

Providing Quality, Affordable, Sustainable Homes



## **PET POLICY**

If you need this policy in another format, for example larger print, audio format, Braille, Dyslexia friendly or in another language, please contact us.

## Table of Contents

Table of Contents .....	1
Section 1 – Purpose of Policy .....	2
Section 2 – Scope.....	2
Section 3 – Key Legislation.....	4
Section 4 – Policy Statement .....	<b>Error! Bookmark not defined.</b>
Section 5 – Staff Development .....	<b>Error! Bookmark not defined.</b>
Section 6 – Performance Management.....	7
Section 7 – Policy Owner.....	<b>Error! Bookmark not defined.</b>
Section 8 – Review .....	<b>Error! Bookmark not defined.</b>
Section 9 – Dealing with Complaints .....	8

## Section 1 – Purpose of the Policy

- 1.1 This policy outlines Argyll Community Housing Association's approach to promoting responsible pet ownership.
- 1.2 The intention of this policy is to provide our tenants who wish to have pets with guidance and advice on what pets we allow in our tenancies and how to keep and care for them responsibly.
- 1.3 The aim of this policy is to provide a consistent approach to pet ownership and a balance to ensure that pet ownership does not infringe on the rights of other tenants and to the peaceful enjoyment of their home.
- 1.4 This policy aims to provide clarity on our approach to pet ownership, including which type and how many pets are allowed, how to seek permission to keep a pet, the grounds on which permission may be refused or revoked and how to be a responsible pet owner.

## Section 2 – Scope

- 2.1 This policy applies to all occupancy types including Scottish Secure tenancies, Short Scottish Secure tenancies, Occupancy agreements, Travelling Persons Site leases and any special leases.
- 2.2 This policy applies to all tenants who keep pets in their tenancies or who wish to keep pets in their tenancies.
- 2.2 The roles and responsibilities of staff with regards to this policy are as follows:-
  - **The Director of Customer Experience** is responsible for ensuring that this policy is reviewed in accordance with the schedule for review of policies or sooner if required.
  - **The Regional Manager** is responsible for review of this policy and for ensuring the relevant measures are put in place in order to implement its requirements.
  - **Operational Managers** will be responsible for the effective implementation of this policy and the procedure which supports it within their area of responsibility. They must also ensure that each member of their staff, is made aware of this policy through induction, training, or e-learning.
  - **All ACHA employees** are required to familiarise themselves with this policy and the associated procedure which supports it and comply with its provisions as well as undertake any training implemented in association with this policy.
- 2.3 This policy is supported by a procedure which provides guidance to staff who deal with issues regarding pets in our tenancies or applications from our tenants who wish to keep pets in our tenancies.

## Section 3 – The Law, Good Practice and Links to Other ACHA Policies and Strategies

3.1 In order to effectively deliver the aims and obligations of this policy ACHA will meet the requirements of the following:-

- Antisocial Behaviour Etc. (Scotland) Act 2004
- Housing (Scotland) Act 2001
- The Dangerous Dogs(Designated Types)Scotland Order 2024
- The Dangerous Wild Animals Act 1976
- The Dangerous Dogs Act 1991
- The Litter (Animal Droppings) Order 1991
- The Control of Dogs Order 1992
- The Dangerous Dogs Amendment Act 1997
- The Animal Health and Welfare(Scotland) Act 2006
- The Microchipping of Dogs(Scotland) Regulations 2016
- The Equality Act 2010
- Housing (Scotland) Act 2014
- The terms of the Scottish Secure Tenancy Agreement and any other lease or agreement in place
- ACHA's Actions by Unreasonable Complainants policy
- ACHA's safeguarding policy
- ACHA's Estate Management Policy
- Anti-social Behaviour Policy
- Allocations Policy
- Red Flag Policy

3.2 The terms of the Scottish Secure Tenancy Agreement and other leases or agreements in place with Argyll Community Housing Association section 2.5 states:-

### **Keeping of Pets**

A maximum of 2 domestic pets (as defined below) will be allowed within the property. The following conditions will have to be met before permission is granted:

- Keeping your pet is not prohibited by the Dangerous Dogs Act 1991, or by any other law,
- You are responsible for the behaviour of any pets owned by you or anyone living with you,
- You must take all reasonable steps to supervise and keep such pets under control,
- You must take all reasonable steps to prevent such pets causing nuisance, annoyance or danger to your neighbours. This includes fouling or noise or smell from your domestic pet,
- You must take reasonable care to see that such pets do not foul or cause damage to the house, your neighbour's property, anything belonging to us or anything we are responsible for, such as the common parts,
- We will be entitled to require removal of the pet if it is causing nuisance or damage,
- You will be responsible for cleaning up dog faeces.

Domestic pet means dog, cat, bird (excluding pigeons), fish, rodent (such as a hamster, gerbil or mouse), small non-poisonous reptile (such as a terrapin or tortoise) or non-poisonous insect or amphibian (such as a newt). This does not include any other animal.

- 3.3 **The Animal Health and Welfare (Scotland) Act 2006** – introduced the concept of a duty of care which means that people are legally obliged to ensure the welfare of the animals in their care. This Act will inform the conditions that Argyll Community Housing Association lays down for tenants owning a pet and the circumstances under which permission may be withdrawn or further action taken.
- 3.4 **The Dangerous Dogs Act 1991**- makes it an offence to keep specific breeds of dogs. Permission will not be granted to keep a dog that is prohibited by this Act or any similar legislation.
- 3.5 **The Dangerous Dogs (Designated Types)(Scotland) Order 2024** – designates the XL Bully dog for the purposes of section 1 of the dangerous dogs Act 1991. This means that owners of XL Bully dogs must ensure their dogs are muzzled and on a lead when in public places. Additionally, selling, gifting, or exchanging XL Bully dogs will be prohibited.
- 3.6 **Microchipping of Dogs (Scotland) Regulations 2016** – under this regulation all dogs over the age of 8 weeks must be microchipped.
- 3.7 **The Dangerous Wild Animals Act 1976** – Aims to ensure that where private individuals keep dangerous wild animals, they do so in circumstances that create no risk to the public and safeguard the welfare of the animals. Licenses are required from the local authority for any animal which appears on a schedule to the Act. Permission will not be granted for any pets that require a license under this Act.

## **Section 4 – Policy Statement**

- 4.1 The Association recognises that keeping a pet can offer significant benefits to our tenants. It is our intention to enable our tenants to benefit from the positive aspects of pet ownership while ensuring that consideration has been given to the commitment and responsibility required.
- 4.2 Irresponsible pet ownership can lead to anti-social behaviour, nuisance and impact the quality of life for other tenants and for the local community. Anti-social behaviour arising from irresponsible pet ownership will be addressed in accordance with our policies.
- 4.3 Irresponsible or neglectful pet ownership can also impact on the quality of life of the pet. ACHA will not tolerate cruel or neglectful pet ownership in our tenancies.
- 4.4 Tenants are required to apply in writing for permission to keep pets in our properties.

- 4.5 When assessing the application all information provided will be taken into account and also the potential effect on neighbours and the community, before permission will be given. We will not refuse requests without good reason.
- 4.6 Tenants are not required to apply for permission to keep smaller pets in small numbers these include:-
- Fish, reptiles or amphibians which are kept in one tank with a capacity of less than 21 litres
  - Small domesticated rodents such as gerbils, chinchillas, guinea pigs, rabbits and hamsters where no more than one pair will be kept.
  - Small domesticated birds such as parrots, cockatiels, finches, canaries, budgies and macaws providing no more than one pair are kept.
- 4.7 To help keep everyone safe including pets, permission will **not** be granted for the following animals:-
- Any animal or bird that requires a license under the Dangerous Wild Animals Act 1976 and subsequent amendments to this act.
  - Any dog that requires a license under the Dangerous Dogs Act 1991 and subsequent amendments to this Act.
  - Any dogs prohibited under the Dangerous Dogs Act 1991 which includes
    - Pit Bull Terrier
    - Japanese Tosa
    - Dogo Argentino
    - Fila Brasileiro
  - Any hybrid of a domestic dog and an animal identified in the Dangerous Wild Animals Act 1976 that requires licensing for example a dog/wolf hybrid.
  - XL Bully dogs not meeting Government legislation, meaning the owners must have owned the dog prior to February 2024 and have an exemption certificate, as per the Dangerous dogs (designated types) Scotland Order 2024.
  - Any hybrid of a domestic cat and an animal identified in the Dangerous Wild Animals Act 1976 that requires licensing.
  - Any type of bird of prey such as an owl, eagle, buzzard, kestrel etc.
  - Farm animals such as sheep, cows, pigs, goats.
  - Any type of primate including all species of monkeys
  - Horses, ponies and donkeys.
- 4.8 We will take the following into account when assessing the application for permission to keep a pet:-
- The potential for disturbance, nuisance, or distress that the pet may cause to neighbours
  - The size and type of accommodation where the pet is to be kept.

- The number and type of pets already in the property
- Any history of pet related problems within the property or within the locality.
- Whether there is a history of neglect or cruelty or instances of irresponsible pet ownership such as failure to control an animal.
- Whether the pet is intended for commercial breeding.

4.9 We will usually respond with a decision on permission to keep a pet within 10 working days. Failing to provide a decision within this timescale does not represent implied permission and tenants should not proceed without our permission.

4.10 Tenants who have their permission denied can appeal the decision within 14 days. The appeal will be considered by the Regional Manager. The decision of the Regional Manager will be final.

4.11 If permission for a pet is granted the following conditions for keeping a domestic pet must be met:-

- The tenant is responsible for the care and behaviour of a pet owned by them and also anyone living with them.
- Dogs must be microchipped and wear a collar with an ID tag
- Dogs must always be kept under control and should be kept on a short lead in all common areas and shared gardens.
- The tenant is responsible for picking up faeces.
- The tenant is responsible for ensuring that the animal does not cause a nuisance or damage to your home or shared areas. The cost of any damage caused by a pet will be recharged to the tenant.
- If a dog has access to a garden you must keep the garden boundaries secure.
- Commercial breeding of animals from our properties is not permitted. If a tenant's pet gives birth then the tenant will be given a maximum of 3 months to find homes for the young.
- The tenant must have a nominated person who can care for the pet if the tenant goes away, becomes unwell or is otherwise unable to care for the pet.
- The tenant must agree to rehome the pet and remove it from their property if the tenant should become permanently unable (through disability or ill health) to care adequately for the pet.
- If you have an XL Bully dog you must ensure it is on a lead and muzzled when in public.

4.12 Permission for pets may be withdrawn under the following circumstances:-

- Where the pet's welfare has been neglected or the pet has been mistreated or caused unnecessary suffering. Where appropriate we will also notify the relevant authorities.
- The pet has caused a nuisance or risk to anyone in the neighbourhood, this includes evidenced excessive noise outwith what would normally be expected of an animal.
- The pet has caused damage to the property.

- The pet has been allowed to foul garden or common areas without the owner clearing it up.
- Where we receive complaints regarding the pets which are consistent, justified and proven.
- Where the tenant has engaged in commercial breeding

The above list is not exhaustive and ACHA reserve the right to require the removal of the pets in other reasonable circumstances.

## Section 5 – Staff Development

- 5.1 ACHA is committed to training and developing staff in order that they have a good knowledge of the policy, procedures and systems in place for dealing with pets in our properties.
- 5.2 This policy is supported by a procedural manual to assist staff in dealing with issues involving pets in our properties.
- 5.3 Awareness sessions are made available to Governing body members on request as part of their development plan.

## Section 6 – Performance Management

- 6.1 We carry out a regular tenant satisfaction survey which measures our tenants' levels of satisfaction in many areas including the overall service provided by their Landlord, how effectively their landlord keeps them informed about the services they provide and the decisions they make and their landlords contribution to the management of the neighbourhoods that they live in. The outcomes of this are reported to all our customers and to the Scottish Housing Regulator.
- 6.2 The following indicators require to be collected, collated and reported in relation to pets in our properties, in line with the requirements of the Scottish Housing Regulators Technical Guidance for Landlords:
  - **Indicator 1** – percentage of tenants satisfied with the overall service provided by their landlord.
  - **Indicator 2** – percentage of tenants who feel their landlord is good at keeping them informed about their services and the decisions they make.
  - **Indicator 13** – percentage of tenants satisfied with their Landlords contribution to the management of the neighbourhoods they live in.

## Section 7 – Policy Owner

- 7.1 This policy is owned by Housing and Neighbourhood Services.



## Section 8 – Review

- 8.1 This policy will be reviewed every five years or earlier if required due to substantive changes in legislation or regulatory requirements.
- 8.2 This policy will be reviewed in consultation with ACHA tenants and stakeholders.

## Section 9 – Complaints

- 9.1 We value complaints and endeavour to use information from them to help us improve our services. Complaints can be made if we fail to apply this policy properly or do not meet our organisational standards. Complaints are dealt with in line with our complaint handling procedure, a copy of which is available from our website, via the following link – <https://www.acha.co.uk/services-complaint-suggestion/> or alternatively a copy can be made available on request.

<b>Reference</b> – Department > ID Number [for new policy, this will be added by corporate services]		
<b>Policy Name</b> – Pet Policy		
<b>Approving body - Policy, Performance and Operations Committee</b>	<b>Next Review Date</b>	<b>10/11/2030</b>
<b>Date Equality Impact Assessment completed</b>		