

# **Emotional Support Animal Policy**

## **King's Residences**

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## Introduction

Kings College London generally prohibits individuals (including staff and students) from bringing animals inside any University owned, leased or controlled buildings, vehicles or structures. However, the University is fully committed to supporting all students living in University Residences and recognises that students with disabilities (as defined under the Equality Act 2010) may require reasonable adjustments in order to gain full access to the University's facilities including student accommodation. Reasonable adjustments can include Emotional Support Animals which while not expressly categorised under the Equality Act will be regarded as an auxiliary aid. Whether a request to keep an Emotional Support Animal in University accommodation can be granted will depend on the reasonableness of the request including the facts of the individual case. This protocol is to outline how the University will consider requests including what steps may be required to ensure that a students' access to Emotional Support Animals is balanced against the safety and wellbeing of the other students living within the same University Accommodation. This protocol only covers University accommodation – it does not cover animals in other areas of the University. Emotional Support Animals may not be brought into King's Residences accommodation without expressed approval of King's Residences.

## Key Definitions

In this document, the following meaning is ascribed to the term:

- **Assistance Animal**

An Assistance Animal is an animal which is trained to do work or perform tasks or services for an individual with a disability. This can include Assistance Animals trained by recognised organisations or trained by their owners for this purpose. Examples of such work or tasks include guiding people with visual impairments, alerting people with hearing impairments, pulling a wheelchair etc. Assistance Animals are trained working animals, not pets. The work or task an Assistance Animal has been trained to provide must be directly related to the person's disability.

- **Emotional Support Animal**

An Emotional Support Animal (sometimes referred to as a Therapy Animal) is an animal that provides emotional support or passive comfort that alleviates one or more of the identified symptoms or effects of a disability. Unlike an Assistance Animal, an Emotional Support Animal does not assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times.

- **Pet**

A Pet is an animal kept for domestic use and companionship. A pet is not considered an Assistance or Emotional Support Animal. It is not covered by this protocol. Residents are not allowed to keep pets in King's Residences accommodation.

## Equality Act 2010

An Emotional Support Animal can be utilised to support individuals experiencing a range of different emotional or psychological conditions. Currently under the Equality Act 2010, Emotional Support Animals are not currently recognised in the same fashion as some categories of Assistance Animals.

However, while there is no express statutory requirement covering Emotional Support Animals they will still be considered as reasonable adjustments under the Equality Act and therefore any request will need to be considered on a case by case basis and subject to the reasonableness of that request.

Where formal registration of Emotional Support Animals is available in the country of origin, that information should be provided with the formal request.

## Factors of consideration for Emotional Support Animal Requests

The University will consider the following factors, among others, as evidence in determining whether the presence of the animal is reasonable or in the making of housing assignments for individuals with Emotional Support Animals:

- The request is legitimate and reasonable and pre-agreed with the University (a requester may be required to provide medical confirmation of their condition) and where appropriate follows a satisfactory needs assessment.
- Consultation has taken place between Student Support and other relevant stakeholders, either for agreement or awareness, including other campus support teams, other residents and those parties have been advised on safe practice and appropriate behaviour.
- The animal's presence does not otherwise violate individuals' right to peace and quiet enjoyment and will not risk forcing another individual or individuals from accommodation.
- The size of the animal is relative to the owner's assigned accommodation space. E.g., If animal is free roaming i.e., Cats/Dogs it is therefore practical that that only a studio is booked at the advertised rate.
- The animal is housebroken or is able to live with others in a reasonable manner.
- The animal's vaccinations/treatments are up to date and is healthy and does not constitute a hygiene risk if observed over a period of time.
- The animal is regularly checked by experienced veterinarians.
- The animal is of a safe and reliable temperament and does not pose or has not posed in the past a direct threat to the individual or others such as aggressive behaviour towards or injuring the individual or others.
- The animal is unlikely to cause damage to housing beyond reasonable wear and tear.
- We will risk assess the suitability of the animal living in residence.
- The student is able to sufficiently handle or control the animal and understands and properly attends to its welfare and health needs and has agreed to be subject to the terms of this Policy.
- The Emotional Support Animal's owner agrees to abide by the Responsibilities under which access is to be granted to University premises under this Policy and suitable arrangements are made for the Emotional Assistance Animal's safe access on to the University's premises and in relation to any University.

## Procedure for requesting to have an Emotional Support Animal

1. A student requesting permission to keep an Emotional Support Animal in University Accommodation must make a formal request to King's Residence and the Disability Support team in writing at the point of registering for accommodation and no later than one month prior to arrival. This should include the following:
  - Information as to why the animal is required to live in residence with the student.
  - Disclose historical data on animal behaviour.
  - Supporting medical evidence of the student's medical condition and reason for the need for an Emotional Support Animal from a General Practitioner or other health professional.
  - Details of what type of animal the student proposes to bring into University Residences.
  - Evidence of any vaccinations/treatments the animal has been given.
  - Evidence of Emotional Support Animal registration or training (if applicable).
  - Evidence of Pet Insurance.
  - Evidence of local person/ company as emergency contact to provide care for the animal.

2. Once this information has been received, it will first be discussed between King's Residences and the Disability Support team and then both parties may contact the student to discuss the request if required.
- If it is agreed that this is acceptable then arrangements for having an animal living on the premises will be made. This will be in line with our third-party policies (available on request).
  - If the information does not allow at that time a favorable decision for the student, then the discussion would be about alternative accommodation or alternative Emotional Support Animals. It will always be the wish of the University to support a student wherever possible and work towards an agreeable solution.
  - Once an Emotional Support Animal has been approved the University will contact the student's prospective flat mates to inform them that a student in their accommodation or flat has been given permission to have either an Emotional Support Animal for medical reasons. No further information will be given to the other students. The other students at that point will then have the opportunity to either agree that an Animal can live alongside them, ask for further information about what this could mean for them or ask to be reallocated to another accommodation or flat (Appendix 1). At this point the King's residence would make a judgement as to the appropriate course of action if a student had a concern which could include offering either the student with the animal or the student with the concern alternative accommodation.
  - A copy of this Protocol will then be signed by the student and the King's residence as acceptance of the conditions of keeping an animal.
  - King's residence will inform the Site Manager and Welfare Lead that an animal will be residing there with a student for medical reasons.

## **Third Party Policies/Approaches for Emotional Support Animals**

Third party policies are available on request. They may deal with ESA requests in a different way.

## **Complaints**

Any issues in relation to any decisions taken under this Policy or Emotional Support Animals on University premises that cannot be resolved informally directly with residences at stage one should be raised by way of the University's student conduct and appeals procedure at stage two.

## **Application of this Policy**

This Policy will apply to all staff and students at all times, 24 hours a day and 7 days a week.

## **University Liability**

The University will not be responsible for the loss, ill-health or death of an Emotional Assistance Animal on its premises.

## **The Student's Responsibilities**

- Animal misbehaviour is the owner's responsibility and the student is required to maintain control of the animal at all times.
- Emotional Support Animal must be properly trained (if applicable).
- Emotional Support Animals must be relevantly vaccinated and treatments up to date.

- The student will seek all support advisory services from Disability Support Services and have a mutually agreed support plan at all times that covers the need for an Emotional Support Animal as a reasonable adjustment and have undertaken an arrival or pre-arrival site orientation process with attendance of their Emotional Support Animal. The site orientation will include a safety check and agreement of practical provisions for the needs of the animal and ensure that there is sufficient space and facilities to accommodate the wellbeing of both the animal, the student and other residents.
- The student must ensure that their Emotional Support Animal is fully covered by insurance and will ensure that the University is provided with a copy of their current policy on registration and at each renewal date.
- The student must provide information about the animal in response to reasonable requests from University staff from time to time.
- Animals must be identifiable and under control at all times e.g. utilising a lead or harness.
- The student is responsible for making sure that the approved animal does not interfere with the routine activities of the residence or cause difficulties for students who live there.
- The student is responsible for the actions of the animal including any financial implications this may have (i.e., damage to residences, cleaning etc.)
- The student must notify the King's Residence if the animal is no longer required in the residence. To replace an approved animal the student must reapply to the King's Residence.
- The student is responsible for the care and supervision of the animal including feeding, exercise, health, safety, well-being and cleaning of the animal and associated equipment.
- The student is responsible for cleaning up after the animal including the sanitary disposal of animal wastes.
- Emotional Support Animals must be always kept in the student's bedroom except when being transported outside. They are not allowed in communal areas.
- Any approved animal may not be left for a prolonged period of time. Students must take their animal with them if they are not onsite overnight and cannot request someone else care for the animal in their absence.
- The student must have an emergency plan arranged if circumstances change if they are unable to return to site. An arrangement must be formally contracted with an appropriate individual/company at the expense of the student. Person/company needs to attend approximately within two hours.
- The student must work with any operational requirements of the residence i.e., access for maintenance as outlined by the Site team.
- The animal should meet all legal requirements for travel and residing in the UK.

## **Conflict Situations and Removal of Emotional Support Animals from University Accommodation**

Kings College London will always work with the student to make sure that the inclusion of an animal living in residence runs smoothly. However, there may be times when the presence or behaviour of the animal may cause difficulties. The King's Residence may require a student to remove an Emotional Support Animal from University accommodation as follows:

- If the animal is not under the student's direct control or the animal is disturbing or disrupting the other students in the accommodation. The student will be given an opportunity beforehand to get the animal under control. If the disruption or disturbance continues, then the student may be asked to remove the animal.  
or
- If the presence, behaviour or actions of the animal constitutes an immediate risk or danger to people or property, the student can be asked to immediately remove the animal and 999 (emergency assistance) may be contacted.
- King's Residence has the right to relocate the student and the animal as necessary according to current contractual

agreements.

- Any received allegations of mistreatment towards the animal will be escalated to Student Conduct and Appeals and RSPCA.
- Should an Emotional Support Animal be removed from the premises for any reason, the students right to stay will be assessed.
- Where the Emotional Support Animal poses an adverse health risk to an/other student/s, the University will seek medical documentation from the affected party/parties to determine suitable alternatives and equitable arrangements for either or both parties.
- The University may restrict access to areas of the University premises including areas of a student's accommodation for health and safety reasons.

## **Agreement**

- By my signature below, I declare that I have read and accept the above conditions and will abide by the Protocol outlined here. I agree to provide any further information as necessary should it be required by the University.

Student Name (Signed) \_\_\_\_\_

Student Name (Printed) \_\_\_\_\_

Student ID Number \_\_\_\_\_

Emergency Contact for animal care (in case of student not being on site due to unforeseen circumstance, e.g., emergency hospital stays)

\_\_\_\_\_

Date \_\_\_\_\_

King's Residence \_\_\_\_\_

Date \_\_\_\_\_



## Emotional Support Animals in Kings College London University Residences

I understand that a student who is/will be living in the same accommodation as myself has been allowed to keep an animal for in their room for medical reasons.

Type of Animal

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Accommodation and flat number of student who has permission to keep an animal.

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Please tick either statement 1, 2 or 3 below.

1 I confirm that I have seen the Protocol the student has to follow to be allowed to keep an animal and am happy to live in the house.

2 I confirm that I have seen the Protocol the student has to follow to be allowed to keep an animal and would like to discuss this further with King's Residence.

3 I confirm that I have seen the Protocol the student has to follow to be allowed to keep an animal and would prefer not to share a house with an animal. I do understand that this could mean that I will be offered alternative University accommodation.

Student Name (Signed) \_\_\_\_\_

Student Name (Printed) \_\_\_\_\_

Student Number \_\_\_\_\_

Date \_\_\_\_\_

Please return this form to [aar@kcl.ac.uk](mailto:aar@kcl.ac.uk).