

## BACKGROUND

It is recognised that customers experiencing financial hardship can find it difficult to pay the fees associated with the impounding of their animal/s. The RSPCA support an Animal Pound Hardship Policy. Council and the RSPCA are strongly supportive of companion animal rehoming. The Companion Animals Act 1998 Section 95(1) provides that any fees or charges payable, “may be reduced or waived in respect of person in receipt of a pension, benefit or allowance under the Social Security Act 1991.....”

Should an owner be unable to afford the fees associated with releasing an impounded animal within the prescribed time (7 or 14 days depending if the animal is identified) their animal becomes the property of the Council. The animal is then transferred to the RSPCA when **written advice of the transfer** of ownership is received by Council and approved and the animal is then either re-homed or euthanased by the RSPCA.

The Deed of Agreement with the RSPCA to operate the Animal Pound does not allow the RSPCA to vary Council’s adopted fees and charges without approval by Council. The Deed of Agreement requires the RSPCA (Clause 8) to submit any application for waiver or reduction of fees and charges associated with the impounding of a companion animal to Council with details in writing as soon as practicable.

If the impounded animal is determined to be either a Nuisance, Menacing, Dangerous or Restricted Breed Animal, this requirement does not apply and the RSPCA will be directed in writing by Council as to how the animal is to be processed.

Representations are predominantly received whilst the owners are at the RSPCA operated pound trying to claim their animal.

## OBJECTIVES

- Provide a mechanism that considers genuine financial hardship in relation to the payment of the fees and charges associated with the release of impounded animals from the RSPCA Animal Pound.
- Minimise financial and emotional stress for animal owners and their families.
- Prescribe processes to ensure the effective and transparent management by Council and RSPCA staff of hardship requests associated with animal impounding.

## SCOPE

This Policy applies to customers, delegated Council Officers, and RSPCA staff involved in animal ownership or management, as part of Council’s Deed of Agreement with the RSPCA.

Financial hardship will not be considered for owners of a companion animal/s that has attacked a person or animal or to a recurring animal or hardship applicant.

## POLICY STATEMENT

To establish fair and equitable guidelines to enable the consideration of genuine financial hardship relating to owners of impounded companion animals.

## STATEMENT OF PROCEDURES

### DEFINITION – FINANCIAL HARDSHIP

Hardship is the combined consideration of many factors including the following:

- Capacity to pay;
- Age of the owner;
- Circumstances of the owner including serious illness;
- Mental state of the owner; and
- Ability to pay via support network.

Consideration is also given to any unusual circumstances surrounding the impounding of the animal and/or circumstances surrounding the owner's notification of impounding that will impact on the ultimate financial liability.

## FEES

The following fees and charges apply to an animal in the pound.

**Registration fee** – This is a statutory fee and an animal is legally required to be registered prior to leaving the pound. Registration fees will not be reduced or waived.

**Microchip fee** – this fee is an RSPCA fee charged for the cost of implanting the microchip and completion of required paperwork.

**Vet fees** – any veterinarian fees recharged as a direct cost relating to the animal.

**Release fee** – The release fee is a charge that relates to the administration and animal handling required when releasing an animal.

**Sustenance fees** – Daily fees associated with food, water, first aid, general health care (parasite control, worm control, flea control, skin conditions etc) and cleaning of the kennel and bedding.

## HARDSHIP PROCEDURE

In cases of hardship an owner or debtor shall request assistance from Council in writing. This will typically occur at the Animal Pound via RSPCA staff (See Appendix A for the Companion Animal Hardship Fee Relief Application Form).

The following assessment procedure will be undertaken for each request for consideration of financial hardship.

1. The initial request will come directly via the animal owner or animal owner's representative or via discussion with the RSPCA staff with the owner/representative at the RSPCA front counter.
2. Upon receipt of the written Assistance Application Form the assessment of financial hardship will be undertaken by either the Coordinator Ranger Services or the Compliance & Regulation Manager. The initial assessment requires information relating to:
  - the total fees owing;
  - date of impounding;
  - animal owner's name;
  - name of person making the representations for hardship (eg animal owner, family member etc); and
  - any extenuating, unusual circumstances relating to the seizure of the animal.
3. In addition the Companion Animals Register will be checked to determine if the animal has had any previous release history utilising Council's Hardship Policy. Any previous reduction related to the particular dog will disqualify the person from Council's Hardship Policy.
4. Upon discussion with the animal owner or animal owner's representative, regarding the above information and their financial circumstances, the Coordinator and Compliance & Regulation Manager will make a decision regarding financial hardship. Should the decision not support a reduction in fees the owner/representative/RSPCA will be advised in writing that their request is not supported and they will be required to pay the fees and charges in accordance with the Council adopted fees and charges before the release of their animal.
5. Should genuine hardship be determined there are two (2) options that can be considered:
  - a. The reduction of the Sustenance Fee from the date the owner first contacted the RSPCA to claim the animal. This allows additional time for the owner to source finances without fees escalating each day

the animal remains in the pound. The additional time allowed is limited to the prescribed time under the Act, ie. 7 days or 14 days depending on whether the animal is already identified by a microchip. At the expiry of this time period ownership of the animal/s transfers to Council and, if approved, then to the RSPCA as per the Deed of Agreement.

- b. In extreme or severe financial hardship cases the Sustenance Fee may be reduced to a one (1) day minimum and the release fee waived.
6. Upon completion of the Companion Animal Pound Hardship Application Form (Annexure A) and finalising a decision, the Coordinator or Compliance & Regulation Manager or delegate will document the hardship determination in TRIM. The final approval shall be made by the one up Manager. This shall occur within two (2) business days as per the Deed of Agreement at clause 8.3.
  7. The Coordinator or Compliance & Regulation Manager or delegate will then contact the animal owner and the RSPCA in writing to advise of the determination and also TRIM the formal response within the Regulation and Enforcement Container.

#### MONITORING AND REVIEW

In addition to TRIM registration of the endorsement correspondence, the Coordinator or Compliance and Regulation Manager or delegate will log the details into Council's Companion Animal Pound Hardship container file for later review. Details in this review indicate the name of the owner, the companion animal's details, the circumstances considered and the endorsed result, including the reduction involved in each instance.

## ANNEXURE A



**Hardship Fee Relief Application**  
**Section 95(i) Companion Animals Act 1998**

Applicant Information			
Name:		Telephone No.:	
Address:			
Suburb:		State:	Postcode:
Animal Name:		Breed:	
Please provide detail below of reason or circumstances for seeking hardship relief:			
Signature:		Date:	
RSPCA Use Only			
Impound Date:		No. Days Impounded:	
Microchip No.:		Lifetime Registered?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Impound Tag No.:		Impounded Previously?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Current Fees Owed			
Lifetime Registration Fee:	\$	Vet Fees:	\$
Sustenance Fees:	\$	Release Fee:	\$
Total Fees Owed:	\$		
Has the applicant been confirmed as a legal owner of the animal?			<input type="checkbox"/> Yes <input type="checkbox"/> No
Additional Comments:			
RSPCA Staff Member:			
Signature:		Date:	
Please scan and email completed form to <a href="mailto:records@wollongong.nsw.gov.au">records@wollongong.nsw.gov.au</a>			

Wollongong City Council Use Only	
Has the applicant applied for hardship fee relief in the past?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the animal declared dangerous, menacing or a nuisance?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is it intended that the animal will be declared dangerous, menacing or a nuisance?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is there a history of the animal roaming or being impounded?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the animal a restricted breed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other Relevant Information:	

Recommendation	
<input type="checkbox"/> Fees Waived <input type="checkbox"/> Fees Reduced <input type="checkbox"/> No Action	
Details of recommendation:	
Reason for recommendation:	
Position:	Name:
Signature:	Date:

Approval	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Position:	Name:
Signature:	Date:

SUMMARY SHEET	
Responsible Division	Regulation and Enforcement
Date adopted by Executive Management Committee	18 December 2018
Date of previous adoptions	30 July 2014, 1 July 2013
Date of next review	April 2020
Responsible Manager	Compliance & Regulation Manager
Authorised by	Manager Regulation and Enforcement