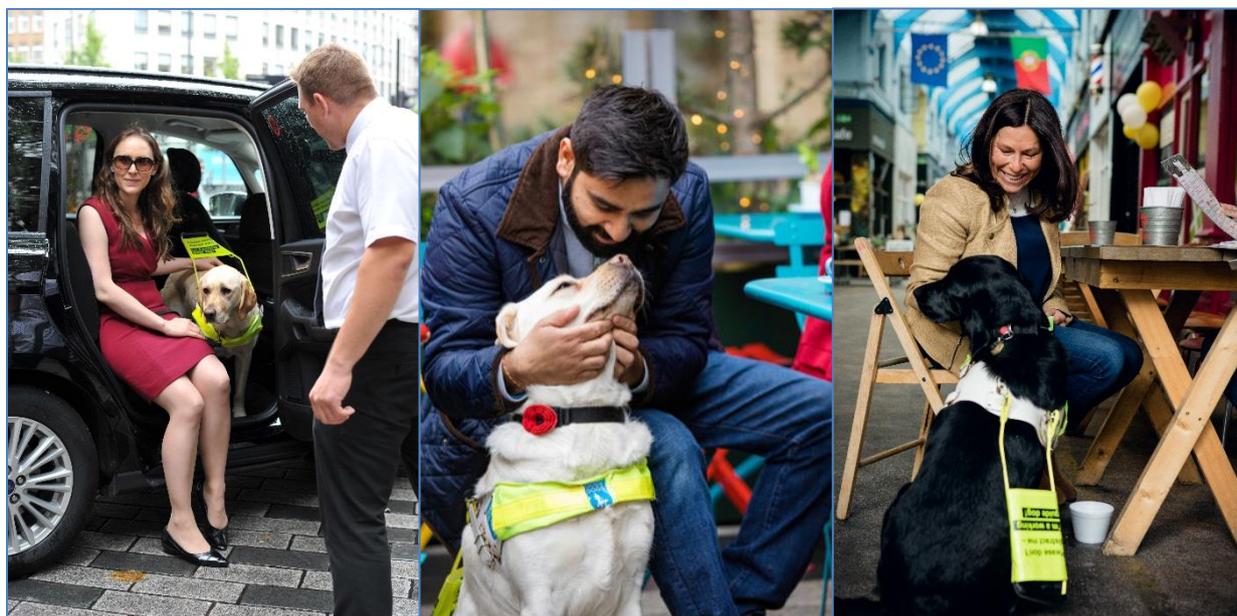


# Access Denied: A report into the frequency and impact of access refusals on assistance dog owners in 2019



## Executive summary

Assistance dogs play an important role in the lives of their owners, supporting them to be independent and to live the life they choose. Guide dogs are trained to support people with sight loss to have independent mobility. The Equality Act 2010 (and the Disability Discrimination 1995 in Northern Ireland) enshrines the right for assistance dogs to accompany their owners into nearly all places. However, all too frequently assistance dog owners are turned away from businesses and services because they're told their dog isn't welcome. Access refusals can have a negative impact on the wellbeing of owners, and undermine the independence that their assistance dog gives them. Guide Dogs has been campaigning since 2015 to end these illegal access refusals. In April 2019, we surveyed 421 assistance dog owners to ask about their experiences in the preceding 12 months.

The survey revealed that unfortunately many assistance dog owners are still experiencing access refusals. 76% said they had experienced a refusal at one point, 42% reported that they had at

least one in the last 12 months, and 1 in 5 of these (20%) had experienced an access refusal at least once a month.

Concerningly, taxis and Private Hire Vehicles (PHVs) remain the business most likely to turn away an assistance dog. Of assistance dog owners who reported at least one refusal in the last year, 73% reported they had been refused by a taxi or PHV driver during the same time period. A ban on dogs was the most frequently reported reason for access refusals. The second most commonly reported type of business to refuse access to assistance dog owners was restaurants (54%). However, in contrast, restaurants were also reported most frequently for making guide dog and assistance dog owners feel welcomed, showing that experiences appear to be different dependent on the individual restaurant.

Access refusals were reported by participants to have a negative impact on their ability to go out socially and to participate in sports, hobbies and recreational activities. With 70% reporting access refusals had a negative impact on their wellbeing and emotions. Assistance dog owners have also told us that they've been illegally charged extra for their dog to accompany them into many types of businesses, with additional charges of up to £65 reported.

## Recommendations

- Introduce mandatory disability equality training for taxi and minicab drivers as a matter of urgency.
- Equality legislation should be easily enforceable with clear consequences for breaches of the Act. This could be done by:
  - Reviewing the licensing system for premises to give local councils more powers to enforce against businesses that refuse assistance dog owners.
  - Establishing an Equality Ombudsman tasked with investigating whether businesses comply with equality legislation.

# Where are assistance dog owners being refused access to?

## Taxis and PHVs

It is illegal for a taxi or PHV driver to refuse access to an assistance dog owner, unless the driver has a medical exemption certificate<sup>1</sup>. Despite this, since 2015 taxis and PHVs have been the most frequently reported source of access refusals by assistance dog owners. Of assistance dog owners who reported at least one refusal in the previous year, 73% reported they had been refused by a taxi or PHV driver during the same time period.

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**Taxi driver refused to take my wife and I because he said dogs weren't allowed and drove off. Second taxi said he would take us if I got a blanket for the dog to lie on. I declined and said that I didn't carry blankets on holiday. He eventually backed off and took us to our destination, albeit I guess reluctantly. Have had other attempts at refusal but I always stand my ground in a polite way and find that most cede to my requests in due course. I did report the taxi incidents to the local council licensing department but was of the view that they weren't really interested.”** Guide dog owner, Carlisle

As well as being refused access to taxis and PHVs, assistance dog owners have also reported being asked to pay additional fees, and being accepted into the taxi or PHV but being made to feel uncomfortable and unwelcome.

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**Taxi and private hire vehicles are the biggest issue. Drivers can make you feel unwelcome in their vehicle.”** Assistance dog owner, Winchester

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<sup>1</sup> Equality Act 2010



**A taxi driver wanted to charge me extra to clean the cab after I left. My gd [guide dog] is brushed daily.” Guide dog owner, Hartlepool**

Since 2015 Guide Dogs has been calling for all taxi and minicab drivers to undertake disability equality training to help stop access refusals from taking place. Disability equality training would help drivers understand the rights of assistance dog owners and their duties to carry them without discrimination.

In February 2019, the UK Government announced plans to introduce national minimum standards in England, which would include a requirement for disability equality training when time allows. It is disappointing that a timeframe for doing so has not been set yet, especially as this is a growing issue. The dramatic increase in refusals underlines the urgency for the Government to make a commitment on a timeframe for all drivers to undertake this training.

In Scotland, in 2016 the Scottish Government committed in its Accessible Travel Framework to co-produce a cross-modal disability equality training module for all transport service providers, including taxi and PHV drivers.

In Wales, the Welsh Government pledged in their Accessible Transport objectives that they will require drivers to undertake training as they assume responsibility for licensing following the Wales Act 2017. The Welsh Government consulted on the future regulation of taxi and PHV services in Wales between December 2018 and March 2019 and at the time of writing (June 2019), are preparing their response to this consultation.

In Northern Ireland, the Driver and Vehicle Agency (DVA) require drivers to undertake disability equality training in order to register or renew their licence.

## Other businesses

Under the Equality Act 2010, owners of trained assistance dogs are entitled by law to access goods and services without discrimination. We asked assistance dog owners that had experienced an access refusal which other businesses they had been refused access to in the past 12 months<sup>2</sup>. It is very concerning that despite the legal protections that exist, a high percentage of assistance dog owners reported access refusals from a wide range of businesses in a 12-month period. Notably restaurants, cafes and newsagents/convenience stores.



**My last refusal was in the [hotel name removed] in March 2019, whilst waiting to be seated in the restaurant. The seating host advised dogs were not allowed in the restaurant, we explained she was a guide dog but she seemed to have no idea of what this meant. She got the assistant manager who said he wasn't sure as he had only been there 2 weeks. He got the manager who finally allowed us in, people were looking and staring at us as we debated with the waiting staff. This was a Mother's Day treat which was rather spoilt and the staff didn't seem to do much to make up for the embarrassment caused." Guide dog owner, Scarborough and Whitby**

**Table 1: The percentage of assistance dog owners that had experienced an access refusal in the previous year who said they had been refused from the below listed businesses**

<b>Place refused access to</b>	<b>2019</b>
Minicab or private hire vehicle (a car that was pre-booked or ordered)	62%
Restaurant	54%
Taxi (a car that was hailed or picked up at a rank)	52%
Newsagent or convenience store	42%
High street shop	36%
Café	32%

<sup>2</sup> The list of options was created from our 2015 survey results with the 12 most common businesses to refuse access.

Hotel	25%
Supermarket	24%
Bed and breakfast	19%
Pub	19%

The most frequently reported reasons given for access refusals were a blanket ban on dogs, food being served, religious reasons, or a dislike of dogs.

**“ Holiday cottages generally just say no dogs. The Isle of Wight holiday rentals, (it was) very difficult to find properties with a (guide) dog. When I mentioned the law regarding access the reply was 'Sue me then I'll take my chances'.” Guide dog owner, Banbury constituent**

Equality legislation should be easily enforceable with clear consequences for breaches of the Act. This could be done by:

- Reviewing the licensing system for premises to give local councils more powers to enforce against businesses that refuse assistance dog owners.
- Establishing an Equality Ombudsman tasked with investigating whether businesses comply with equality legislation.

## How often are people refused access?

The majority of survey respondents who reported an access refusal in the past 12 months said they encountered access refusals either once every few months or one or two times a year. Concerningly 1 in 5 (20%) of these had been refused access at least once per month. More participants reported weekly refusals from PHVs and taxis and newsagents and convenience stores than other types of business.

**“ [In] some of the shops it's poor training of security staff. I also had several hotel refusals when I booked online but sent a courtesy email about having a guide dog. They rejected my**

**booking. Also taxi refusals. I avoid taxi's now which is why [my] last refusal [was] over a year ago.” Cardiff North constituent**

A similar frequency of refusals was observed for both guide dog and other assistance dog owners. Results suggested that younger assistance dog owners are more likely to experience regular access refusals compared to older assistance dog owners.

## **Second class service**

In addition to access refusals we asked assistance dog owners if they had ever received second class service because they had their assistance dog with them. In the past 12 months, 79% reported that they had been made to feel uncomfortable, unwelcome or received second-class service at some time because they had their guide or assistance dog with them. Most commonly, this was once or twice a month or once or twice a year.

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**[Castle name removed] asked me if it was a real guide dog, then asked me for his registration number as recently they had people who had pretended to have a guide dog. Sorted in the end, but still embarrassed as this was in full view of the general public. Then told I wasn't acting like a 'blind person' they eventually let me in, but staff followed me everywhere because they didn't want the dog soiling their gardens.” Guide dog owner, Banbury**

Although assistance and guide dog owners reported similar levels of access refusals, higher proportions of owners of assistance dogs reported being made to feel uncomfortable, unwelcome or receiving second-class service every day, weekly or monthly than guide dog owners. Participants aged 18-30 were more likely to report these feelings weekly and monthly, than older age groups.

# Impact of refusals

## Emotional impact

Survey participants told us that access refusals had a significantly negative impact on their wellbeing. As a result of access refusals participants reported:

- 70% said it had a negative impact on their wellbeing and emotions.
- 55% felt less content with their quality of life.
- 72% said refusals negatively impacted on their ability to go out socially.
- 57% reported a negative impact on their participation in sports, hobbies and recreational activities.

Additionally, participants described that access refusals made them feel embarrassed, upset, excluded, angry and anxious, with a desire to avoid the situation. Participants reported feelings of loneliness and social isolation specifically describing avoiding socialising, feeling limited, unable to travel or that their confidence had been affected.

Participants that reported refusals led to negative impacts on their levels of loneliness and social isolation were significantly less likely to complain or report the access refusal. Owners that experienced a negative impact on wellbeing were also less likely to take legal action.

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**[Taxi company name removed] refusal but argued about it being the law that taxi's take guide dogs all the way to my destination. Second occasion I was told I had to get in the back of the car. My guide dog was poorly we were going to the vets I didn't have time to argue. I was told to stand in the rain and wait while the driver argued with the office on his mobile phone about taking us in his car. This made me avoid going anywhere other than my local gym for the last year as the anxiety I now get regarding ordering taxis is terrible.” Guide dog owner, Wakefield**

## Financial impact

Forty-three participants (30%) that had experienced an access refusal in the previous year reported having been charged extra. Additional costs ranged from 50p (taxi) to £65 (hotel) and included double taxi fares, £10 per night cleaning charges for hotels and costs for additional seats on airlines. Many participants stated that they refused to pay the additional charges.

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**About 18 months ago I was told I had to pay an extra cleaning fee when I tried to book a bed and breakfast accommodation in the Lake District. This was specifically because I had a guide dog. I was told if I did not pay the cleaning fee, no matter what state the room was in, whether there was no need to clean or not, I would not be allowed to book the room. I found somewhere else to stay, although this meant altering my plans and it also meant that I could not stay with my friends who are also travelling.”** Guide dog owner, Hazel Grove

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**Taxi driver charged more as he said he would have to remove any trace of my dog. My dog is groomed every morning and is always clean and tidy. More than his cab was!”** Assistance dog owner, North Thanet

## Response to refusals

The number of assistance dog owners making a complaint following an access refusal has increased since 2015 (57% in 2015 to 68% in 2019). This suggests that either more guide dog and assistance dog owners are aware of their rights, or that they feel more able to speak out about access refusals. The most common method for complaining was directly to the company. There was a large rise in complaints raised via social media (11% in 2015 up to 25% in 2019), which may suggest that more assistance dog owners are using social media. This may potentially be due to rise in accessible technology; the number of visually impaired people

using apps to improve the accessibility of their mobile phones and tablets rose from 12% in 2009 to 82% in 2014<sup>3</sup>.

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**The last taxi driver that refused me he was taken to court. He lost his taxi license.” Guide dog owner, Wythenshawe and Sale East**

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**I stood outside of a restaurant and politely asked people who wanted to go in and eat if they would go somewhere else as a form of protest.” Guide dog owner, Hove**

As taxis and PHV drivers must gain a licence via a local licensing authority (normally the local authority), licencing authorities have significant powers in upholding the requirements of drivers to carry assistance dogs. 70% of participants stated they were likely to report an access refusal to their local council or licencing authority. This may indicate that assistance dog owners are becoming more knowledgeable about the appropriate complaint routes for access refusals. However, of the participants that reported they would be likely to report an access refusal or make a complaint to their local council or licensing authority, only 38% had contacted their council in the past 12 months.

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**Worked with the Council taxi licensing officer to take the taxi driver to disciplinary court.” Guide dog owner, South West Norfolk**

Almost half of participants (41%) considered taking legal action. However, only 12 owners (8%) took legal action which resulted in a prosecution. The most commonly reported reason for not taking legal action was the process being too difficult and time consuming.

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**If I were to do this I would be taking multiple cases at once right now. From September last year I would currently have three**

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<sup>3</sup> Grussenmeyer & Folmer 2017

**cases on the go... I don't have the will or energy to do it after it took 8 months with the last one" Guide dog owner, Manchester**

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**I have considered it however there is no easily followed process map to help me understand exactly how to go about it or an understanding of the costs involved." Guide dog owner, location not provided**

## **Positive experiences**

Restaurants, supermarkets and cafes were the most commonly cited examples of welcoming businesses. Having water for the dog, being helpful and welcoming were the most frequently mentioned words relating to reasons for the experience being a positive one.

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**[Coffee shop name removed] I find them very helpful as they read the menu, assist me to my table and offer water for my guide dog and give a verbal description if required of the location of toilet facilities, have even put tables out for us in a quiet place if the dog was stressed with anything." Guide dog owner, Llanelli**

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**I went to see Blood Brothers in Stoke-on-Trent late last year. The service was excellent and they made sure that they had a bowl of water for my dog in the interval and they also made sure I sat at the front so there was plenty of room for the dog as well." Assistance dog owner, Erewash**

## **Methodology**

The study collected data from 421 guide and assistance dog owners via an online survey. A questionnaire was produced in SurveyMonkey and contained two sections on 1) access refusals and 2) pavement parking. Developed in collaboration with the Guide Dogs Campaigns and Research Teams, the questionnaire

included questions from the previous surveys (Guide Dogs, 2015; Guide Dogs, 2016) to allow for comparisons, along with additional questions to gain further insight into the current impact of access refusals. Only assistance and guide dog owners were asked to complete the section about access refusals that informed this report. The final version of the survey was hosted on SurveyMonkey and remained live for three weeks, until 30 April 2019.

The study design and survey questions were approved by Guide Dogs Ethical Review Panel. For more information about the methodology please contact [campaigns@guidedogs.org.uk](mailto:campaigns@guidedogs.org.uk)

## Conclusion

Under the Equality Act, guide and assistance dog owners have the right to go into the vast majority of places accompanied by their dog. Unfortunately, 42% of assistance dog owners reported they have been refused access to a business or service such as a taxi, minicab, restaurant or shop at least once in the last 12 months. And worryingly, of these, 20% reported experiencing an access refusal at least once a month. The most common places for assistance and guide dog owners to experience access refusals are taxis and PHVs.

As well as being against the law, access refusals have a negative impact on the lives and wellbeing of assistance dog owners. 70% said access refusals had a negative impact on their wellbeing and emotions. With many reporting anxiety, social isolation and reduced quality of life as a direct result of these experiences.

To uphold the Equality Act and ensure the rights of assistance dog owners are being met, urgent action is needed to prevent access refusals from happening. Our recommendations are:

- Introduce mandatory disability equality training for taxi and minicab drivers as a matter of urgency.
- Equality legislation should be easily enforceable with clear consequences for breaches of the Act. This could be done by:

- Reviewing the licensing system for premises to give local councils more powers to enforce against businesses that refuse assistance dog owners.
- Establishing an Equality Ombudsman tasked with investigating whether businesses comply with equality legislation.

For more information about the Access All Areas campaign, please go to [www.guidedogs.org.uk/accessallareas](http://www.guidedogs.org.uk/accessallareas) or contact [campaigns@guidedogs.org.uk](mailto:campaigns@guidedogs.org.uk)