

Summary: Intervention & Options

Department /Agency: Defra	Title: Impact Assessment of the Draft Codes of Practice for the Welfare of Cats, Dogs and Equines	
Stage: Consultation	Version: Final	Date: 23 October 2008
Related Publications: Animal Welfare Act 2006 Regulatory Impact Assessment (RIA) on the Animal Welfare Bill		

Available to view or download at:

<http://www.defra.gov.uk/>

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What is the problem under consideration? Why is government intervention necessary?

The Regulatory Impact Assessment (RIA) in respect of the Animal Welfare Bill showed that the RSPCA had investigated 11,150 cases (2003/4) where basic needs of food, water, accommodation and access to veterinarian care for cats, dogs and equines were not being met. The Animal Welfare Act 2006 (AWA 2006) introduced a statutory duty of care requiring owners / keepers to provide for the welfare needs of their animals. The individual Codes of Practice are necessary to meet Section 14 of the Act in order to strengthen its provisions.

What are the policy objectives and the intended effects?

The Codes will improve the welfare of cats, dogs and equines by better informing owners/keepers on how to provide for the needs of their animals. They do not contain offences but may be referred to by the courts either as evidence in support or in defence of a prosecution.

What policy options have been considered? Please justify any preferred option.

Codes of Practice, chosen as the best and preferred option when the Animal Welfare Bill was proposed, and

Since the Government is obliged to publish these codes of practice, no other options are appropriate.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?

Time scale - 3 years

Ministerial Sign-off For consultation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister:

.....Date:

Summary: Analysis & Evidence

Policy Option: Statutory codes of practice	Description: This assessment considers only the impact of statutory codes of practice.
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COSTS	ANNUAL COSTS	Description and scale of key monetised costs by 'main affected groups' It is not expected that there will be any significant costs to any particular group as a result of the these Codes because they do not impose any additional obligation over and above the requirement contained in the AWA for owners/keepers to provide for the welfare needs of their animals.		
	One-off (Transition) Yrs			
	£ N/A			
	Average Annual Cost (excluding one-off)			
	£ N/A		Total Cost (PV)	£ N/A
Other key non-monetised costs by 'main affected groups'				

BENEFITS	ANNUAL BENEFITS	Description and scale of key monetised benefits by 'main affected groups' .No significant annual benefits, but following advice in codes could avoid expensive veterinary bills through prevention of injury/disease.		
	One-off Yrs			
	£ N/A			
	Average Annual Benefit (excluding one-off)			
	£ N/A		Total Benefit (PV)	£ N/A
Other key non-monetised benefits by 'main affected groups' It is possible that the codes will help reduce the number of prosecutions by allowing enforcers to point out to transgressors what they should do to avoid prosecution – this could mean some benefits, but measuring this would be difficult.				

Key Assumptions/Sensitivities/Risks It is assumed that some owners lack enough knowledge about how to provide for the welfare of their animals and this can be addressed through education.

Price Base Year	Time Period Years	Net Benefit Range (NPV) £ N/A	NET BENEFIT (NPV Best estimate) £ N/A
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What is the geographic coverage of the policy/option?	England			
On what date will the policy be implemented?	April / Oct 2009			
Which organisation(s) will enforce the policy?	N/A			
What is the total annual cost of enforcement for these organisations?	£ N/A			
Does enforcement comply with Hampton principles?	Yes			
Will implementation go beyond minimum EU requirements?	No			
What is the value of the proposed offsetting measure per year?	£ N/A			
What is the value of changes in greenhouse gas emissions?	£ N/A			
Will the proposal have a significant impact on competition?	Yes/No			
Annual cost (£-£) per organisation (excluding one-off)	Micro N/A	Small N/A	Medium	Large
Are any of these organisations exempt?	No	No	N/A	N/A

Impact on Admin Burdens Baseline (2005 Prices)			(Increase - Decrease)	
Increase of £	Decrease of £	Net Impact	£	

Key: Annual costs and benefits: Constant Prices (Net) Present Value

[Use this space (with a recommended maximum of 30 pages) to set out the evidence, analysis and detailed narrative from which you have generated your policy options or proposal. Ensure that the information is organised in such a way as to explain clearly the summary information on the preceding pages of this form.]

This short Impact Assessment supplements the full evidence provided in the Regulatory Impact Assessment (RIA) [provide link] in respect of the Animal Welfare Bill.

Introduction

1. Shortly after the introduction of the AWA 2006, Defra started talks with key stakeholders to develop codes of practice in order to make improvement to the welfare of the animals concerned. The devolved administrations in Wales and Scotland have already consulted on all codes this year. Wales has laid its codes whilst Scotland will follow shortly.
2. The codes of practice for dogs and cats being put forward for consultation in England will be copies of those laid in Wales. However, the code of practice for equines will differ minimally following small changes by the Defra veterinary surgeons. It has been agreed by the devolved administrations that none of the codes will differ from each other in any magnitude, and subject to evidence gathered from the consultation.
3. It is not anticipated that the codes of practice for dogs and cats will compete with any other publications issued by the voluntary organisations but will provide basic advice and guidance on the welfare of each species.
4. In the equine sector however, there already exists the Equine Industry Welfare Guidelines Compendium: a publication written by the industry, consulted upon within the industry and regularly revised. The Compendium provides best practice guidance for owners / keepers and will support the code of practice which will give basic guidance only.

Rationale for the Introduction of the Codes

5. The chosen option for the government is the publication of these guidance codes of practice under section 14 of the AWA 2006. It is not intended that the Codes be produced as printed publications, but that they will be available as 'free of charge' downloads through the Defra website to promote good animal health and welfare. Promotion through the website will incur minimal costs for the department, and the Codes will be publicised in this way through press releases. It is understood that voluntary organisations, the commercial sector and veterinary surgeons will, at little or no cost to their businesses, decide to promote them to owners / keepers in the interests of good animal welfare.
6. The consultation on the AWA considered options for improving animal welfare for companion animals; this assessment considers only the impact of the chosen option – statutory codes.

Background

7. The main purpose of the Codes is to provide practical guidance in respect of any provision made by or under the AWA. A person's failure to comply with a provision of a code of practice will not be liable to proceedings of any kind, but failure to comply with several provisions may be used in evidence to support prosecution proceedings.
8. The Codes should offer little or no burden on owners/keepers/enforcers because they:
 - contain no offences;
 - provide non-binding guidance;

- will be available to the courts to support a case or when making judgements on whether relevant welfare standards stipulated in the Act have been attained;
- will support the statutory duty of owners/keepers to provide for the welfare needs of animals in the AW Act in that they should already be providing this level of care for their animals and
- will be referred to by enforcers when issuing enforcement notices.

The Impact of the Codes of Practice on Businesses, Charities and the Voluntary Sector

9. The Codes should have minimal impact on individuals. They will be informed of their responsibility to monitor the welfare of their cats, dogs and equines.
10. The Codes may impact on charities and the voluntary sector in two areas;
 - a) There may be a reduction in the number of cases being brought to prosecution as a result of enforcers being able to refer offenders to the codes, which may result in both a time and financial benefit to the charities, but measuring would be difficult.
 - b) There may be some financial burden to the welfare and voluntary organisations undertaking to publicise all three codes through their own publications and on websites with links to the Codes on the Defra website. These costs will be incurred as a result of voluntary decisions to make information available.
11. Minimal costs may be incurred by businesses (pet shops, veterinary surgeons, kennels, catteries, livery stables etc.) as a result of voluntary decisions to make information available to:
 - their employees
 - owners who leave animals in their care
 - anyone who buys an animal from them or to whom they supply [or hire/lend etc] animals

Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	<i>Results in Evidence Base?</i>	<i>Results annexed?</i>
Competition Assessment	Yes	Yes
Small Firms Impact Test	Yes	Yes
Legal Aid	Yes	Yes
Sustainable Development	Yes	Yes
Carbon Assessment	Yes	Yes
Other Environment	Yes	Yes
Health Impact Assessment	Yes	Yes
Race Equality	Yes	Yes
Disability Equality	Yes	Yes
Gender Equality	Yes	Yes
Human Rights	Yes	Yes
Rural Proofing	Yes	Yes

Specific Impact Tests

Annex A

Competition Assessment

13. The Codes of Practice will not affect competition. All businesses will need to be aware of the content, but are not regulated by it.

Small Firms Impact Test

14. It is anticipated that the impact on businesses will be minimal. There may be a small administrative burden on individual managers of businesses running pet shops, veterinary surgeons, kennels, catteries, livery yards or any similar establishments regarding time to read the documents, absorb the information and decide what, if any, impact will be made on their specific business. [See Paragraph 11 above].

Legal Aid

15. It is not anticipated that the burden on the courts will be increased as a result of these codes. In fact, it can be argued that fewer prosecutions may indeed take place because of their publication.

Environmental impacts, Carbon Assessment & Sustainable Development

16. It is not anticipated that the Codes of Practice will lead to any change in the Emission of Greenhouse Gases or have any other impact on the environment or sustainable development. The codes will not have a differential impact on any particular group of people or region.

Health Impact Assessment

17. It is not anticipated that there will be any detriment to human health. In fact, it could be said that an improvement in companion animal health and well-being may improve human well-being.

Race equality assessment

18. There is no race equality impact associated with this measure.

Disability equality assessment

19. No disability equality impacts have been identified.

Gender equality assessment

20. No gender equality impacts have been identified.

Rural Proofing

21. It is not anticipated that the codes will impact any more in rural areas than they will in other parts of the country. [See Paragraph 14 **Small Firms Impact Test**]