



Pets Policy

Date Approved	26th May 2022 by Management Committee
Review Frequency	5 Years
Date of Next Review	May 2027

1.0 Introduction

Yorkhill Housing Association Limited understands that many individuals and households benefit personally, emotionally and socially from keeping a domestic pet. However, it is also the case that pets which are not properly cared for, controlled and supervised can cause a nuisance to other residents.

Whilst the Association allows pets to be kept by tenants in its properties, this is not an automatic right. Under the terms of the Scottish Secure Tenancy Agreement pets can only be kept with the Association's permission.

Permission will not be unreasonably withheld, however, there are certain criteria and conditions that must be met to encourage responsible pet ownership and to ensure that there is no nuisance caused to others living nearby. There are also certain legislative constraints on the types of animals that can be kept in a domestic setting and laws designed to protect the welfare of the animals.

This policy is intended to give guidance to both staff and residents on the number and type of pets that will be considered acceptable and the conditions that must be met before permission will be granted. The policy will also outline the enforcement action that the Association may consider taking in the event that a resident fails to meet these conditions.

2.0 Legislation

The main legislation relevant to the Association's Pets Policy is as follows:

The Housing (Scotland) Act 2001 – specifies a tenant's right to be informed about the terms of their tenancy. There is nothing specific in the statute regarding the keeping of pets; however the Association will ensure it complies with a tenant's right to information by including a contractual term in the Tenancy Agreement clarifying its position on this matter.

The Equality Act 2010 – it is a legal requirement of this act that the Association cannot discriminate against a disabled person, and this includes discrimination against a person with an 'assistance dog'. Examples of assistance dogs can be: guide dogs and hearing dogs for people with sensory loss; dogs to support people with disabilities; and they must be allowed under the terms of his act.

The Animal Health and Welfare (Scotland) Act 2006 – came into force in 2006 and 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. Although any pet would not be in the direct care of the Association itself, this act will inform the conditions it lays down for tenants owning a pet, and the circumstances under which permission may be withdrawn, or further action taken.

The Dangerous Dogs Act 1991 – makes it an offence to keep specific breeds of dogs, and must be taken into account when granting permission to a tenant to keep a dog.

Control of Dogs (Scotland) Act 2010 – Update to the Dangerous Dogs Act 1991 (above) which removes the details on specific breeds – “deed not breed”, however maintains the requirement for dogs to be ‘under control’.

The Dangerous Wild Animals Act 1976 - aims to ensure that where private individuals keep dangerous wild animals they do so in circumstances which create no risk to the public and safeguard the welfare of the animals. Licences are required from the local authority for any animal which appears on a schedule to the Act.

3.0 Aims And Objectives

- 3.1 The main aim of the Pets Policy is to ensure that tenants and prospective tenants who wish to keep animals within the Association’s properties do so in a responsible manner and that the pet does not cause any annoyance or nuisance to other residents.

4.0 Suitable Domestic Pets

- 4.1 The Association is aware that individuals have varying preferences in the types of animals they wish to keep. The most common types of animals are listed below and are considered suitable domestic pets.

- Dogs
- Cats - house cats preferable
- Birds
- Fish
- Domestic rodents such as hamsters, guinea pigs
- Domestic reptiles such as lizards, bearded dragons
- Rabbits (house rabbits only)
- Small snakes – subject to size and species

- 4.2 The Association also recognises that some animals are not suitable as domestic pets and should not be kept within a residential environment. Permission will therefore NOT be given for the undernoted:

- Dogs covered under the Control of Dogs (Scotland) Act 2010. Guidance from the Scottish Government is given here: <https://www.gov.scot/publications/updated-guidance-control-dogs-scotland-act-2010/pages/1/>
- Pigeons, fowl or livestock
- Animals prohibited under any legislation

5.0 Applying To Keep A Pet

- 5.1 Under the terms of the Scottish Secure Tenancy Agreement tenants may keep pets with the written permission of the Association. This allows the Association to keep a record of what animals are being kept.
- 5.2 All requests should be made by completing a pet request application which is available from the Association's office.
- 5.3 Tenants must request permission to replace a pet. Tenant's history of previous pet ownership will be taken into consideration.
- 4.4 You do not require the Association's written permission to keep the following as pets:
 - Fish
 - Small domestic rodents such as hamsters, gerbils, guinea pigs
 - Small birds such as budgies, canaries, love birds (1 or 2 only, more than two requires permission from the Association).
 - Small reptiles such as lizards, bearded dragons

6.0 Assessing A Request

- 5.1 When considering an application to keep a pet, the Association will take the following factors into consideration:
 - The size of the property and its suitability for adequately accommodating the animal
 - Any laws or guidance relating to the keeping the animal as a domestic pet
 - Any previous issues with the applicant keeping a pet in the property
 - The number and type of any pets currently being kept in the property
 - Whether the animal is a recognised service animal such as a guide dog, or hearing assistance dog.
- 5.2 The Association will respond to requests within 10 working days.

7.0 Conditions of Permission

Where the Associations permission is granted to keep a pet, the tenant will receive a letter granting permission and detailing the conditions that must be met such as:

- The tenant is responsible for the behaviour of any pets owned by them or owned by anyone living in their home
- Pets must not be allowed to cause annoyance or a nuisance to neighbours, staff or visitors
- Pets must not be allowed to present a danger to neighbours, staff or visitors
- All pets must be properly supervised and controlled both within and outwith the property
- Dogs must be kept on a lead when entering or leaving any of the common areas
- Dogs must be exercised out with the property, i.e. **NOT** in the backcourt area
- Any fouling in the common areas must be cleaned immediately by the pet owner.
- Cat litter must be wrapped securely and disposed of in the bins provided in the binshelter. Litter must **NOT** be flushed down toilets.
- The tenant will be held responsible for any damage to the Associations property caused by their pet.
- Pets should not be left in the property for prolonged periods unless proper arrangements have been made to provide proper care
- Animals must not be bred or offered for sale from the property as a commercial enterprise

Failure to adhere to any of these conditions may result in appropriate enforcement action being taken by the Association.

8.0 Refusal of Permission

Permission to keep a pet will not be unreasonably withheld, however, where permission is not being granted the tenant will be advised of the decision in writing stating the reasons for refusal.

9.0 Breaches of Policy

The Association will seek to take appropriate action against any tenant who fails to adhere to the conditions of this policy.

Action that may be taken can include:

- Withdrawal of the Association's permission to keep the pet in our property thereby requiring the tenant to remove the animal from the premises within 28 days
- Mediation
- Acceptable behaviour contract
- Legal action to force the tenant to remove the animal from the property
- Legal action to terminate the tenancy on the grounds that the tenant has breached the terms of their tenancy agreement and refuses to co-operate with the Association.

10.0 Cruelty or Neglect

Pet owners are legally required not to cause any unnecessary suffering to the animal under the Animal Welfare Act 2006.

Any incidents or suspected neglect, abandonment or cruelty to the animal will be immediately reported to the appropriate agency for investigation.

10.0 Appeals and Complaints

Any appeals or complaints in relation to this policy, its implementation or its operation will be dealt with in line with the Association's Complaints Handling Procedures. Copies of this are available at the Association's offices on request.

11.0 Review of the Policy

This policy will be reviewed every five years from the date of implementation, which will be the date the policy is approved by the Management Committee.

Appendix 3

Yorkhill Housing Association			
Equality and Diversity Impact Assessment Tool			
Name of Policy/proposal to be assessed.	Pets Policy.	Is this a new policy or a revision?	Review April 2022
Person responsible for the assessment.	Grant Kennedy, Housing Services Manager		
Briefly describe the aims, objectives and purpose of the policy.	The Association's policy on tenants owning pets, and the procedures for considering requests.		
Who is intended to benefit from the policy/proposal (e.g. applicants, staff, tenants, contractors)?	The Association, its service users, potential service users, and surrounding neighbours.		
What outcomes are wanted from this policy/proposal (e.g. the benefits to customers)?	To fairly assess requests for tenants to own a pet in line with their tenancy agreement.		
Which protected characteristics could be affected by the proposal? (tick all that apply)			
<input type="checkbox"/>	Age	<input checked="" type="checkbox"/>	Disability
<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>	Pregnancy/Maternity
<input type="checkbox"/>	Race	<input type="checkbox"/>	Religion or Belief
<input type="checkbox"/>	Gender	<input type="checkbox"/>	Gender Reassignment
<input type="checkbox"/>	Sexual Orientation		
If the policy/proposal is not relevant to any of the protected characteristics listed above state why and end the process here.			
Describe the likely positive or negative impact(s) the policy/proposal could have on the protected characteristics identified.	Positive impact		Negative impact
	The policy now sets out from an equalities perspective that service animals including guide dogs and hearing assistance dogs are not considered pets, and will not be impacted by this process.		

<p>What actions are required to address the impacts arising from this assessment? (This might include; collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts).</p>	
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