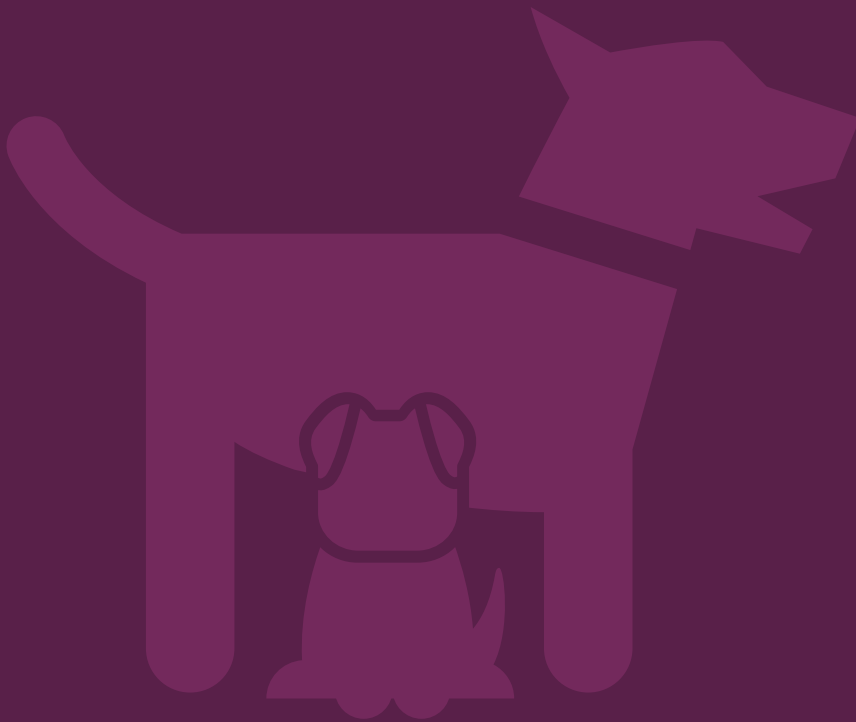


COLLABORATION IS KEY

THE WAY FORWARD
FOR WELSH
DOG BREEDING
REGULATIONS



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THE KENNEL CLUB
Making a difference for dogs

COLLABORATION IS KEY – THE WAY FORWARD FOR WELSH DOG BREEDING REGULATIONS

The Kennel Club is the largest organisation in the UK devoted to dog health, welfare and training, whose main objective is to ensure that dogs live healthy, happy lives with responsible owners.

The Kennel Club is the only organisation accredited by the United Kingdom Accreditation Service (UKAS) to certify dog breeders.

Its requirements go beyond dog breeding licence guidelines in several key areas including pre-sale vet checking, health testing and screening and lifetime support for puppy buyers.

We welcomed the updated breeding regulations introduced in Wales in 2015. They were straightforward for breeders and local authorities to understand as they set a clear licensing threshold and raised standards to a realistic level. However we have concerns regarding how they are being enforced. We believe the Kennel Club can assist in enforcing regulations and raising breeding standards; and that introducing a risk based system may also help local authorities focus their resources on higher risk breeders i.e. those who are not already inspected by Kennel Club Assessors.

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SECTION 1

INTRODUCTION TO THE KENNEL CLUB'S VIEW ON WELSH DOG BREEDING REGULATIONS

The Kennel Club is the only welfare organisation to truly recognise the valuable contribution that good breeders make to society. All too often dogs are found in rescue centres owing either to poor breeding practices which have led to health issues that are too costly to address, or because of a lack of knowledge by the puppy buyer as to which breed of dog may best suit their lifestyle. We register around a quarter of a million pure bred dogs each year, including over 25,000 in Wales.

Whilst it is the case that we encourage rescue through our own breed rescue network and indeed other organisations' rescue centres, it is crucial, in order that dogs never have to enter a rescue centre, they are bred with health and welfare at the forefront and that puppy buyers know the best sources of well-bred puppies.

We welcomed the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014. They are straightforward for breeders and local authorities to understand as they set a clear licensing threshold and raise standards to a realistic level. This is in direct contrast to the recently introduced Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 which are accompanied by a complex business test and overly burdensome standards for home breeders in particular. As a result of the complexity of the Regulations, just 6 months after they were introduced, Defra circulated a note to local authorities to explain a myriad of misunderstandings regarding standards and enforcement.

In reviewing current breeding regulatory requirements, we believe the Welsh Government should consider not only raising the welfare standards of dog breeders, but also the most efficient means of enforcement to ensure existing and any updated licensing standards are complied with.

Currently in Wales, there is no formalised risk based element to the dog breeding regulations and as a result they are not having the desired effect. When the regulations were passed we estimated that, based on Kennel Club registration data, there should have been a threefold increase in the number of licensed breeders in Wales. However, we are disappointed that four years on, Freedom of Information based research (2018) has revealed that there has been little over a 10 per cent increase in the number of licensed dog breeders. Based on 2017 Kennel Club registration data, it is estimated that there are

between 900–1,000 dog breeders in Wales requiring a licence, yet only 219 have one – less than a quarter of those who should.

We believe that four years on from the introduction of the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014, the time is right for the Welsh Government to consider their impact in curbing puppy farming in Wales.

SECTION 2

INCORPORATING THE ASSURED BREEDER SCHEME INTO THE WELSH LICENSING FRAMEWORK IN PRACTICE

By working with local authorities in England we have developed a proposal that we believe incorporates the inherent advantages of a scheme run by a body accredited by UKAS, and that removes the disincentives to responsible breeders of being regulated both by a UKAS accredited body and a local authority (i.e. additional costs and duplicated inspections).

Whilst our proposal is built around the Kennel Club Assured Breeder Scheme, the principles could also be potentially applied to other UKAS accreditation schemes. The proposal is as follows:

- **Step 1** – ‘Risk categories’ would be established for breeders, (both members of schemes regulated by UKAS and those outside of such schemes). High risk breeders would require more frequent inspections which would in turn incur a higher licence fee and low risk breeders would require less frequent inspections and therefore a reduced licence fee.
- **Step 2** – Routine inspections of establishments belonging to members of the Assured Breeder Scheme (more generally, schemes regulated by UKAS accredited bodies) i.e. a low risk breeder, would be conducted by the scheme’s trained and accredited assessors. These inspections would gather the required evidence to demonstrate compliance to the local authority licensing conditions, alongside any additional requirements specific to the Assured Breeder Scheme (or alternative schemes regulated by other UKAS accredited organisations).
- **Step 3** – The completed inspection report would then be submitted to the relevant local authority with a ‘general administration fee’. Assuming compliance to licensing conditions had been met, the local authority would grant an establishment a licence, in accordance with the risk category the establishment fell into. e.g. an Assured Breeder meeting the scheme’s higher standards would be classified as low risk.

In the event that an ABS member was disqualified or left the scheme, the Kennel Club would alert the local authority in order that they were aware that they had responsibility for inspecting that breeder and in

the unlikely circumstance where an ABS member was disqualified for breach of local authority breeding guidelines, this would be flagged to the local authority so they would have the evidence to take immediate and appropriate action.

In the event that a complaint was made to a local authority about an ABS member, the local authority could alert the Kennel Club in order that an ABS assessor could inspect. However as the local authority would remain the licensing authority, they would retain enforcement powers and the right to inspect establishments.

This improved collaboration between the ABS and local authorities would benefit:

- **Puppy buyers**

Many puppy buyers fail to do sufficient research before adopting or purchasing a dog. Raising awareness of the Assured Breeder Scheme would naturally point more puppy buyers in the right direction, towards Assured Breeders and away from puppy farmers/rogue breeders/third party sellers.

- **Members of the public**

Would be able to lodge complaints with either the council or the UKAS accredited body. We would expect complaints about members of a scheme accredited by UKAS to be dealt with by the responsible organisation in the first instance (because as part of UKAS accreditation a robust complaints procedure must be in place); but for UKAS accredited scheme operators to be obliged to keep the local authority updated regarding significant concerns or disqualifications etc. This would reduce the burden on local authorities.

- **Licensed establishments affiliated to a body accredited by UKAS**

Would have the benefit of avoiding duplicate inspections (with the associated cost implications) and additional paperwork etc. Kennel Club Assured Breeders are already subject to continuous monitoring through our formal puppy buyer feedback system so it is counterintuitive that those operating to the highest standards would be required to undergo more frequent inspections (if subjected to separate local authority and UKAS operator inspections).

- **Low volume breeders and responsible breeders**

This model is likely to give a greater incentive to those for whom dog breeding is something they do a few times a year rather than a full time operation. For many, a low volume home breeder is seen as the ideal source of a family pet and it is precisely these dog breeders that our organisation (and many others) would direct potential puppy buyers to at the moment. Of course, reducing unnecessary red tape will be desirable to all licensed establishments, but particularly responsible low volume breeders. Additionally those responsible breeders breeding in greater volume will receive a financial incentive for joining the scheme – where currently there is no real incentive (as they are able to sell their puppies easily outside of the scheme).

- **Local authorities**

We believe the model outlined above provides the framework which any generic scheme run by a UKAS accredited body can sit within, and integrate with the local authority licensing regime. It provides local authorities with overall control of the system; greater intelligence provided by the ABS about breeders within their area; a guaranteed income from more breeders (reduced for members of the ABS); and a reduced burden on already stretched resources to carry out duplicate inspections.

- **Campaigners**

Transparency in the licensing system would be retained as campaigners would be able to make FOI requests to local authorities for inspection reports submitted to them.

SECTION 3

PROPOSED LICENSING MODELS - HOW THE ASSURED BREEDER SCHEME FITS

The following model is based on a star rating – similar to the English system.

The model allows welfare markers to be incorporated into a risk based system (i.e. health testing/formal surveillance measures), awarding 'points' or otherwise to establishments able to demonstrate achievement of these measures. These additional points would allow a licensed establishment to be elevated from the 4th star tier into the 5th star tier.

5 STARS

Assured Breeders



Standard

Highest standards within LA framework + additional auditable standards as per the Assured Breeder Scheme's best practice

Inspection regime

Schemes run by an organisation accredited by UKAS to certify breeders would continue to inspect to additional requirements than the local authority and share inspection reports with the relevant local authority thereby guaranteeing only low risk breeders are certified. Currently reserved for the Assured Breeder Scheme (since this is the only breeder scheme which can certify breeders)

Licence fee

Significant reduction

4 STARS



Standard

Highest standards

Inspection regime

Every 3 years

Licence fee

50% reduction in licence fee

3 STARS



Standard

Additional standards

Inspection regime

Inspection every 2 years

Licence fee

25% reduction in licence fee

1 STAR AND 2 STARS



Level

Minor failings 1*, Minimum standard 2*

Inspection regime

Inspection every year

Licence fee

Full licence fee

MINOR FAILINGS (an existing premises that is failing to meet minimum standards, potentially under improvement notice)		MINIMUM STANDARDS (as determined by guidance)		HIGHER STANDARDS (as determined by guidance)		BEST PRACTICE (as determined by guidance)	
High risk*	Low risk**	High risk	Low risk	High risk	Low risk	Low risk	Low risk
0	0	1 STAR	2 STARS	3 STARS	4 STARS	5 STARS	5 STARS
1 year licence	1 year licence	1 year licence	1 year licence	2 year licence	3 year licence	3 year licence	3 year licence
Minimum 1 visit within 12 month period	Minimum 1 visit within 12 month period	Minimum 1 visit within 12 month period	Minimum 1 visit within 12 month period	Minimum 1 visit within 24 month period	Minimum 1 visit within 36 month period	Subject to ongoing compliance and demonstrating high standards	Routine inspection plus additional inspection on complaint/other intelligence
Option for full costed re-inspection	Option for full costed re-inspection	Full licence fee	Full licence fee	25% reduction in licence fee	50% reduction in licence fee	Significant reduction in licence fee	
**Low risk							
<ul style="list-style-type: none"> • New business (no history) • Poor compliance history (possible previous formal intervention) • Complaints received • Only meeting minimum requirements within schedules for Standard Operating Procedures, records etc. 							
<ul style="list-style-type: none"> • Excellent compliance history • No complaints • Member of scheme run by UKAS accredited body including inspection • Excellent SOPs, records etc. – above minimum requirements within schedules • Ongoing surveillance 							

SECTION 4

KEY STATISTICS

Based on Welsh Government data, Welsh local authorities are currently licensing 219 dog breeders annually – less than a quarter of what they should be based on our own registration data which shows 282 Welsh breeders requiring a licence and the Kennel Club registering one third of puppies bred.

The following figures are based on Freedom of Information requests to all Welsh local authorities.

Local Authority Statistics an average of 2016 and 2017 data	Assured Breeder Scheme Statistics
<ul style="list-style-type: none"> • There are 219 licensed dog breeders in Wales. • Just a quarter of Welsh local authorities license 10 or more breeders. This suggests many high volume breeders will be operating without a licence currently. 	<ul style="list-style-type: none"> • 4,451 breeders are registered on the Assured Breeder Scheme including 165 in Wales.
<ul style="list-style-type: none"> • 50 per cent of local authorities carried out 5 or fewer inspections on dog breeding premises in 2016-2017. 	<ul style="list-style-type: none"> • The ABS inspected approximately 2,200 breeders in 2014, its first year of full inspection, and currently inspects on average approximately 1,200 annually. • The ABS currently has the capacity to carry out 5,000 inspections per annum which grows as the number of scheme members increases.
<ul style="list-style-type: none"> • 2 dog breeding licences were revoked throughout 2016-17. 	<ul style="list-style-type: none"> • 12 Welsh Assured Breeders were suspended from the scheme during 2018.

These figures show that within the local authority licensing regime there is inconsistency in the application of the law and the inspection

regime – some local authorities are inspecting and licensing (and refusing to license) relatively large numbers of breeders, whilst others aren't inspecting or licensing any.

This suggests that without collaboration, tighter regulations do not equate to better enforcement.

SECTION 5

THE ASSURED BREEDER SCHEME – COST AND OBJECTIVES

The ABS is regulated by the United Kingdom Accreditation Service (UKAS) and is not subject to any outside influence.

UKAS accreditation of the Kennel Club to certify breeders ensures that assessors are trained, and operate in a consistent manner. UKAS accreditation is the formal recognition that the Kennel Club is competent to perform specific processes, activities and tasks (which are detailed in the scope of our ABS accreditation) in a reliable, credible and accurate manner. The provision of accreditation is undertaken impartially; is objective, transparent and effective; uses highly professional, competent assessors and technical experts in all relevant fields; and uses assessors (and subcontractors) that are reliable, ethical and competent in both accreditation processes and the relevant technical fields. Accreditation delivers confidence in conformity statements. It underpins the quality of results by ensuring their traceability, comparability, validity and commutability (www.UKAS.com).

The Kennel Club is a not-for-profit organisation with a Charitable Trust which works solely to improve the health and welfare of all dogs. The Kennel Club set up the ABS to tackle puppy farming by raising the standards of breeding, thereby improving dog health and welfare, and helping the puppy buying public identify the best breeders i.e. Assured Breeders.

Previously the scheme ran at a cost to the Kennel Club of £120 per breeder over a three year period. Over recent years a re-structuring of fees has taken place and whilst the scheme still operates at a loss, these losses are considered sustainable. Should the scheme generate an income, then the Kennel Club, as a not-for-profit organisation, would invest any surplus back into projects to advance the welfare of dogs. It is important for the integrity of the scheme that it is not operated as a commercial business.

This allows for members to be disqualified from the scheme at no cost to the Kennel Club, for certification fees to be refused from breeders who do not meet our criteria and allows the Kennel Club to review and raise the standards of the ABS, as is done frequently. Within the past six months alone, six new DNA testing schemes were incorporated

into the Assured Breeder Scheme, bringing the total to 79 DNA tests across 80 breeds, resulting in puppies being born completely free of the relevant conditions.

At the present time Assured Breeders cannot meet all the demands of the puppy buying public, as the scheme has just approximately 4,500 members (providing around 25,000 of the 750,000 dogs sold annually in the UK – or just 3 per cent). However, if there was a strong incentive for more breeders to join the scheme, it would lead to real improvements in terms of dog health and welfare; if Assured Breeders were more commonplace, it would help the puppy buying public know where to go to get a well-bred dog (pedigree and crossbred), in order that, over time, the current high demand for puppies from puppy farmers would reduce and the demand for puppies from reputable breeders would increase.

This problem cannot be underestimated as it is clear the puppy buying public cannot recognise a puppy bred by a commercially driven breeder with low welfare standards (often referred to as a 'puppy farmer').

At the moment, the vast majority claim that they would never buy a puppy from a puppy farmer; however recent statistics from the Puppy Awareness Week 2018 survey Welsh data indicate that many may unwittingly do so.

One in five people (18 per cent) suspect their puppy could have come from a puppy farm and this is likely to be even higher, as 34 per cent would not be confident that they could spot the signs that a puppy had been bred by a responsible breeder, before buying.

One of the main indicators that a puppy may have been bred on a puppy farm is if the puppy is sold without the mother being present, or if the buyer is not shown where the puppy is kept and cared for.

In total, 37 per cent of people who bought a puppy in 2018 did not see the puppy with its mother or suspected the mother was a fake and 30 per cent did not see its breeding environment. In total 18 per cent suffered financial or emotional hardship as a result of their puppy buying experience.

An important picture has emerged from the research of a nation who make hasty puppy buying decisions, with serious consequences in terms of the choices they make and the subsequent health and welfare of their puppy. According to Puppy Awareness Week 2017 UK data one third of people will spend less than 15 minutes choosing a puppy and one in five people admit that they spent no time at all researching where to buy their puppy. However, these hasty and impulsive puppy buying habits are having dramatic consequences. Dogs owned by people who spent more than an hour researching where to buy them from are likely to live twice as long as those who spent under 20 minutes choosing a puppy, which mean mortality ages of 8.8 and 4.3 respectively, when the average age a dog lives to is around 12.

Furthermore, one quarter of pups under six months suffer from conditions ranging from Parvovirus – a potentially deadly disease often associated with puppy farmed dogs – to kennel cough, if their owners spent only 6–20 minutes researching where to buy them. One in ten of these died in their first six months or needed ongoing treatment.

In comparison only 12 per cent of puppies under six months suffered from these conditions if their owners had spent more than an hour researching where to buy.

Similarly, almost half of people (47 per cent) claim to have suffered emotional and financial hardship after buying a puppy if they spent between 6 and 20 minutes researching where to buy their puppy, compared to 6 per cent who spent more than an hour finding out where they should buy their puppy.

People are not only failing to invest time in researching where to buy their puppy, but they are confused about what they should look for, with more than a third of people (34 per cent) saying that they would not be sure where to look for a responsible breeder. The Kennel Club Assured Breeder Scheme makes it easy for people to find responsible breeders, whose standards have already been assessed and if the number of breeders on the scheme were to grow, there would be more puppies available through this route, and the brand awareness would increase amongst puppy buyers. Almost three quarters (73 per cent) say they would be interested in a list of breeders who have already

been checked by an independent and UKAS approved body, to help them find a responsibly bred puppy more easily.

The size of the puppy market is vast: there are between 8.5–9 million dogs in the UK with an average life span of 12 years. Around 750,000 dogs are bred each year and are sold for £500 on average (a low estimate) – equating conservatively to £375 million. This is calculated from data provided by from the Pet Food Manufacturers Association on their estimates of how many dogs there are in the UK. In Wales specifically we estimate based on our registration data, 75,000 puppies are acquired annually, with a value of approximately £37.5 million (based upon the same low estimate of £500 per puppy). The PFMA further estimate in Wales there are approximately 650,000 dogs, with 29 per cent of the population, or some 460,000 households owning dogs.

Working with Agria, the organisation that administers and underwrites Kennel Club pet insurance, the Kennel Club is able to monitor the progress of the ABS with empirical verification that the scheme is achieving its core aims.

Agria’s analysis highlights that dogs bred by Assured Breeders are costing owners on average 18% less in unplanned veterinary fees and are 23% less likely to need to visit the vet. For older dogs who experience many of the health issues the scheme is specifically endeavouring to target, the differences are more acute with dogs bred by Assured Breeders 34% less likely to need to see a vet resulting in veterinary bills that are 27% lower for their owners.

SECTION 6

BEST PRACTICE FOR ASSURED BREEDER SCHEME MEMBERS

Additional surveillance mechanisms are incorporated into the ABS – many of these (i.e. those which are non-breed specific) could be incorporated into a risk based licensing system. The additional requirements Assured Breeders have to meet can be summarised as follows:

- **Customer feedback**

Every puppy sold by an Assured Breeder is accompanied by a puppy feedback form which provides an opportunity for the customer to inform the Kennel Club about the puppy and their experience with the breeder. Post sales advice and information must be provided to the new puppy owner on immunisation, worming, feeding, grooming, behavioural traits, socialisation and exercise, and puppy buyers must be alerted to the complaints procedure. Feedback is collated and recorded and the level of feedback is monitored with action taken if levels are lower than average. Any negative feedback is acted upon, and this will generally result in additional inspections, and subsequent action if considered necessary.

- **Litter checks**

Every single litter bred by an Assured Breeder is checked when it is registered with the Kennel Club. These checks provide a vital opportunity to aid the surveillance of breeding practices and identify discrepancies at the earliest possible stage. These checks ensure that the litter complies with regulations affecting the genetic health status of the parents, the minimum/maximum age of the dam, the number of previous litters, date of birth, date of mating, previous caesareans etc. Bitches must not be bred from if they are under one year of age or over eight years old (even though there is no legal upper age limit), if they have had two caesarean sections, or if they have previously produced four litters even if the legal maximum is six. NB: we currently provide much of this information upon request. If the ABS is successfully incorporated in a collaborative risk based system, the Kennel Club will provide litter and breeder information on a routine basis to local authorities, which will play a vital role in identifying which breeders are required to hold a licence.

- **Vet health checks**

Every puppy sold by an Assured Breeder must be examined by a vet prior to sale. This ensures transparency on the physical health

status of each individual puppy. The Assured Breeder is required to keep a record, and the purchaser is able to inform the Kennel Club (via the puppy feedback form) if a vet check has not taken place. In addition, the Assured Breeder is required to include details of the vet check in their contract of sale, a copy of which is checked at the time of an inspection visit.

- **Publishing of litter details**

The details of each litter, including the number of puppies born, names and sexes of puppies, and names of new owners are published by the Kennel Club in our 'Breed Record Supplement'. This information is available in the public domain and is provided free of charge to a number of agencies. This provides further transparency and allows fewer opportunities for breeders to operate 'under the radar'. There is also an effective peer-review system in place whereby discrepancies are reported to the Kennel Club as and when these arise.

- **Health test screening**

Assured Breeders are required to screen their breeding stock, and in some cases, their puppies, for signs of hereditary disease. Some of the tests are long standing health schemes with proven predictive efficacy (BVA/KC hip, elbow and eye schemes), whilst others are DNA tests which can give cast iron guarantees that a puppy will not be affected by a known hereditary disease. Members of the ABS must participate in any breed health survey or reasonable health initiative in their breed(s). The collection of health data in all breeds of dog is an urgent priority and the expectation is that any Assured Breeder will assist in this process. We acknowledge that this is a complex area and understand why such detail cannot be incorporated into regulations, but it could be recognised as an element of a risk based system as it provides essential guarantees to puppy purchasers about the future and long term health of puppies being bred.

- **Buyer selection and after sales service**

Assured Breeders are required to undertake checks to ensure that any prospective puppy buyer is able to provide a good home for the puppy and that there is a reasonable expectation of offering a permanent home.

- **Ban on third party sales**

Third party selling is effectively puppy dealing, and as such, is not allowed by the Kennel Club. We believe that legitimising third party sales contributes to the increasing problem of puppy farming and buyers not knowing where to get a well-bred puppy. There are many other welfare groups also campaigning for a ban on third party sales in all circumstances.

- **Allowing any purchaser to be able to view the puppies with their mother, unless an exceptional and documented reason is provided**

There is no requirement for licensed breeders to do this which makes it easier for irresponsible breeders to mislead puppy buyers. Seeing puppies with their mother in the environment where they were born and reared provides a valuable opportunity for buyers to assess the temperament of the mother, to make an assessment on the interaction between the mother and her puppies, and to also make an assessment of the conditions in which the puppies were raised. There is a welfare campaign, 'Where's Mum?' which highlights the importance of this and which many welfare organisations support.

- **Commit to help, if necessary, with the re-homing of any dog that they provide within the scheme, throughout the dog's lifetime, for whatever reason**

There is no requirement for licensed breeders to do this, which may result in unwanted puppies and more dogs ending up in rescue. Responsible breeders care passionately about the puppies that they breed and in the event of unforeseen circumstances, where a puppy should need to be rehomed, they have a vital role to play in ensuring that a suitable new home can be found. This provides an additional incentive for breeders to assess the suitability of the potential puppy buyer and their lifestyle and whether the puppy they are seeking is a good fit.

This list is not exhaustive but helps demonstrate that integration of the Assured Breeder Scheme within the licensing framework provides an opportunity for recognition of these additional, auditable measures which will improve welfare and provide additional benefit to puppy buyers.



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