

PE1842/A

Scottish Government submission of 26 November 2020

Professional dog walking, dog minding and other associated services are not currently governed explicitly by animal welfare legislation, although we are aware that some Local Authorities have introduced bylaws in their area to regulate some of these activities. The welfare of dogs subject to these services is, however, protected by the general requirements of the Animal Health and Welfare (Scotland) Act 2006.

In terms of animal welfare, the 2006 Act requires those with permanent or temporary responsibility for an animal to ensure its welfare; and this includes a dog walker, whether done commercially or as a favour. It is also to be expected that the owner of a dog will carry out any necessary checks on those providing a dog walking service, but that cannot necessarily be taken for granted.

Section 112 of the Civic Government (Scotland) Act 1982 gives a local authority the power to regulate (a) the use of or (b) the conduct of persons while on or in any land or premises which is owned, occupied or managed by them or is otherwise under their control and to which the public have access. However, it is understood that use of this power is not widespread and the dog walking industry is largely self-regulating.

A number of local authorities are active in the registration of dog walkers, but this is focussed on the adequate control of the dogs being exercised. For example, the City of Edinburgh Council used the section 112 powers, in 2013, to introduce a management rule for commercial dog walkers using Council controlled land; and East Lothian Council runs a voluntary “approved user” accreditation scheme for dog walking companies which may prove a business benefit to the registered companies and provide some assurance to dog owners that their dogs are well treated.

The Scottish Government recognises that issues may arise with the currently unregulated activity of dog walking; although the majority of dog walkers are likely to operate sensibly and responsibly. We will consider whether there is a need to bring commercial dog walkers under tighter regulation in any future plans for companion welfare legislation.

The Committee may be interested to note that the Minister for Rural Affairs and the Natural Environment informed the Scottish Parliament, on 17 June 2020 during Stage 3 of the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill, about some of the ongoing improvements being made concerning the welfare of animals. Those improvements include a whole programme of work on licensing, consulting on animal transport improvements, and continuing our successful publicity campaign and collaborative work on illegal puppy dealing.

While it is not a specific commitment, it is our long-term plan to extend the new licensing legislation we are taking forwards for animal sanctuaries and rehoming, dog, cat and rabbit breeders and pet sales to other areas of animal-related activity. Potentially this could be extended to those offering animal services such as dog walking and training in due course.

I trust that this information is helpful, and if you require any further information please let me know.