

Summary

Oakwood Park Kennels has been formally asked to comment on the possibility of BFBC adopting the **CIEH Model Licence document** Letter Ref: LN/200100712

Oakwood Park Kennels recommends the **CIEH Model Licence document** NOT to be adopted by BFBC at this time.

Reasons: -

1. Important aspects in the document are significantly out of date.
2. The **CIEH** document is far too comprehensive and descends into far too much fine detail.
3. We have no confidence of Inspecting Officers ability to apply the standards sensibly and appropriately.
4. Too much scope for freedom of inappropriate interpretation.
5. Not enough safeguards in place.

CIEH Model Licence standards should be adopted: -

6. When the document is fully updated.
7. When all adjacent authorities adopt identical standards to establish commercial trading standards parity and uniformity.
8. When training of Inspecting Officers has occurred to raise abilities from laypersons to knowledgeable experts that one is able to consult about particular aspects.
9. When the practice of SMART objective setting is adopted to constructively manage evolutionary change.
10. Inspections should routinely be by appointment.

Too rigid an interpretation is widely acknowledged to have occurred in the recent past and so this is a realistic risk to the serious detriment of any business, see the **CIEH** document Introduction and also Appendix 1.

Introduction

There are two dog-kennelling businesses covered by Bracknell Forest Council. Ryslip Kennels housing 40 dogs (excluding quarantine which are licensed elsewhere) and Oakwood Park Kennels housing up to 130 dogs. Both are well established with more than 80 years trading between them. They both have come to understand their customers needs well. The ultimate judge of customer need is the customer. There is a commercial and practical balance of quality of service verses price. We all desire ultimate animal welfare standards but realistically must bear in mind common sense and financial restraints. "All too often, legislation has an effect diametrically opposed to that which was intended." (Mr.D.Cavill, Our Dogs 1997)

In the Dictionary the adj **Model** means 1. serving as a model or standard of excellence 2. representative or typical. We have genuine concerns that over zealous council officers will attempt to use this document as a means of establishing BFBC as a beacon of excellence, will force our prices up unsustainably fast in order to deliver this service, making us uncompetitive with the surrounding region.

A considerable burden could be imposed, either immediately or over time on the commercial enterprise. We would then go out of business and close down our facility. Local residents will then need to go out of the area to facilities where such strict conditions are not applied and a lower standard service may be provided. This is diametrically opposed to intentions.

For convenience, the numbering above is used in the sections below, where the statements are expanded or explained further.

1. This **CIEH** document was published in October 1995. Important aspects of the document are significantly out of date and need revision. However, some aspects of the document are indeed relevant. Laypersons and inexperienced Inspecting Officer would not be able to discern the difference. This document is currently under update & review by the Pet Trade Industry Association and who will soon be reporting to the Chartered Institute, see Appendix 1.

2. The **CIEH** document is too comprehensive, descends into far too much fine detail.

3. At this time, Local Authorities should contend themselves with animal welfare and cruelty concerns and the strict legal requirements perhaps following a complaint and not be involved at all with the minute detail of running a private kennel business. They need to help organisations manage risk, achieve compliance and encourage business improvement. For example within the document it specifies the wire of a dog run should be 10 to 14 gauge see 3.5.2 * It would be destructive to the Business for an enthusiastic officer to withhold a licence because the wire was 8 gauge or where a very light wire mesh was used for say roofing which is entirely appropriate. One might argue that Officers are required and expected to apply the standards sensibly and appropriately as clearly stated in the forward. It is acknowledged that conditions were being applied by some Licensing Officers too rigidly and inappropriately, (see **CIEH** document Introduction and Appendix 1). Unfortunately we have recent first hand experiences of this, acknowledged by BFBC. It turns out that the Licensing AUTHORITY are the authority in terms of the possessing the power or right to give commands and enforce obedience BUT not in the sense of being expert in this particular field. The Local Authority is not authoritative in terms of being reliable knowledgeable experts. Currently, the experts for the business are the Owners and Business Managers. If they get things wrong the customers go elsewhere. It is strongly in their interest to get things right to the satisfaction of the CUSTOMER.

We have genuine concerns that over zealous Licensing Officers will use this document as a means of establishing BFBC as a beacon of excellence force our prices up to deliver this service and make us uncompetitive with the surrounding region.

* GAUGE is an old fashioned measurement denoting the number of wire widths to the inch. [S.I. units required in the update]. A small number denotes thick wire. Conversely, a big number denotes a thin wire.

4. We are concerned that there exists significant scope for too much freedom of interpretation by Inspecting Officers. Many aspects can be due to highly subjective interpretation. We offer the following word definitions to help and avoid too rigid an interpretation as is acknowledged has occurred in the past and so is a realistic risk, see

the CIEH document Introduction and Appendix 1.

Definitions

Model – ideal (as in an ideal world)

Good – decent

Clean – dirt & debris-free, to what degree? Not necessarily sterile or completely spotless.

Presentable Condition – fit to be seen state

Easy-to-clean floors – simple to clean [compared to what? A restaurant food preparation area?] or what was originally intended MOWN GRASS

Excessive – disproportionate

5. We need safeguards from inexperienced over zealous inspecting officers perhaps being too full of their own importance.

Officer should be obliged to routinely inform “customers” about complaint procedures. For example something like the following should be included in all written communication, “My line manager is ? , in addition if complaints or disagreements cannot be resolved then the matter may be referred to the Local Authority Ombudsman Service” details.....

6. The CIAH document should be adopted but only when the document is fully updated and these other conditions are met.

7. Currently different local authorities are using completely different standards of inspection (Appendix 1). The Model Licence Conditions and Guidance for Dog Boarding Establishments should be adopted by Bracknell Licensing but ONLY when ALL adjacent authorities do the same. This needs to be agreed and co-ordinated with the adjacent authorities in Berks, Bucks Oxford and Surrey. If this is not done then local licence holders may well be placed in a significant commercial disadvantage from a Trading Standards point of view. Standards should be the same (identical) throughout.

8. The BFBC Dog Warden has been made redundant due to cut-backs. His local knowledge and considerable expertise is no longer available. Training of Inspecting Officers should now occur to raise abilities from laypersons to knowledgeable experts that one is able to consult about particular aspects.

Additionally, **comprehensive training** under the Police and Criminal Evidence Act 1984 code of practice should be given to Investigating Officers when the possibility of an offence is suspected. This is not the case at this time in our experience.

9. **SMART objective setting.** We emphasise from the document’s introduction, “In existing establishments it is accepted that some of the conditions will need to be phased in over a period of time (possibly years), by agreement between the establishment owner and the local authority, in which case a licence, subject to an agreed scheme of works (OBJECTIVE see below) and a suitable realistic timescale for implementation should be issued.”

We have first hand experience of a local authority criticising and pointing out our perceived faults without offering a possible solution. This practice must immediately cease. Good industry practice is to agree solutions to problems hence the management saying, “my door is always open, however don’t bring me problems without offering

various realistic solutions to consider.”

OBJECTIVE setting.

This is adopted from widely accepted engineering & scientific industry good practices. All changes to working practices are objectives and should be SMART. The use of the word Smart in this application does not mean clever. SMART is an easily remembered acronym for: -

S – specific

M – measurable

A – achievable

R – realistic

T – timed

Adopting SMART objective setting with the establishment owner is the ideal way to operate, manage and encourage change.

10. Inspections should normally be conducted by appointment.

We are not overstaffed and do not pay members of staff to sit in reserve waiting for a possible inspection. Consequently, it is just not acceptable to turn up unannounced and take a member of staff away from their duties for a 4 to 5 hour inspection. This is potentially prejudicial to dogs well being. Animal welfare must take priority. We have suffered criticism from the Inspecting Officer that something has not been done when it is the job of the accompanying member of staff to do it and are prevented from carrying out their duties by the inspection.

It may be considered like traffic speed cameras, do you want to catch out the motorist or encourage drivers to slow down, conversely; do you want to catch out the establishment for possible petty transgressions or encourage good practices.

In rare circumstances there may be very good animal welfare reasons for a spot check. Particularly if animal cruelty is genuinely suspected. Perhaps a caution under the Police and Criminal Evidence Act 1984 code of practice should be given. Not just “we have had a serious complaint”. On these occasions the Inspecting Officer should state from the outset what the cause for concern is. It may then be appropriate to wait while relief by a senior staff members can be obtained possibly from off site.

The CIEH document was published in October 1995. Important aspects of the document are significantly out of date and need revision. As an example, we offer the following interim amendments. However, it may be unrealistic for Inspecting Officers to understand or keep up-to-date in this specialist and continuously evolving areas. It may be best left to the professional kennels owner in partnership with informed veterinary advice.

For ease we use identical paragraph numbering below to the CIEH document.

5.6 Disease Control and Vaccination

5.6.2 Vaccination regimes have changed dramatically in the last few years, following research, primarily done in the USA, which shows that many vaccines give longer protection than was originally believed. There is also a major issue surrounding the

concerns regarding over-vaccination and animal welfare. (Guidelines for the Vaccination of the Dog and Cat from the World Small Animal Veterinary Association, Journal of Small Animal Practice, Vol.51 June 2010)

We highly recommend to customers that all dogs have a first full course of vaccinations, mostly standard between veterinary practices. However the difference tends to arise regarding boosters vaccinations and their timing. Many vets are now using a “core vaccine” system where certain elements are boosted annually but others may be two or three yearly or possibly not given again. There is ambiguity in recommendations.

“ The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with the manufacturer’s instructions.” Does this refer to the initial course or the boosters? We assume the initial course but it is not clear. Are boosters given the day before or even on the day, the dog comes into kennels sufficient?

We have many incidences of people with emergency situations requiring boarding and they: -

1. May not possess a completed vaccination card (although ultimately the details may later be confirmed with their vet)
2. May not have completed a vaccination course
3. May have allowed vaccinations to lapse

In addition other clients may not have continued with vaccinations as they:

4. May have experienced side-effects from vaccines so no longer wish to risk their dog’s health by giving them.
5. May have a dog with a condition that could be aggravated by challenging the immune system further with vaccines.

We have experience of all of the above situations.

We believe that it is appropriate to help these people in an emergency by accepting their animals for boarding on the basis that: -

1. We explain to them that if they have not vaccinated their dog then it may be at risk of infection, which has been carried by a vaccinated animal but is not affecting it. If their animal were to pick up a disease which it could have been vaccinated against and requires medical treatment, this will be at their expense.
2. The risk to the vaccinated animals is minimal – they are vaccinated after all.
3. There is a level of protection given to the unvaccinated animals by the “herd immunity” – if eighty percent of the population is vaccinated, then the remaining twenty gets protection by default. Usually our population of vaccinated animals would be far higher than eighty percent.
4. It may be prudent to keep such dogs in isolation facilities. However, this should be left to the judgement of kennels management.

Appendix 1

http://www.petcare.org.uk/index.php?option=com_content&view=article&id=569:13-april-2008-new-national-standards-for-pet-retailers-&catid=72&Itemid=163

13 APRIL - NEW NATIONAL STANDARDS FOR PET RETAILERS

The Pet Care Trust, the pet care education charity that promotes responsible pet ownership, has today unveiled plans for a nationally recognised, independently audited standard for all pet shops.

“Pet shops already have to obtain a licence from local authorities and, in general, the system works well,” says Janet Nunn, Chief Executive of the Pet Care Trust. **“But there is a widespread feeling that some serious concerns need to be addressed. The current system is applied patchily, with different local authorities using completely different standards of inspection despite the LGA guidelines. Not only does this lead to feelings among pet shop managers that the system is frequently unfair, but it also tends to mean that consumers and wider society find it hard to understand exactly what standards are being applied.”**

“Independent third party inspection has become almost universal in every sector of business,” she says. “Interested consumers place great trust in standards like ISO 9001 and the British Retail Consortium’s Global Standard for Food. The organisations subject to those standards know that they have been developed to be fair and firm and that the inspecting bodies depend on their reputation for impartiality.”

“That’s why we’ve worked with SAI Global, one of the biggest inspection and certification bodies in the world, to develop the Pet Care Trust Standard for Pet Retailers,” she says.

“They have huge experience in every sector, but particularly in food and farming, where independently audited standards are highly developed.

They are already familiar with the needs of animal welfare in the agricultural industry and they are perfect for the job of applying a standard to every pet shop in Britain willing to open themselves up to this scrutiny.”

“The Pet Care Trust Standard for Pet Retailers has been developed to be as robust and effective as the many other standards to which we inspect,” says Chris Reading, General Manager, Agriculture at SAI Global. Independent third party audit is the best way to demonstrate that everybody is working to the same principles of best practice. We believe the standard will be a huge success with the pet care industry and with interested consumers. The Pet Care Trust is going down the right route with this Standard and we’re very pleased to have been chosen as their partners.”

“With access to a range of experts from across the pet sector, the Pet Care Trust has led the way in building a UK pet retail and care industry with the highest possible standards,” she says. “With the new Pet Care Trust Standard for Pet Retailers, we will have a system which will give everybody confidence in those standards.”

The new standard was unveiled by Janet Nunn at the UK's Pet Care Forum held on Sunday 13 April at The Belfry Hotel in the West Midlands in front of an audience of influential manufacturers, retailers and other professionals from the pet specialists sector.

The new standard will be the first of a series of sector standards to cover breeders, hydrotherapists, kennel and catteries and groomers and other professional pet care services. In due course, the aim is for the standard to be accredited by the UK Accreditation Service.

Notes for Editors

The Pet Care Trust is the pet care education charity that promotes responsible pet ownership. It has some 1550 pet care companies in membership, mostly micro businesses such as pet shops, grooming salons, kennels and catteries, colleges, wholesalers, and manufacturers.

For more information visit our website: www.petcare.org.uk

Many local authorities nominally apply the LGA's Model Standards for Pet Shop Licence Conditions to all pet shop licence applications, which was last revised in 1998. These conditions set out what retailers selling pets are expected to achieve, however they are model standards rather than legal requirements.

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