

FORTH HOUSING ASSOCIATION LIMITED

PETS POLICY

Code: HM13 – Housing
Management

Approval: June 2024

Review Date: June 2027

Cross Reference: HM03 Allocations Policy



This document can be made available in alternative languages or formats (such as large print, audio etc). Please contact staff as required.

Policy Summary

This policy has been developed to show how Forth Housing Association monitor, allow and manage pets within tenancies.

Equalities

One equality issue in relation to disability has been identified in the Equalities Impact Assessment Screening Questions. Full impact assessment completed.

Privacy

There is no requirement to do a full Privacy Impact Assessment.

Policy Owner

Name: Head of Tenant Services

Date of Next Review: June 2027

FORTH HOUSING ASSOCIATION LIMITED

PETS POLICY

1.0 Introduction

- 1.1 Whilst Forth Housing Association is responsible for tenancy management, tenants who wish to keep a pet have a responsibility to ask for permission and where permission is granted to keep this pet in a safe environment, which causes no damage to their property or surrounding properties and does not cause a nuisance. This is noted in the Tenancy Agreement, Tenants' Handbook and on the Association's Website.

2.0 Principles

- 2.1 The following legislation has been considered whilst developing the Pets Policy:
 - 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
 - Clean Neighbourhoods and Environment Act 2005
 - The Animal Health and Welfare (Scotland) Act 2006
 - The Equality Act 2010
 - The Microchipping of Dogs (Scotland) Regulations 2016
 - The Dangerous Dogs (Designated Types) (Scotland) Order 2024

3.0 Aims and Objectives

- 3.1 The purpose of the Pets Policy is to provide guidance to staff and tenants on the type and breed of animals permitted within Forth Housing Association properties.
- 3.2 The Policy further specifies conditions required to be met in order to obtain permission to keep a pet within the Association's properties.

- 3.3 Tenants must comply with our guidelines and ensure their animals welfare. Failure to do so will result in enforcement action, which might include court action.
- 3.4 Tenants are responsible for the health and welfare of their pets. This requires proper day-to-day management and care of the pet.

4.0 Policy Framework

- 4.1 Animals not allowed include the following but is not exhaustive:
- 4.1.1 Any mammal, bird or invertebrate that requires a license under The Dangerous Wild Animals Act 1976, The Dangerous Dogs Act 1991 and subsequent amendments of these acts.
- 4.1.2 Any hybrid (a hybrid dog is not a breed, it is a mix of more than one purebred dog) of domestic dog and those identified in the Dangerous Wild Animals Act 1976 that requires licensing.

Further to this, Section 1 of the Dangerous Dogs Act 1991 lists three types of dogs:

- the Pit Bull Terrier
- the Japanese Tosa
- any dog of any type being a type appearing to be bred for fighting or to have the characteristics of a type bred for that purpose

It is a criminal offence for a dog owner to be in possession or custody of any of the listed dogs, unless a certificate of exemption is in force.

- 4.1.3 In Scotland, the rules have also changed in relation to owning an XL Bully dog. Please see section 4.24 – 4.31 for further information.
- 4.1.4 Any hybrid of domestic cat and those identified in the Dangerous Wild Animals Act 1976 that requires licensing.
- 4.1.5 Any type of farm animals e.g. chickens, goats, pigs, horses.
- 4.1.6 Any type of bird of prey e.g. Kestrel, buzzard, owls.
- 4.1.7 Primates including all species of Monkeys.
- 4.1.8 Any animal that requires external kennels, runs, and aviaries, with the exception of guide dogs or assistance dogs.

- 4.2 Animals which are allowed include the following but is not exhaustive:
- Dogs (refer to section 4.1.1, 4.1.2 and 4.1.3)
 - Cats
 - Birds (e.g. budgies, canaries, finches, parrots)
 - Rabbits
 - Guinea pigs
 - Ferrets
 - Chinchillas
 - Small animals (e.g. rats, mice, hamsters, degus)
 - Fish (tropical/cold water providing these are a small breed and not considered dangerous species)
 - Exotic pets such as reptiles e.g. snakes, lizards, terrapins, iguanas snails and spiders. (providing these are a small breed and not considered a dangerous species)
- 4.3 Registered guide dogs and assistance dogs are protected under the Equality Act 2010 and are allowed into public places. Registered guide dogs or assistance dogs are not pets however the Association may require to limit the overall number of animals kept within a property.
- 4.4 Emotional support animals will be considered as pets until such time as legislation is brought in to amend this position.
- 4.5 The number of animals allowed to be kept in a Forth Housing Association property will be considered subject to the type and size of property in question
- a) In flats tenants will be permitted to keep:
- a maximum of 2 dogs or 2 cats in a flat (or 1 of each pet), regardless of the size of property. Visitors' pets are not included but 'visiting pets' (pets which are looked after by the tenant on behalf of their owner, whilst at work) are included.
 - In addition to 2 dogs or 2 cats, a maximum of 2 smaller animals e.g. birds, hamsters, rabbits, taking into consideration section 5.12 of Forth's Scottish Secure Tenancy Agreement.
 - Hutches will not be permitted in communal/shared gardens.
 - A maximum of 2 fish tanks will be considered subject to the type and size of the tanks in question.

- b) In houses tenants will be permitted to keep:
- a maximum of 2 dogs or 2 cats (or 1 of each pet) regardless of the size of property. Visitors' pets are not included but 'visiting pets' (pets which are looked after by the tenant on behalf of their owner, whilst at work) are included.
 - In addition to 2 dogs or 2 cats, a maximum of 2 smaller animals e.g. birds, hamsters, rabbits, taking into consideration section 5.12 Forth's Scottish Secure Tenancy Agreement
 - A maximum of 2 fish tanks will be considered subject to the type and size of the tanks in question.
- 4.6 Any tenant who exceeds the number of pets permitted which includes visiting pets will have enforcement action taken against them
- 4.7 Tenants are required to receive written consent from Forth Housing Association, prior to taking ownership of any animal. As part of the tenancy agreement, tenants agree to make good any damage caused to the property by their pets.
- 4.8 Tenants are required to complete an application form requesting permission to keep a pet.
- 4.9 Tenants are required to complete an application form in relation to service dogs.
- 4.10 Prior to permission being granted and prior to the tenant taking ownership of any animal, tenants are required to sign a Pet Ownership Agreement or a Service Dog Registration.
- 4.11 Tenants are required to comply with the conditions of the Litter (Animal Droppings) Order 1991, the Control of Dogs Order 1992, the Clean Neighbourhoods and Environment Act 2005, and the Animal Health and Welfare (Scotland) Act 2006.
- 4.12 Breeding of animals will not be permitted.
- 4.13 To comply with current legislation dogs must also wear a collar and identification tag with the owners up to date contact details provided when in communal or public areas.

- 4.14 Tenants are required to comply with the conditions of The Microchipping of Dogs (Scotland) Regulations 2016 which requires every keeper of a dog which is over the age of 8 weeks to ensure it is microchipped.
- 4.15 Cats must be neutered.
- 4.16 The control of pets and any visiting pets are the tenant's responsibility.
- If cats are allowed free access outside then the tenant must take steps to ensure that the cats are litter trained in order to help reduce defecating outside and they do not cause a nuisance to your neighbour.
 - Dogs must always be kept under control and on a lead when in communal areas within Forth's development. Dogs must never be allowed outside the property on their own, this includes communal areas. Faeces must always be removed immediately.
 - Registered guide dogs or assistance dogs are service dogs not pets, therefore tenants will be asked to respect this and not allow their dogs to encroach the service dogs space.
- 4.17 Exotic pets must be kept in suitable environments and not allowed to escape from the tenant's property e.g. into the common close, drainage systems etc.
- 4.18 No pet should be left in the property when the tenant is away for more than 24 hours. In general, this will require the pet to be boarded elsewhere.
- 4.19 Tenants must keep all animals in a safe space away from staff and contractors when visits are conducted to the property.
- 4.20 No pet flaps will be permitted to be installed in windows, doors or the fabric of the building. This includes dog kennels which are not permitted in outside spaces, whether communal or not.
- 4.21 Where the Association is in receipt of complaints, tenants will be given the opportunity to rectify the problem, prior to any decision being taken to rehome the animal concerned.
- 4.22 Where the animal, or the keeping of the animal, is causing a deterioration of the property, tenants will be required to take appropriate action to rectify the damage and take appropriate steps to prevent further deterioration to the property e.g. pet behaviour classes at the tenant's expense.

4.23 Where the Association is in receipt of complaints regarding the keeping and or supervision of animals, and appropriate steps taken have not resolved the matter, the tenant may be required to rehome their pet if the complaints are consistent or justifiable.

XL Bully dogs in Scotland

4.24 The rules surrounding owning an XL Bully dog in Scotland have changed.

4.25 From 23 February 2024, under The Dangerous Dogs (Designated Types) (Scotland) Order 2024, it is an offence to:

- Have an XL Bully in public without a lead and a muzzle
- Breed or breed from an XL Bully
- Sell, give away or rehome and XL Bully
- Abandon an XL Bully or let it stray

4.26 In order to have permission to keep an XL Bully type dog, a Certificate of Exemption needs to be applied for by 31 July 2024. Staff can provide advice on how to do this.

4.27 Third party liability insurance will also be required for each dog applied for alongside a fee payable to the Government for each dog.

4.28 Where a tenant applies for permission to keep an XL Bully they will be required to provide proof of the Certificate of Exemption and a copy of the third party liability insurance.

4.29 Where permission is granted, the dog must be kept in secure conditions so it cannot escape.

4.30 Where a tenant is charged with owning a banned breed including an XL Bully, Forth Housing Association would consider this a breach of tenancy and the appropriate action will be taken including a Notice of Proceedings and potentially court action to recover the property.

4.31 If an XL Bully type dog or any dog on the banned list are identified by staff, appropriate checks will be made. If no permission has been granted, the case will be reported to Stirling Council and Police Scotland.

5.0 Monitoring of the Policy

- 5.1 The Management Committee will review this policy at least every 3 years and staff are responsible for ensuring that it meets legal and good practice requirements and will monitor any changes advised in the interim period for the review.

6.0 Complaints and Appeals

- 6.1 Forth Housing Association welcomes complaints and positive feedback, both of which provide information which helps us to improve our services. We use a complaints procedure developed by the Scottish Public Services Ombudsman (SPSO) and the Scottish Housing Regulator.

The complaints procedure allows for most complaints to be resolved by front line staff within a five day limit (first stage), or if the complaint is complex, a detailed investigation will be made by a manager within a 20 day limit (second stage). At the end of the second stage our response will be made by a director. If the customer remains dissatisfied, he/ she may then refer the matter to the SPSO.

At each stage we will advise the customer how the complaint should be taken forward and advise which agency would be most appropriate to consider the case.

7.0 Equalities

- 7.1 Equality and diversity underpin all our activities and services. When delivering our services, we never discriminate on the basis of sex or marital status, race, disability, age, sexual orientation, language, social origin, or of other personal attributes, including beliefs or opinions such as religious beliefs or political opinions. Full details of our Equalities Policy can be found on our website www.forthha.org.uk or can be obtained from our office.

8.0 Data Protection - Privacy

- 8.1 We recognise the importance of data protection legislation, including the General Data Protection Regulation, in protecting the rights of individuals in relation to personal information that we may handle, use and disclose about them, whether on computer or in paper format. We will ensure that our practices in the handling, use and disclosure of personal information as part of the processes and procedures outlined in this policy comply fully with data protection legislation. More information is available from our Data Protection Officer

9.0 Availability

- 9.1 This policy is available on our website and can be made available in a number of other languages and other formats on request.

10.0 Review

- 10.1 This policy will be reviewed at least every 3 years by the Management Committee and staff are responsible for ensuring that it meets legal and good practice requirements.

Equality Impact Assessment Screening Questions

Forth Housing Association Ltd Equality Impact Assessment Screening Questions

Pets

Will the implementation of this policy have an impact on any of the following protected characteristics?

- | | | |
|-----------------------------------|---|--|
| 1. Age | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Disability | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 3. Gender reassignment | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Marriage and Civil Partnership | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 5. Pregnancy and Maternity | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 6. Race | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 7. Religion or belief | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 8. Sex | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| 9. Sexual orientation | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

If you have answered 'Yes' to any of these points, please complete a full Equality Impact Assessment. If you have answered 'No', you need take no further action in completing an Equality Impact Assessment

Equality Impact Assessment Screening Questions

Forth Housing Association - Privacy Impact Assessment

1. A substantial change to an existing policy, process or system that involves personal information Yes No
2. A new collection of personal information Yes No
- 3.. A new way of collecting personal information (for example collecting it online) Yes No
4. A change in the way personal information is stored or secured Yes No
5. A change to how sensitive information is managed Yes No
6. Transferring personal information outside the EEA or using a third-party contractor Yes No
7. A decision to keep personal information for longer than you have previously Yes No
8. A new use or disclosure of personal information you already hold Yes No
9. A change of policy that results in people having less access to information you hold about them Yes No
10. Surveillance, tracking or monitoring of movements, behaviour or communications Yes No
11. Changes to your premises involving private spaces where clients or customers may disclose their personal information (reception areas, for example) Yes No

If you have answered 'Yes' to any of these points, please complete a full Privacy Impact Assessment. If you have answered 'No', you need take no further action in completing a Privacy Impact Assessment.

