



BVA Scottish Branch response to Scottish Government Consultation on the licensing of activities involving animals.

Who we are

1. BVA is the national representative body for the veterinary profession in the United Kingdom and has over 19,000 members. Our primary aim is to represent, support and champion the interests of the veterinary profession in this country, and we therefore take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues and employment matters.
2. BVA Scottish Branch represents members in Scotland, bringing together representatives of specialist and territorial divisions, government, academic institutions and research organisations in Scotland. The branch advises BVA on the consensus view of members in Scotland on Scottish and UK issues.
3. BSAVA is a professional body representing veterinary surgeons who treat companion animals and now has over 10,000 members. The majority of members work in practice as veterinary surgeons or veterinary nurses.
4. We welcome the opportunity to respond to this consultation on the licensing of activities involving animals, and have worked with BSAVA to provide joint responses to parts 2, 3, 5 and 7. The remaining sections are a sole response from BVA.

Part 2: Licensing of commercial dog walkers

Q1. Do you agree that dog walking businesses should be subject to a statutory licensing scheme? Yes / No / Not sure. Please provide reasons for your answer.

Answer: Unsure

5. Allowing dogs to access public spaces not only encourages dogs to exercise and socialise but: Obesity in dogs is of increasing concern, and regular exercise is essential for all dogs as it can help to keep them in shape and is beneficial for their mental health¹. However, for this to take place safely it is important that anyone walking a dog or multiple dogs in a public space is aware of and complies with their responsibilities under existing animal welfare legislation. This applies



emergency vet details, insurance status, the microchip number, relevant preventative health (eg Lepto if swimming / worming if walking where livestock are etc.

Q3. Do you think that licence applicants should be required to hold recognised, relevant qualifications (for example, in dog behaviour, canine first aid, animal welfare)? If yes, what level of training do you consider appropriate?

13. If the decision is taken to licence dog walkers, the licensing regime should include an assessment process based on how animal welfare and public safety can be best protected. As part of this process, it should be considered how qualifications can contribute to enabling dog walkers to meet their already existing obligations under the current legislative regime as well as any additional requirements that may be introduced under the licensing regime. However, qualifications should not become the sole assessment criteria as to whether someone is able to fulfil those legal duties of care to animals and the public.

Q4. Do you agree that the licensing authority should, where appropriate, be able to stipulate on any licence granted the maximum number of dogs that can be walked at any one time?

14. Where individuals are walking several dogs, they should ensure that they are able to effectively manage all dogs under their control and clean up after them. The strength of the dogs and their individual and collective behaviour will be a factor in this. We agree that licences should be variable with regard to the number of dogs, however we believe that an assessment which is only based on the number of dogs is unlikely to be sufficient in concluding whether an individual is able to control a specific group of dogs. Additional requirements could therefore involve the type of dogs being walked, the size of the dogs, the leads the dogs are kept on, whether dogs have undergone recognised dog training courses, the level of qualifications, if any, held by the dog walker and the area the dogs are being walked in. It is therefore important that an evaluation process is developed to allow for this to happen.

Q5. Are there any further controls or measures that you would like to see introduced as part of a licensing scheme for dog walking businesses?

15. We refer to our answers to the preceding questions. We would also wish to ensure that commercial dog walking activities do not create loopholes for other individuals engaged in commercial licenced activities involving animals such as day care and home boarding. Again, we would suggest Scottish Government liaise with counterparts in England to obtain shared learnings that potentially provide for consistency across the UK.

16. In addition, it would be sensible that a dog walker should be required to inform their veterinary surgeon in advance of taking responsibility for the dog(s) and ideally an agreement is in place between all parties so that the vet can be contacted rapidly if the need arises to protect the dog.

17. Anyone advertising (in any form . whether social media, local paper, pet shop ad board) their commercial services as a dog walker, should be required to include their licence number as part of the advert.

Q6. Do you support the proposal that applicants for a dog walking business licence are required to demonstrate that they maintain an acceptable level of record keeping and

Part 3: Licensing dog groomers

Q1. Do you agree that dog grooming businesses should be subject to a statutory licensing scheme? Yes / No / Not sure. Please explain the reasons for your answer.

Answer: Not sure

22. We have not collected any case studies on dog grooming businesses. However, due to the nature of the activities carried out there is undoubtedly potential for dogs to come to harm if the procedures are carried out without the necessary training or care and in unsafe spaces without a good standard of hygiene or using unsafe or poorly maintained equipment. If done incorrectly, activities such as nail clipping, emptying anal glands, or clipping matted fur can affect welfare and require veterinary treatment. Groomers should be clear what procedures are legal under the

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they are treated, including the way they are housed before and after the treatment is taken into account.

28. A detailed assessment should therefore be carried out with regard to what type of services are currently being offered for other species and whether the current service offering is provided in a way that meets their needs and whether a licensing regime is likely to lead to improved outcomes.

Q4. There is currently no requirement for dog groomers to hold any qualifications (although many do). Do you think that holding a recognised qualification should be a requirement under any future licensing scheme? Yes / No / Not sure. If yes, what qualification as a minimum should be required?

Yes

29. There should be a requirement to hold a recognised qualification if dog grooming becomes a licensed activity. There are currently a range of qualifications⁵ available at different levels and requiring varying degrees of prior qualifications and time commitment. The barrier to entry into the trade is sufficiently low to make it a feasible option for a large number of interested individuals

Q6. Are you aware of any examples of how any of the proposals above may impact, either positively or negatively, on those with protected characteristics? These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Yes / No / Don't know If yes, please explain your answer.

34. BVA recognises the importance of ensuring access to veterinary services for all communities, and is championing equality, diversity and inclusion across the profession. We consider that it is important for animal health and welfare that stakeholders in all communities are able to access schemes and veterinary services on an equal basis.

Part 4: Licensing of livery services

Q1. Do you support the proposal to introduce statutory licensing for operators of livery yards? Yes / No / Not sure Please provide reasons for your answer.

Not sure

35.

Q1. Do you agree that businesses offering canine fertility services should be made subject to a statutory licensing scheme? Yes / No / Not sure. Please provide the reasons for your answer.

Yes

- 46.** We support the introduction of a licensing regime for establishments where canine breeding services are carried out. Ideally, the same requirements should apply across all four nations.
- 47.** A licensing regime would allow greater scrutiny of the named licence holder and would facilitate further investigation where criminal activity is suspected. It would also infer powers of entry to Local Authorities (LAs) in cases where there are reasonable grounds for suspecting that a relevant offence has been committed. It would also allow for penalties for relevant offences to be imposed, such as breaching a licence condition or carrying on the activity of operating a business offering canine fertility services without the authority of a licence.
- 48.** A licensing regime should also provide for businesses which offer the services of a visiting vet who might carry out certain procedures including blood sampling for progesterone testing.

	general anaesthesia.	mutilation ⁸ , ie a procedure which interferes with sensitive tissue or bone structure.	
Ultrasound scanning	Carried out to confirm pregnancy.	Misinterpretation of image can result in a serious medical condition like a malignant growth being missed.	Ultrasonographic pregnancy diagnosis can be carried out by layperson.

Caesarean sections (C-sections)⁹:

than nominal. However, the presence of the named veterinary surgeon at inspection should not in itself constitute sufficient evidence of veterinary involvement. Additional requirements should

58. Yes we agree, the services offered by the sector have significant potential to have a negative impact on animal health and welfare. The sector is also continuously and rapidly evolving in terms of product offering and business model. There should therefore be an annual assessment to ensure the business is adequately licenced for all the activities it is carrying out.

Q9. Are there any further controls or measures that you would like to see introduced as part of a licensing scheme for canine fertility business?

59. Issues around enforcement of existing animal welfare legislation have been highlighted by in a report by the All-Party Parliamentary Group for Animal Welfare (APGAW)¹³. Local Authorities (LAs) currently have a significant role in enforcing animal welfare. However, the approach to enforcement varies widely between local authorities due to a lack of resources and a varying approach to the application of existing regulation. It would therefore be beneficial to develop a framework that allows for data sharing, including between the UK nations and consistent application of enforcement activities as well as specified training and qualifications for staff involved in such activities.

Q10. Are you aware of any examples of how any of the proposals above may impact, either positively or negatively, on those with protected characteristics? These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Yes / No / Don't know If yes, please explain your answer.

60. BVA recognises the importance of ensuring access to veterinary services for all communities, and is championing equality, diversity and inclusion across the profession. We support

78. We support the granting of licences for a period of up to 3 years. However, it is vital that the extension of the licence does not negatively impact animal welfare. It is crucial that annual