

Guideline for JCU Staff & Students regarding Assistance Animals

<WHS-POL-GUI-001>

This guide provides information related to staff and students with assistance animals at James Cook University (JCU). This guideline should be read in conjunction with the [Animals on JCU Premises Policy](#).

Definitions

Assistance Animal: means an animal referred to in s9, *Disability Discrimination Act 1992* (Cth) that is

- a) accredited under a law of a State or Territory that provides for the accreditation of animals trained to assist a person with a disability to alleviate the effect of the disability; or
- b) accredited by an animal training organisation prescribed by the regulations for the purposes of this paragraph; or
- c) trained:
 - (i) to assist a person with a disability to alleviate the effect of the disability; and
 - (ii) to meet standards of hygiene and behaviour that are appropriate for an animal in a public place.

Effective control: means that the Assistance Animal is under control by the person with the disability or by another person on behalf of the person with the disability. Note, direct physical control is not required.

Handler: The person to which the Assistance Animal belongs and for whom the Assistance Animal is trained to alleviate the effect of the disability for.

Policy: The Animals on JCU Premises Policy

University Community: University Community means the members of the Council, the Staff, Students, and Affiliates of the University, as well as those who use the University's campuses or facilities for working, studying, living, and socialising, or other authorised activity.

University Premises: includes any land or facility which is owned, controlled, managed, or occupied by JCU.

1. Registering your Assistance Animal

Prior to bringing an Assistance Animal into any JCU buildings, restricted areas or JCU vehicles, students with Assistance Animals must register with AccessAbility who coordinate reasonable adjustments while studying at JCU. AccessAbility will complete a necessary risk assessment with the Assistance Animal and Handler, receive relevant Work Health & Safety (WHS) advice from WHS and approval in accordance with the Policy. Students are encouraged to register with AccessAbility as early as possible. This will assist in minimising the possibility of delays to their adjustments being implemented.

Prior to bringing an Assistance Animal into any JCU buildings, restricted areas or JCU vehicles, staff with an Assistance Animal must submit a Workplace Adjustment Request form to their Manager who will engage with an Injury Prevention & Management Advisor and WHS to assist with reasonable workplace adjustments and for the necessary consideration and approval in accordance with the Policy.

Handlers that are both a staff member and a student are to follow both processes. AccessAbility and the Injury Prevention & Management Advisor will work together on reasonable adjustments.

WHS will maintain a confidential register of all staff and students requiring Assistance Animals. The register will also store the accompanying risk assessments and any other relevant information.

2. Meeting the Definition

Handlers are required to provide JCU with relevant information to assist the University to understand that the Assistance Animal meets the definition in the Policy. Examples of information being requested may include:

- Medical documentation confirming how the Assistance Animal will assist the person with a disability to alleviate the effect of their disability.
- Vet documentation confirming the satisfactory behaviour and hygiene of the animal.
- Translink Assistance Animal Pass.
- Assistance Animal identification.
- Accreditation certificate.
- Training certificate.
- Public Access Test certificate.
- Demonstration of appropriate hygiene and behaviour.

3. Risk Management

In accordance with section 1.3 of the Policy, JCU will undertake a risk assessment in consultation with the Handler and other relevant JCU staff prior to accommodating the Assistance Animal. Relevant staff may include, but is not limited to, the course or subject coordinator, placement coordinator, laboratory manager, AccessAbility staff, WHS staff, examination staff etc.

The risk assessment is to be reviewed and approved by the WHS Manager. The Assistance Animal will not be considered exempt under the Policy until this approval has been obtained.

Appendix A provides a non-exhaustive list of examples of hazards that JCU will consider in the risk assessment process.

4. Monitoring & Review

Students are to remain in touch with AccessAbility throughout their studies. AccessAbility will monitor, make the adjustments and update the risk assessment periodically, in consultation with relevant staff such as the course coordinator. Updates to the risk assessment will be necessary if there are changes in building access required or activity types that the student undertakes.

For staff, the Injury Prevention & Management Advisor will monitor, review and update the risk assessment periodically in line with the Health Management Workplace Adjustments procedure.

Modifications to risk assessments require approval by the WHS Manager.

5. Breaches of Policy

Breaches of the Policy are to be addressed by the relevant staff member at the time, see Section 7 Responsibilities.

Breaches should then be reported to WHS by lodging a RiskWare (for hazards, incidents, injuries or property damage) or emailing rehab@jcu.edu.au and/or accessability@jcu.edu.au for other potential breaches e.g. disruptive behaviour.

The WHS Manager will undertake consultation with the academic college/business unit, AccessAbility (if the Handler is a student), Injury Prevention and Management Advisor (if the Handler is a staff member) and the individual regarding the breach.

As per section 3 of the Policy, Handlers may be asked to remove their Assistance Animal from JCU premises if the policy is breached.

6. Limitations

An Assistance Animal may not be able to be accommodated in all JCU premises e.g. laboratories, or on field trips/placement activities if for example:

- There are health and safety risks identified in the risk assessment that cannot reasonably be controlled.
- The animal is no longer meeting the requirements under the legislation regarding hygiene and/or behaviour and is therefore no longer exempt from the Animals on JCU Premises Policy.
- There has been a breach of Policy.
- The placement facility refuses access to the Assistance Animal.

JCU will consult with Handlers of Assistance Animals that are not able to be accommodated to identify next steps and what other support options exist for the individual.

7. Responsibilities

Assistance Animal Handler:

- Handlers are to continuously hold and be able to produce Assistance Animal identification.
- Handlers are to manage the hygiene, behaviour and welfare of the Assistance Animal.
- Handlers are to ensure the Assistance Animal remains under continuous effective control.
- Handlers are to provide the University evidence that the animal meets section 9(2)c of the Disability Discrimination Act 1992.
- Handlers are to participate in a risk assessment to identify the reasonable adjustments that are required for work/study.
- Handlers are to ensure Assistance Animals are provided opportunities to toilet in the natural environment outdoors and are responsible for cleaning up any faeces, including appropriate disposal of faeces in outdoor bins.
- An Assistance Animal that urinates or defecates inside JCU premises would constitute a breach in policy as the animal no longer meets s9, c part II of the *Disability Discrimination Act 1992* (Cth). The Handler is responsible for undertaking an initial clean of the area as best possible and is required to alert the relevant staff member to submit a MEX request for additional immediate cleaning.
- Handlers are to comply with directives to remove their assistance animal from JCU premises if the animal's behaviour or hygiene causes a health/safety risk to the JCU community. Handlers are to obtain approval from the WHS Manager prior to allowing the Assistance Animal to return to JCU premises.

Academic/teaching staff and Supervisors/Managers:

- Participate in a risk assessment, where required, to identify reasonable adjustments.
- Support the implementation of reasonable adjustments to accommodate assistance animal.
- Provide visible support and manage the communications/expectations regarding presence of an assistance animal with other University stakeholders.
- Request the handler remove the animal if its behaviour or hygiene poses an immediate risk to the health/safety of others in the JCU community.
- Immediately report any incidents or risks arising from the assistance animal's behaviour or hygiene (e.g., bites, injuries, property damage etc) through RiskWare or by contacting rehab@jcu.edu.au and/or accessability@jcu.edu.au.
- If suitably qualified and comfortable to, assist with or undertake the required first aid activity if an Assistance Animal alerts. Additionally, contact JCU Security for first aid assistance.

AccessAbility / WHS:

- Obtain and hold supporting documentation for the Handler of an assistance animal, including identification, certification and medical evidence, in line with JCU's Information Privacy Policy.
- For Students, AccessAbility to conduct the risk assessment process to identify reasonable adjustments.

- For Staff, WHS to conduct the risk assessment process to identify reasonable adjustments.
- AccessAbility to communicate reasonable adjustments to relevant stakeholders for students via their Access Plans.
- Injury Prevention & Management Advisor to communicate reasonable adjustments to relevant stakeholders for staff.
- AccessAbility / Injury Prevention & Management Advisor to arrange for WHS to complete a Personal Emergency Evacuation Plan (PEEP) by contacting safety@jcu.edu.au.
- WHS Manager to approve the presence of assistance animals in accordance with Policy section 1.3.

Others:

- Be supportive and respectful of the presence of assistance animals.
- Refrain from distracting or interfering with an assistance animal whilst it is working.

Appendix A: Risk Assessment Considerations

Information to support developing a risk assessment includes:

- The type of assistance animal.
- Activities the student or staff member is undertaking with the assistance animal on campus, including buildings/locations requiring access, participation in classes, and access to common areas, accommodation, vehicles, placement, afterhours access etc.
- Consider risk to the student, other staff/students, the assistance animal, other animals, the work/activity being undertaken, and the location.

The following table provides hazards/risks for consideration and inclusion in a risk assessment:

Hazard	Risk Considerations	Possible Control Measures
Biological Hazards	Allergens (fur, dander) causing allergic reactions	Notify staff and students in advance of animal presence and provide adjustments to minimise impact to allergy sufferers.
	Zoonotic diseases (e.g., bacteria, parasites)	Handler is to ensure animal has passed health checks, has parasite control measures, and is vaccinated.
	Animal waste management	Handler to clean up mess including faeces using a plastic bag, sealed after collection and disposed of in general waste.
Physical Hazards	Trips or falls from animal or animal-related equipment	Animal to remain in the effective control of its handler, lead not extending across walkways.
	Animal mobility in confined or high-traffic areas	Ensure accessible pathways and space. Handler and animal to exit first or last to minimise trip hazards.
Chemical Hazards	Exposure to cleaning agents for animal hygiene	Use cleaning products that are safe to handle and have low-no toxicity.
	Chemical exposure in labs or restricted areas	Assistance animal access to laboratories is prohibited if risks cannot be controlled. A risk assessment must be completed with WHS and/or AccessAbility and be approved by the WHS Manager.
Ergonomic Hazards	Suboptimal ergonomics at seated workstation if animal is on lap or positioned such that the handlers work/study posture is compromised.	Minimise duration of work with animal on lap. Locate animal so that handlers work/study position is not impeded.
Psychosocial Hazards	Stress or anxiety for others due to animal presence (phobias, cultural sensitivities)	Assistance animal to wear identification jacket. Communicate animal presence in advance with links to Australian legislation to educate others. Provide adjustments to accommodate phobias and cultural sensitivities e.g. consider positioning of people in classrooms such that the handler and assistance animal and any persons with allergies, phobias, cultural sensitivities, are separate from each other if possible (but not separate from the class and not in a way that would disadvantage either person).
	Privacy concerns regarding the handler's medical condition	Maintain confidentiality as per legal requirements.
Operational Hazards	Non-compliance with legal frameworks	Adhere to legal frameworks, including the Disability Discrimination Act to provide reasonable adjustments. Adhere to Animals on JCU Premises Policy.

	Emergency response involving animals	Include assistance animals in Personal Emergency Evacuation Plans. Fire wardens to be aware of the potential for assistance animals in certain locations.
	Contamination of research or study material / biosecurity breach	Assistance animal access to laboratories is prohibited if risks cannot be controlled.
	Causing disruption to study or work activities	Animals must meet standards of hygiene and behaviour that are appropriate for an animal in a public place. Handler to remove assistance animal if becoming disruptive.
Field trips / placements	Potential biosecurity breaches	Placement sites to approve assistance animal in advance. Handlers and their Assistance Animals require accommodation that is suitable and appropriate for an Assistance Animal, if appropriate housing options are not available this may impact on the capacity of the animal to attend the field trip/placement. Assistance animal not to enter food preparation areas of shared accommodation. Government regulations to be adhered to e.g. in National Parks, check for exemptions relating to assistance animals.

Contacts

AccessAbility:

E: accessability@jcu.edu.au

Click [here](#) for bookings

Work, Health and Safety Unit: Injury Prevention & Management Advisors:

E: rehab@jcu.edu.au

Policy breaches to be reported on [RiskWare](#)

Associated Policy & Procedures

[Animals on JCU Premises Policy](#)

Students:

[Student Disability Policy](#)

[Student Disability Reasonable Adjustments Procedure](#)

[Student Disability AccessAbility Support and Plans Procedure](#)

Staff:

[Health Management Policy](#)

[Health Management Workplace Adjustments Procedure](#)

Legislation

Disability Discrimination Act 1992 (Cth)

Anti-Discrimination Act 1991 (Qld)

Guide, Hearing and Assistant Dogs Act 2009 (Qld)