

Providing animal control services to councils

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INTRODUCTION

The provision of animal services to councils does not significantly differ to that of providing any other service to a potential or existing customer. The supplying of any service is dependent upon the consumer's needs and wants and the ability of the service provider to satisfy those needs and wants. However, the supply of animal control services to councils within Victoria does take on a consequential challenge as opposed to the supply of most other services. This is predominantly due to animal control being one of the few services that has legislative controls placed upon it by the State Government.

Therefore, not only do service providers need to ensure that the service is of satisfactory quality and appropriate, but also they need to carefully design the service to fit the framework provided by the legislators. This in itself seems to go against the State Government wishes of providing the best possible service at a competitive price to the consumer - the general public. The legislation in its current form tends to support the current monopolistic market rather than the *laissez faire* system required to fully reform these services within Local Government.

This is not to say that animal control services cannot be provided to council by the private contractor, but merely to illustrate the environment in which the service must exist.

This paper will examine the difficulties associated in the supply of animal control services, what is necessary in the successful supply of services to councils, why councils may want to keep the service 'in-house', and why councils should consider a private contractor.

DIFFICULTIES IN PROVIDING ANIMAL CONTROL SERVICES

As previously mentioned, the major impediment in the supply of animal control services by a private contractor to a municipality is the introduction of the new Domestic (Feral and Nuisance) Animals Act 1994 within Victoria. This legislation allows for certain components of the bill to be contracted out and is quite specific in the areas that are to be treated as such.

Under the previous legislation, the Dog Act 1970, sections 5 and 27 required councils to appoint registration officers and proper officers. This was able to be done without impediment to the appointment of an independent contractor or a nominated employee of the contractor if the contractor was a corporate body.

Section 12 of the Domestic (Feral and Nuisance) Animals Act 1994 defines quite specifically those persons or organisations that are able to act as an agent of a council for the purposes of registration of cats and dogs. These persons or organisations must be:

- a. registered as a veterinary surgeon under the Veterinary Surgeons Act 1958; or
- b. the proprietor of a domestic animal business conducted on registered premises; or
- c. approved by the council for that purpose.

The powers of the agent are limited to that of registering or renewing the registration of animals or referring an application to the council. There would appear to be no provision for the maintenance of the register of dogs and cats by a contractor (section 18 (1) of the Act).

Section 72 of the Act provides that:

'A council may by instrument appoint as authorised officers any specified officer or employee or a specified class of officers or employees of the council.'

This would appear to allow a council to authorise independent contractors to enforce the provisions of the Act as there would seem to be a clear distinction between specified officers and council employees. This being so, then council would be able to contract out the duties, functions and powers of an authorised officer to a person or class of persons as provided for within section 224 of the Local Government Act 1989.

Section 81 of the Domestic (Feral and Nuisance) Animals Act 1994 specifically states those areas in which council may enter into an agreement. 'A council may enter into an agreement in writing with a person or body under which the person or body may be able to do all or any of the following:

- a. seize dogs or cats under section 77(3);
- b. retain seized dogs or cats;
- c. sell or destroy any dog or cat which has been seized;
- d. charge fees for any of the above -

in accordance with the provisions of this Part'.

As section 81 of the Act specifies those areas in which agreements are able to be entered into, this would consequently suggest that a council is not entitled to contract out the powers and functions of an authorised officer other than for the purposes of seizing/retention/destruction of cats and dogs.

It is quite apparent that sections of the Domestic (Feral and Nuisance) Animals Act 1994 are in conflict and that the areas of which councils may contract out are limited. This in itself is in conflict with the provisions of the Local Government Act of 1989 which calls upon councils to tender out up to 50% of council services by 1997.

The Domestic (Feral and Nuisance) Animals Act 1994 does not preclude the councils from contracting out animal control services but it does limit them as to the degree of service an independent contractor may perform. Independent contractors will mainly concentrate upon the collection and housing of stray animals and the subsequent release or destruction thereof, along with the possible collation of registration information of cats and dogs for council processing. It will be necessary for the contractor to pass on to the council all relevant information in regard to the capture of any animal so that council may deal with the owner in accordance with the policy formulated for the circumstances involved. This will necessitate all councils retain some form of a law enforcement unit, as only an authorised officer can enforce fully the provisions of the Domestic (Feral and Nuisance) Animals Act 1994, ie the issue of infringement notices. Ironically though, an independent contractor may be utilised for the purposes of the enforcement of the Road Safety Act 1986, whereby an employee of the contractor may issue infringement notices. It is still necessary for a council officer to further enforce the notice but not to initially issue the notice.

There will be an understandable reluctance upon councils and their current Animal Control Officers to change a process they have known and become familiar with to one that is new or foreign to them. To venture beyond the 'comfort zone' will to many seem a daunting task and one to which they dare not enter. There will even be on occasion an effort by council staff to prevaricate statistical information so as to possibly defend the current situation and ward off any potential threats.

However, the difficulties of the service delivery are measured not by pure statistical information such as how many animals are captured or how many fines are issued, but are measured by the end users of the service and their identification of shortfalls in their expectation of the service. This is illustrated further in what is commonly termed the **Gap Model**:

Gap 1: Between consumer expectations and management perception. Managers may think they know what consumers want and proceed to deliver this when in fact consumers may expect something quite different.

Gap 2: Between management perception and service quality specification. Management either do not set quality specifications or may set clear quality specifications that may not be achievable.

Gap 3: Between service quality specifications and service delivery. Unforeseen problems or poor management can lead to a service provider failing to meet service quality specifications. This can be due to human error or mechanical breakdown.

Gap 4: Between service delivery and external communication. Dissatisfaction occurs due to heightened expectations developed through the service provider's communications efforts. Actual delivery does not meet up to expectations held due to the company's communications.

Gap 5: Between perceived service and expected service. This gap occurs due to one or more of the above. The way the customer perceives the actual service delivery does not match their initial expectations.¹

As can be seen by how a service is measured, today's expectations of a service provider are fairly high. Whether the supplier of the service be an independent contractor or the council itself, both will need to ensure that the above shown gaps are minimised to the extent that the quality of the service delivery clearly meets with the customer's expectations.

SUPPLY OF SERVICES

The provision of animal control services does not significantly alter from the provision of any other service. Services are characterised by their intangibility, heterogeneity, perishability and inseparability of production and consumption. These characteristics pose distinctive problems in enabling potential consumers to distinguish between similar services and/or service providers.

The distinctive nature of a service often makes it difficult for customers to understand what is being offered, identify potential suppliers and evaluate alternatives. Therefore, an important role of the service provider is to help the consumer overcome these difficulties by addressing the characteristics of the service and the problems associated there.

It must be recognised that services are inherently different from goods as well as from each other, and thereby each needs to be treated separately and differently from each other. Due to the previously mentioned characteristics of a service, consumers will rely more upon personal sources for information and feedback regarding the service than they would for the purchase of goods.

The importance of quality services at all times cannot be emphasised enough, remembering though that the quality of a service can vary among customers and also between the same producer and customer at different times. Services are inherently different from goods and cannot be quality controlled at the gate. Thus the production of the service is **heterogeneous** and this **heterogeneity** gives rise to variability in quality. Because customers are usually involved in the production of services at the same time they consume it, it can be difficult to carry out monitoring and control to ensure consistent standards.²

It is thereby necessary to tailor each service toward each potential client. To provide a service that does not differ from one consumer to the next would be foolhardy. As explained by the management guru, Tom Peters: 'Customers perceive service in their own unique, idiosyncratic, emotional, irrational, end-of-the-day, and totally human terms. Perception is all there is!'³

Too often councils supply what they perceive as the necessary service requirements without taking into consideration the needs of their customers. It is these customers that need to be consulted when designing a service and further consulted for feedback and appraisal of the delivery of the service. Why provide a particular element of a service package when there is no real beneficiary and the customers need for that element is non-existent?

Conversely, many organisations make the mistake of creating unreasonably high customer expectations. This causes them to fail by providing no more than mediocre services. Unfulfilled promises create disillusionment and result in a distinct lack of repeat business.

Successful organisations set high standards of customer service and clearly communicate those standards to customers and staff. They do not promise what cannot be delivered and work hard to meet expectations that they have created. Further, many will work even harder to exceed those expectations and turn satisfied customers into delighted ones.

The delivery of quality service will not succeed without staff who are appropriately trained and qualified and share the commitment to quality. Best intentions do not provide best service. Staff are the key to success in the delivery of any service and/or product.

Municipal Services Pty Ltd only provides to potential clients, staff who are fully trained in the area expressly desired. Too often in the past, employers would hire staff who were inappropriate for the area of animal control. This would result in injuries to both animal and Animal Control Officer and further result in poor customer relations and dissatisfaction with the service provided. The unfortunate employee, who had no previous experience and inadequate training for the tasks at hand, was left disillusioned and lacking in confidence to tackle future similar assignments. This then also led to further service delivery problems and increased customer dissatisfaction.

By utilising appropriately trained staff, councils' service level and customer satisfaction is heightened. This ultimately results in increased efficiency and effectiveness without an increase in net expenditure. Exceeding customer expectations does not cost money but rather has the opposite effect.⁴

Summary: in brief, the elements that need to be considered when considering the possibility of supplying or contracting animal control services to councils (as well as any other services) are:

- Addressing and understanding the different characteristics of the service to be provided.
- Recognising the importance of delivering a quality service and ensuring that quality is part of the service culture.
- Tailoring the design of the service to meet and fulfil the client's needs.
- Meet and exceed customer expectations. Fulfil the promises made.
- Training, training and more training. The importance of appropriately trained staff cannot be emphasised enough.

When the above service elements have been examined and considered then the basis for the service delivery can be formed. It is important to plan the service and all of its components before embarking on a major change in the current method.

WHY MAINTAIN THE CURRENT SYSTEM?

As previously explained there will be a necessity for councils to maintain some degree of a law enforcement section. This may be only one or two people for the purposes of processing the necessary data and fulfilling the role of the authorised officer for the purposes of the Domestic (Feral and Nuisance) Animals Act 1994 and other various legislative requirements, or it may be a complete unit that has been appropriately trained and skilled in the tasks required for a business unit to be successful.

It would also be an advantage for both the council and the independent contractor to have access to staff, particularly where the use of local knowledge would be beneficial. Too often valuable knowledge and information about communities and their workings are lost through the displacement of former council employees.

An ideal situation would be where a blend of both contractor and council employees are able to work in harmony so as to provide a complete service to the client. This is entirely possible where former council employees become an employee of the contractor. In fact this is further enhanced when this situation is stipulated and becomes part of the tender document agreement. This ensures continuity of employment for the council officer(s) and ensures that local insight is not lost and can be appropriately utilised.

If the current council business unit is performing well and is prepared to take on the challenge of extending council services to the community then every opportunity should be afforded to the unit so that a complete service may eventuate. There is little to be gained when changing for the sake of change. Change should only be implemented when advantages and gains are able to be realised. This does not mean that constant review should not be undertaken, as this should be part of the normal business practice.

WHY CHOOSE AN INDEPENDENT CONTRACTOR?

Why not? If considering entering into an agreement with an independent contractor many benefits can be gained by a council if the tender specifications are clear and precise and include those areas that were previously considered to be cost prohibitive. This includes such things as a 24 hour service, school education programs, an all animal catching service, pound operation times etc etc.

By contracting out animal control services, councils have an opportunity to enhance the service levels within this area and further increase productivity and service quality to the consumer. By changing its focus from service provider to that of service facilitator, a council will be able to comprehensively determine those elements of a service it wishes to include or exclude. The previous constraints placed upon councils by particular wage constraints and award provisions will no longer be applicable in determining the extent and type of service delivery they seek.

In particular in the field of animal control, the emphasis will be upon the contractor to provide specialist staff for the tasks at hand. It will no longer be acceptable for pseudo animal control officers to carry out those functions that require expertise and specialist animal handling knowledge. Too often in the past there were officers placed in situations for which they had no or little training. They were ill-prepared for the stresses of apprehending and capturing animals that may be distressed and/or aggressive.

By utilising animal control professionals, incidents of trauma and injury are reduced for both the animal and the officer. This results in an increase in customer service levels and a decrease in customer complaints and costs associated with injury claims by staff.

The importance of the correct staff and the correct equipment for the task cannot be emphasised enough. In today's climate where the importance of quality is continually being extolled, why take short cuts when it comes to the dealings of other people's animals? Certainly most individuals would not consider anything that may cause distress and/or harm to their own animals so why jeopardise others and the service provider/customer relationship?

CONCLUSION

As has been outlined, the provision of animal services to local councils is in the process of change in both how the service is to be provided and who is to be the provider. Regardless of who the supplier of the service is to be, it is evident that the manner of the service delivery is and must undergo substantial change. The Domestic (Feral and Nuisance) Animals Act 1994 is a clear indicator of the changes that are to be undertaken by councils and will ultimately result in further changes in how the tasks are to be performed.

The function of an Animal Control Officer is in the process of becoming more specialised than it was previously. As the needs of the community grows, also as indeed the community continues to expand, so to will the role of the Animal Control Officer. No longer will it be acceptable for this vitally important role to be palmed off to the next available staff member, with little regard as to the suitability of person and the task at hand.

Service quality and safety to the consumer and officer are imperative when considering the delivery of animal control services.

Too often in the past it was common practice to employ staff in the local laws office and assign the task of 'ranger' to the new employee. The justification of this decision was the belief that the new staff member was 'not skilled' enough to carry out the other duties of the office. However, it is rapidly becoming apparent to many in positions of power, that this method of supplying animal services to the general public is both inappropriate and fraught with danger.

The need for professional animal services and Animal Control Officers cannot be ignored any longer. The introduction of the Domestic (Feral and Nuisance) Animals Act 1994 is the first step of hopefully many future steps into improving the current situation. Let us hope that complacency does not eventuate from this move and that further enhancements and improvements are to be forthcoming. It has taken approximately 24 years (not withstanding amendments) to move from the Dog Act 1970 to the current legislation.

The supply of animal services to councils by either independent contractors and/or councils own business unit, is one of importance and requires the professionalism and expertise that is expected from any other service industry. Near enough is nowhere good enough any longer.

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Footnotes

¹ Palmer, A. (1994). *Principles of Services Marketing*, McGraw-Hill, London

² Palmer, A. (1994). *Principles of Services Marketing*, McGraw-Hill, London, p6

³ Anderson, K. and Zemke, R. (1991). *Delivering Knock Your Socks Off Service*, AMACOM, New York, p7

⁴ DeVrye, C. (1994). *Good Service is Good Business*, Prentice Hill, Sydney

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Andrew is a director of Municipal Services Pty Ltd, telephone 018 366 494, a specialist service provider to Local Government in the fields of regulatory service provision, business planning, strategic planning, management advice, secretarial services, establishment of profit centres (business units), systems analysis (both IT and non IT), specialist temporary staff, and accounting services and advice. Municipal Services is also Australia's leading supplier of specialist animal capture equipment.

Andrew is a Local Government specialist with over 11 years experience working and managing areas within various councils. He also consults to both private enterprise and Local Government on a variety of matters.

Andrew holds a Bachelor of Business in Management and is a member of the Australian Institute of Management and of the Australian Human Resources Institute. He was responsible for the successful introduction and management of a regional pound facility located at the former City of Moorabbin and is author of the *Southern Regional Pound Feasibility Study* (1991), funded under the Local Government Initiatives Program.

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