or situation.
Dog owner	Registered owner of a dog or another person responsible for the control of the dog under the <i>Dog and Cat Management Act 1995</i> .
Dog trainer	A dog trainer, approved by the Board, who has relevant qualifications to deliver an approved course of training for dogs subject to a Control Order.
Negative punishment	Discouraging unwanted behaviour by removing rewards.
Negative reinforcement	Removing an aversive stimulus (e.g. pain) to make a desired behaviour more likely to occur.
Person responsible for control of a dog	Registered owner of a dog or another person responsible for the control of the dog under the <i>Dog and Cat Management Act 1995</i> .
Positive Reinforcement	Encouraging desired behaviour through the use of rewards (food treats, praise, and play).
Positive Punishment	Applying an aversive stimulus (e.g. pain) to make an unwanted behaviour less likely to occur.
The Act	The <i>Dog and Cat Management Act 1995</i>
The Board	The Dog and Cat Management Board

## 4. Scope

This policy applies to:

- Council staff;
- A person responsible for the control of a dog subject to a Control Order requiring attendance at an approved training course;
- Board approved dog trainers delivering an approved training course for a Control Order; and
- Veterinarian's completing a Veterinarian's Report for a dog subject to a Control Order.

## Policy Implementation

### 5. Board Approval of Training Courses

Training courses must be approved by the Board to fulfil the requirements of a Control Order under the *Dog and Cat Management Act 1995* (the Act).

To be eligible to deliver a training course, the trainer delivering the course must:

- Have qualifications in dog behaviour (e.g. Certificate IV in Companion Animal Services or similar)
- Have experience in dog training; and
- Have an active ABN.

Training courses that meet the following criteria are eligible for approval:

- Employ positive reinforcement training techniques and do not employ training methods or techniques that cause a dog pain, fear or anxiety;
- Contain the mandatory content for approved training courses (set out in section 6 below); and
- Include no fewer than three consultations.

Applications to the Board for approval of a training course must be made on the 'Approved Training Course Application Form' which is available from Board Staff. Trainers must disclose if they have ever been subject to a Control Order or Prohibition Order.

Applications that meet the minimum criteria as assessed by Board Staff and in accordance with this policy, will be recommended to the Board for approval. A course will be approved for an initial period of 12 months during which time the trainer delivering the course must fulfil the requirements of this policy.

Only the trainer listed on the 'Approved Training Course Application Form' is approved by the Board to conduct the approved training course. Training for a dogs subject to Control Orders cannot be undertaken by any other trainers within the business, unless they have also submitted an 'Approved Training Course Application Form' and received approval from the Board.

## **6. Mandatory content in approved training courses**

An approved training course must include the following:

- Muzzle training (where a dog is required to wear a muzzle under a Control Order)
- Desensitisation and counter-conditioning
- Environmental enrichment
- Dog body language
- Foundation behaviours (e.g. u-turn, stop forward motion, eye contact, loose lead walking)

## **7. Methods and apparatus which must not be used in approved training courses**

An approved training course must not include training methods that would be considered 'positive punishment' or 'negative reinforcement'. These aversive training methods are unacceptable because they cause fear, pain, and anxiety in dogs. Examples of unacceptable methods and training techniques include, but are not limited to: hitting, kicking, slapping, flooding, alpha rolling, stare downs, grabbing/shaking a dog by the jowls, or shocking the dog.

An approved training course must not include the use of check collars, prong collars, pinch collars, electric shock collars, high pitched sound collars, citronella collars or other apparatus that would cause a dog to feel pain, fear, or anxiety.

## **8. Renewal of Approval**

In renewing approval, the Board will consider the number of dogs that have been successfully trained by the course and the outcomes achieved. The Board may query with a council if the training provided through an approved course was satisfactory and complied with the Control Order.

Subsequent periods of approval may be granted for a period longer than 12 months, subject to the Board's discretion.

## **9. Revocation of Approval**

The Board may revoke approval of training courses if the course or trainer no longer meets the required standard. The Board can require that a training course is reassessed due to a complaint from the public or council or if the dogs trained by the course provider do not meet the required outcomes.

If the dog trainer becomes subject to a Control Order or Prohibition Order at any time during their approval period, the trainer must notify the Board in writing within 7 days of the date the Order is placed upon them. Failure to notify the Board may result in revocation of approval.

## **10. Council Responsibilities**

Councils are responsible for advising dog owners of their obligations in relation to a Control Order.

The Board strongly encourages councils to consider whether a Veterinarian's Report should be obtained before a dog commences an approved training course. A

Veterinarian's Report may confirm whether or not there are any underlying medical issues that would prevent the dog's attendance at an approved training course from being effective.

Under section 53 of the Act, councils may issue written directions about how to comply with a Control Order. All Control Orders under section 50 of the Act require *"all reasonable steps to be taken to prevent the dog repeating the behaviour that gave rise the order."* If a council believes that requiring a Veterinarian's Report is a reasonable step to be taken to prevent a repeat of the behaviour that gave rise to the order, then the council may issue written directions in regard to this.

Council officers considering issuing written directions are advised to read the additional information about issuing directions under section 53 (2) and potential complexities, which is available for council officers on the Board's Council Secure website.

Councils must advise the dog owner that:

- The dog owner must provide information requested by the council or dog trainer;
- The dog owner must have the dog assessed by a veterinarian and provide the 'Veterinary Report Form' to the council and dog trainer (if Council requires this as part of the Control Order);
- The dog owner must successfully complete the training course;
- The dog owner must meet all costs associated with compliance with a Control Order including veterinary and dog trainer costs;
- If the dog owner fails to comply with their obligations, it may result in the Control Order being contravened under Section 55 of the Act.

Councils must provide the dog owner with:

- The contact details of trainers approved to deliver an approved training course for a Control Order;
- A copy of the 'Veterinary Report Form' to be completed and returned to council (if council requires this as part of the Control Order).

Councils must provide the dog trainer with:

- Information about the attack/harass/barking incident/s;
- The timeframe for commencing training.

A council may require the dog to commence a training course within a set time frame, to ensure that the owner cannot delay or ignore the requirement.

If the owner of the dog does not meet the timeframes for commencing training set by the council officer, then the owner is deemed to have contravened the order. Timeframes for the full behavioural modification cannot be set because each dog and owner relationship and capabilities are different and there is no guarantee that a dog completing a training course will not re-offend. The dog trainer may indicate an estimate of the duration of the program after the first consultation.

Councils that place Control Orders requiring the owner and dog to undergo an approved training course are responsible for determining if the requirements of the Control Order have been met.

## **11. Dog Trainer Responsibilities**

Dog trainers delivering an approved training course are responsible for providing support, advice, and guidance to owners of dogs subject to a Control Order. Trainers are also responsible for providing a Case Report to the Council and the Board upon completion of a training course.

It is recommended that trainers delivering an approved training course use the Training Checklist to ensure that they are fulfilling the requirements of this policy.

When contacted by an owner to undertake dog training for a Control Order, trainers must:

- provide a quote for services (based on a minimum of three consultations);
- provide information, support and guidance about dog training and dog behaviour;
- contact the council and seek any relevant information about the attack that gave rise to the order.

It is recommended that the trainer requires the dog owner to complete and sign a training agreement prior to beginning the training course.

The training course delivered by the dog trainer must include no fewer than three consultations.

#### **a) History taking and development of a curriculum for training the dog**

The trainer is responsible for gathering the history of the dog from the dog owner, to inform the development of the dog's training program. The history gathering may be conducted prior to the first consultation with the dog owner or during the first consultation. The Board has a 'Dog Training Questionnaire', available from Board Staff, which the dog trainer may use if they believe it is appropriate. The trainer must retain a copy of the history collected about the dog.

Based on the information provided by the dog owner, the council, and their own observations of the dog, the trainer must develop a curriculum that will reduce the likelihood that the dog will be involved in a repeat attack for dogs subject to a Dangerous Dog Control Order.

For dogs subject to a Barking, Nuisance, or Menacing Control Order, the trainer must develop a curriculum that will reduce the likelihood that the dog's behavioural issues that gave rise to the Control Order (e.g. barking, wandering) will reoccur.

#### **b) Completion of Training Course**

On completion of the training course, the dog trainer must advise the council one of the following recommendations:

1. That the dog owner complied with the training course, the likelihood of the dog attacking again has been reduced, and the owner has implemented a management plan for the dog;
2. That the dog owner complied with the training course, the likelihood of the behavioural issues that gave rise to the Control Order reoccurring have been reduced, and the owner has implemented a management plan for the dog;
3. That the dog owner did not comply with the training course;
4. That the dog's behavioural issues cannot be mitigated or resolved via training and further advice from a Veterinarian is recommended.

The trainer must immediately advise the council if a dog owner refuses to meet the costs or requirements of the training, as the dog owner may be in contravention of the Control Order under Section 55 of the Act.

### **c) Case Reporting**

Dog trainers that deliver an approved training course are required to provide the Council and Board with a Case Report for each dog subject to a Control Order that they train.

Trainers must provide a case report to the Council and the Board no more than 14 days after completion of the training course. Provision of this information allows the Board to analyse how dogs respond to training courses and what may be causing dogs in the community to be aggressive or have behavioural issues.

If the dog trainer becomes subject to a Control Order or Prohibition Order at any time during their approval period, the trainer must notify the Board in writing within 7 days of the date the Order is placed upon them.

## **12. Dog Owner Responsibilities**

Dog owners must:

- Have the dog assessed by a veterinarian and provide a copy of the 'Veterinary Report Form' to the council and dog trainer (if Council requires this as part of the Control Order);
- Comply with a Control Order as directed by council and meet all associated costs including trainer and veterinarian fees;
- Provide information requested by the trainer or the council;
- To the best of their ability, comply with the training course provided by the trainer including training the dog for the prescribed number of hours and only using training techniques recommended by the trainer;
- Complete the declaration on the 'Veterinary Report Form' which authorises the veterinarian to disclose information about the dog to the trainer and the council.

### **a) Second Opinion/Appeal**

Dog owners are permitted to appeal a Control Order in accordance with Section 58 of the Act.

Dog owners are permitted to request a second opinion if a veterinarian recommends to the council that the dog is euthanised.

## **13. Veterinarian Responsibilities**

A veterinarian that has been engaged to examine a dog subject to a Control Order is required to:

- Complete the 'Veterinary Report Form';
- Make recommendations to the dog trainer and council about the dog's prognosis and physical fitness to participate in training (as requested).