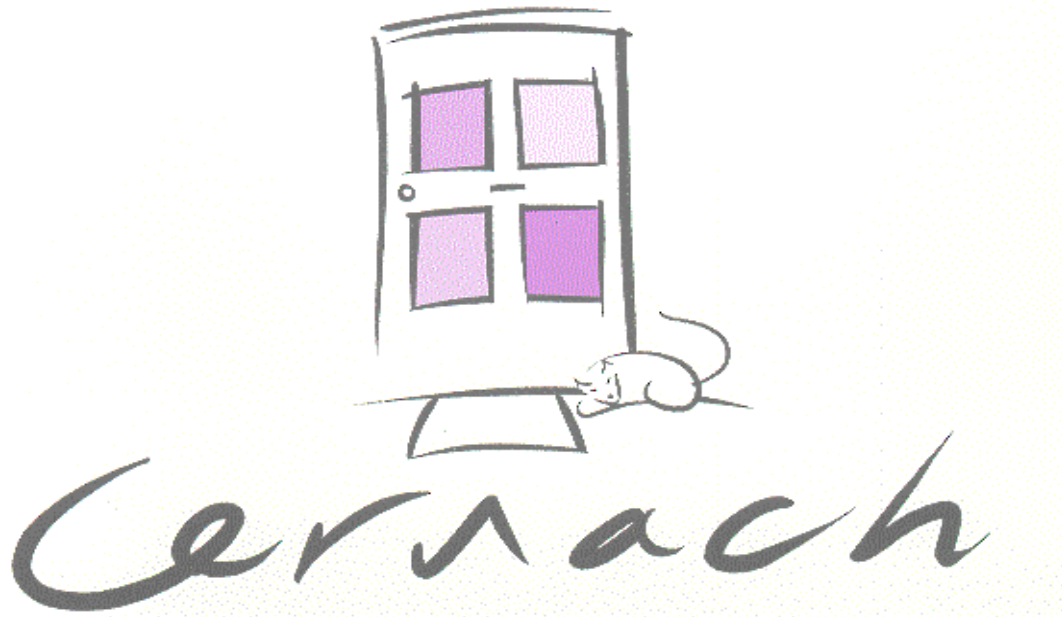


**CERNACH HOUSING ASSOCIATION
LIMITED**



PET POLICY

Date Approved by Operations Sub-Committee:	September 2022
Date Issued to Staff:	September 2022
Due for Review:	September 2025

Cernach Housing Association

Pet Policy



1. Introduction

- 1.1 Cernach Housing Association recognises the importance some tenants place on the keeping of pets, therefore it is important to have a policy in place which ensures tenants are able to enjoy having pets within their home without them causing a nuisance or danger to others.
- 1.2 This policy supports and is in line with the Association's Scottish Secure Tenancy Agreement and details the grounds under which tenants will be permitted to keep pets and the action taken if tenants fail to meet their obligations.
- 1.2 Reference to domestic pets is made in the Housing (Scotland) Act 2001 and our Scottish Secure Tenancy Agreement Sections:-
 - (a) 2.6 Keeping of Pets
 - (b) 3.3 Respect for Others
- 1.3 Tenants are required to abide by the terms of Scottish Secure Tenancy Agreement.
- 1.4 The Association will ensure that "No dog fouling" signs are located at strategic points throughout the Association area.
- 1.5 The Pet Policy has clear links to the Neighbour Dispute & Anti-Social Behaviour Policy and Estate Management Policy.

2. Policy Aim and Objectives

- 2.1 To enable all tenants of the Association to enjoy a clean, peaceful and safe environment.
- 2.2 To reduce the numbers of unsupervised animals in the Association area and address the increasing dog nuisance issues being experienced by tenants.
- 2.3 To ensure that all tenants and prospective tenants are aware of their responsibilities under the terms of their tenancy agreement in relation to pet ownership.
- 2.4 To ensure tenants who are granted permission to keep pets do so in such a way as to prevent adverse impact on other residents' enjoyment of their homes.
- 2.5 To ensure the keeping of pets within Cernach's properties has no detrimental impact on a particular tenancy, common area or neighbourhood.
- 2.6 To ensure that all tenants are treated equally, and no groups are discriminated against in relation to the operation of this policy

Approved:

3. Legislative and Regulatory Framework

3.1 This Policy meets The Scottish Social Housing Charter Outcomes:

Outcome 6: Estate Management, anti-social behaviour, neighbour nuisance and tenancy disputes. Social landlords working in partnership with other agencies, help to ensure that:

“Tenants and other customers live in well maintained neighbourhoods where they feel safe”.

3.2 The following legislation has been taken into consideration in the development of this 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
- Housing (Scotland) Act 2001
- The Dog Fouling (Scotland) Act 2003
- Clean Neighbourhoods and Environment Act 2005
- Disability Discrimination Act 2005
- The Animal Health and Welfare (Scotland) Act 2006
- The Control of Dogs (Scotland) Act 2010
- Equalities Act 2010
- The Microchipping of Dogs (Scotland) Regulations 2016

4. Risk Management

4.1 Failure to control the pet population via this policy would impact on estate management with regard to dog fouling and neighbour complaints with regard to noise and roaming or aggressive dogs.

5. Equality and Human Rights

5.1 The Association’s Equality and Human Rights policy, which was approved by the Committee in April 2021, outlines our commitment to promote a zero tolerance to unfair treatment or discrimination to any person or group of persons, particularly on the basis of any of the protected characteristics¹. This includes ensuring that everyone has equal access to information and services, and, to this end, the Association will make available a copy of this document in a range of alternative formats including large print, translated into another language or by data transferred to voice.

¹ The Equality Act 2010 identifies the “protected characteristics” as age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, gender reassignment and sexual orientation.

- 5.2 We are also aware of the potential for policies to inadvertently discriminate against an individual or group of individuals. To help tackle this and ensure that it does not occur, best practice suggests that organisations carry out Equality Impact Assessments to help identify any part of a policy that may be discriminatory so that this can be addressed (please see section 6 of the Equality and Human Rights policy for more information).
- 5.3 In line with section 6 of the Equality and Human Rights Policy, the Association carried out an Equality Impact Assessment on this policy and no remedial action was identified as necessary. The full assessment is appended at the end of this policy.

6. Responsibility & Delegated Authority

- 6.1 It is the responsibility of the Housing Management Team to implement this policy as delegated by the Senior Housing Officer.
- 6.2 The Senior Housing Officer has responsibility for
- monitoring performance
 - monitoring the operation and implementation of the policy
 - key aspects of day to day service delivery
 - review of the policy
 - consult with Operations Sub Committee on any legal action taken
- 6.3 The Depute Director retains overall responsibility of the implementation of this policy. The Operations Sub Committee hold responsibility of approval of this policy as delegated by the Management Committee.

7. Policy Guidelines

- 7.1 The Association wishes to encourage responsible pet ownership but at the same time recognise that pets can cause difficulties for other residents and tenants.
- 7.2 We will therefore restrict the number of dogs per household to one animal. This will be applicable to all types of property, however exceptions will be made where a household requires a service dog in which case this restriction will not apply.
- 7.3 The Association will keep a Pet Register and it is the responsibility of the ~~Housing Officer~~ housing management team to keep this properly filed, maintained and updated on a monthly basis.
- 7.4 Permission to keep hamsters/guinea pigs, fish and budgies and similar small animals will be covered by a general consent and written permission will not be necessary. The overriding principle being that a maximum of two pets may be kept in any one household.

- 7.5 Under the terms of the Association's Scottish Secure tenancy and this policy, all tenants require written permission from the Association to keep a pet however the Association has relaxed this condition for small animals as per 7.4 above however written consent must be obtained to keep a cat or dog.
- 7.6 Tenants must obtain this written permission by completion of a Pet Registration form The Pet Registration form can be requested either verbally or in writing and the form will be issued immediately upon the request. If required, refusal letters will be issued within **21** days of receipt. Refusal letters shall include reference to a right of appeal in accordance with the Associations complaints policy.
- 7.7 The Association will maintain a register of all tenants with a dog/cat and a tag will be given for each animal, providing, an identification number. The tag number is exclusive to one pet, if the pet is lost, dies or can no longer be kept, the office should be informed and details deleted from the register and the tag destroyed. The dog/cat tag will be issued with the approval letter to complete the registration process. **Only one dog per household** will be permitted.
- 7.8 Permission will not be unreasonably withheld by the Association to keep a domestic cat or dog however the Association will withdraw permission and require removal of the pet if it causes nuisance or damage. The tenant will then be required to make alternative arrangements for the pet.
- 7.9 Tenants are not permitted to keep more than one dog or breed dogs. Existing tenants who have permission to keep two dogs prior to date of this policy, 31 May 2018, will be allowed to retain both dogs however on the death or loss of one of the dogs, permission will not be given to replace this dog.
- 7.10 The following constitutes nuisance and annoyance:
- Excessive noise confirmed by the GCC noise team.
 - Roaming and unattended animals
 - Fouling in common areas
 - Fouling in gardens (including tenants own garden, if not removed)
 - Destruction to neighbouring gardens
 - Aggression
 - Neglect
 - Odour
- 7.11 Applications to keep a pet will require to meet the following criteria:
- (a) No complaints which have been substantiated have been received with regard to the animal in the past 3 months.
 - (b) The Dog is not prohibited under the Dangerous Dogs Act 1991 or by any other law.
 - (c) Under the Dangerous Dogs Act 1991 all such dogs as defined under the Act require to be registered with the Police. Permission to keep such a pet will only

be granted where the tenant can provide proof of registration and a certificate confirming the dog has been neutered.

- 7.12 Current legislation would define Dangerous Dogs in this country as an American Pit Bull, Japanese Tosa, Dogo Argentino and Fila Brasileiro however we would advise that although all dogs have the potential to be dangerous we advise that no dog must ever be allowed to roam the area and should always be with Adult Supervision.
- 7.13 Housing List applicants will be provided with information relating to the Pet Policy when they receive their points letter, and further to the pre-allocation visit. Checks should be taken during the pre-allocation visit to ascertain if the applicant currently keeps a dog or a cat. If an applicant is successful in being made an offer of housing and has ownership of more than one dog, this will be considered on a case by case basis.
- 7.14 All tenants requesting permission to keep a cat or dog will be provided with relevant and up to date guidance on pet ownership.
- 7.15 The tenant will be responsible for the behaviour of pets owned by them, owned by anyone living with them or visiting the property.

8. Pigeons, Fowls and Livestock

- 8.1 The Association's Scottish Secure Tenancy Agreement does not allow tenants to keep pigeons, fowl or livestock. If a tenant is found to be keeping any of these animals, they will be instructed to remove them within 28 days.
- 8.2 Failure to remove these animals within the timescale can result in the association seeking legal action which could place your tenancy at risk.

9. Breach of Policy

- 9.1 Permission to keep a pet will only remain whilst the tenant adheres to the terms of this policy.
- 9.2 Tenants found to be keeping pets in their home without the Association permission will have to remove the animal within **28** days.
- 9.3 Failure to remove these animals within the timescale can result in the association seeking legal action which could place your tenancy at risk.

10. Procedures following breaches of policy

10.1 Pet owners who have no permission to keep a pet.

- a) If it is found that a tenant is keeping a pet without permission, the housing management team should contact the tenant in order to confirm the situation.

- b) The tenant will be given **14** days to seek permission to keep the pet.
- c) If permission is refused or the tenant fails to apply for permission to keep the pet, then the tenant will be given 28 days in order to remove it.
- d) If the tenant fails to remove the pet within the specified time limit, the Association will inform the tenant that legal proceedings may be instigated, possibly against their tenancy.
- e) The Operations Sub Committee will be consulted on any legal action and a decision will be taken on what course of action to be taken which could include:-
 - i. to remove the pet by 'specific implement'
 - ii. to remove the tenant

10.2 Pet owners whose pet is causing a nuisance

- a) Complaints against pet owners will be accepted both verbally and in writing.
- b) The housing management team will carry out relevant investigations and take action in line with the Neighbour Disputes and Anti Social Behaviour Policy.
- c) Where appropriate, inform other agencies of the problem which could include the SSPCA, Dog Wardens, Noise Teams and Environmental Health.

11. Complaints Procedure

- 11.1 The Association has a published complaints policy & procedure, which can be used where there is dissatisfaction with this policy or the operation of this policy. Any tenant who feels aggrieved by their treatment under this policy can ask for a copy of the Association's complaints policy, which is available at the Association's office and on the website www.cernachha.co.uk.
- 11.2 As with all our service policies, the complaints policy can be made available in large print, translated or on tape. Tenants also have the right to complain to the Scottish Public Services Ombudsman.

12. Staff Training

- 12.1 The Association recognises the importance of resourcing and training staff to adequately meet all the needs of its tenants. The Association is committed to ensuring training relating to the effective management of pets within its stock and will take actions in line with guidance. Training should be updated as appropriate. Staff will be encouraged to network with other RSLs in order to share best practice.

13 Policy Review and Tenant Consultation

- 13.1 The Association has developed this policy in consultation with tenants and the resident participation group and take account of representations made.
- 13.2 The Association will publish a summary of this policy in our newsletters and make it available of the Association website.
- 13.3 The Operations Sub-Committee will review the Pet Policy every three years. This review will be brought forward if there is need to respond to new legislation and/or policy guidance.

Cernach Housing Association Pet Policy



Cernach Housing Association Equality Impact Assessment Tool	
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Name of the policy / proposal to be assessed	Pet Policy	Is this a new policy / proposal or a revision?	Revision
Person(s) responsible for the assessment	Laura-Jane Richards		
1. Briefly describe the aims, objectives and purpose of the policy / proposal	<ul style="list-style-type: none"> - To enable tenants of the Association to enjoy a clean, peaceful and safe environment. - To reduce the numbers of unsupervised animals in the Association area and address the increasing dog nuisance issues being experienced by tenants. - To ensure that all tenants and prospective tenants are aware of their responsibilities under the terms of their tenancy agreement in relation to pet ownership. - To ensure tenants who are granted permission to keep pets do so in such a way as to prevent adverse impact on other residents' enjoyment of their homes. - To ensure the keeping of pets within Cernach's properties has no detrimental impact on a particular tenancy, common area or neighbourhood. - To ensure that all tenants are treated equally, and no groups are discriminated against in relation to the operation of this policy 		

Approved:

**Cernach Housing Association
Pet Policy (Cont'd)**



<p>2. Who is intended to benefit from the policy / proposal? (e.g. <i>applicants, tenants, staff, contractors</i>)</p>	<p>Tenants, residents, owners and applicants.</p>
<p>3. What outcomes are wanted from this policy / proposal ? (e.g. <i>the benefits to customers</i>)</p>	<p>To provide the staff team with guidance on managing pet ownership within the Association stock. To provide appropriate information to tenants of their responsibilities in relation to pet ownership in line with the terms of the Tenancy Agreement. To provide appropriate information to residents and applicant on the Associations approach to managing pet ownership.</p>

4. Which **protected characteristics could be **affected** by the proposal? (tick all that apply)**

Age
 Disability
 Marriage & Civil Partnership
 Pregnancy/Maternity

X Race

Religion or Belief
 Gender
 Gender Reassignment
 Sexual Orientation

5. If the policy / proposal is not relevant to any of the **protected characteristics listed in part 4, state why and end the process here.**

Not applicable

**Cernach Housing Association
Pet Policy (Cont'd)**



	Positive impact(s)	Negative impact(s)
<p>6. Describe the likely positive or negative impact(s) the policy / proposal could have on the groups identified in part 4</p>		<p>Race – there could be barriers to participation based on language formatting of consultations.</p> <p>Disability – there could be barriers to accessing physical services for disabled people, or in reading or writing written communications</p>
<p>7. 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>	<p>To address race related barriers, written and oral materials can be provided in translated formats.</p> <p>To address disability related barriers, written materials can be provided in alternative format and our venues are accessible.</p>	

Signed: LJ Richards (Job title): Senior Housing Officer

Date the Equality Impact Assessment was completed: 29/07/2022

Please attach the completed document as an appendix to your policy / proposal report