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PETS POLICY

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| **Reference** | 01 | **Version** | 1 |
| **Applies to** | Board members, staff and residents and third-party contractors for Arches Housing | **Issue date** | Feb 25 |
| **Approved by** | Head of Housing Operations | **Review Date** | Feb 28 |
| **Lead Officer** | Neighbourhood Manager | **Reviewed By** | Service Improvement Manager |

1. **Purpose**
   1. This policy outlines Arches Housing approach to pets. This policy is based on the document ‘Guidelines on Pet Management for Social Housing Providers’ published by the Pet Advisory Committee and endorsed by the British Veterinary Association, the Chartered Institute of Environmental Health, and the Chartered Institute of Housing.
   2. We recognise that keeping pets can offer significant benefits to residents, however, irresponsible pet ownership can cause nuisance, affect the quality of life for other people and even result in serious injury and death.
   3. The tenancy agreements issued by us for our rented properties from 01 December 2024 have a clause on keeping animals.

*Section 12 (1) To obtain the written consent of the Association before keeping any animal and not to keep any animal which the Association has notified you it considers dangerous or likely to cause a nuisance to other people in the neighbourhood, or to its tenants, agents or employees.*

*(ii) Not to keep dogs or cats at the Premises if it is a flat which includes common areas or if it is in a building which has a common entrance which is shared with other tenants (ii) To keep under control any animals kept at the Premises.*

*(iii) Not to allow any animal kept at the Premises, to act in such a way as to cause a nuisance to other people in the neighbourhood, or to other tenants, employees or contractors of the Association.*

*(iiii)* **Prohibited Dog Breeds**: The following dog breeds are not permitted in Arches Housing property under any circumstances: Pit Bull Terrier, Japanese Tosa, Dogo Argentino, Fila Brasileiro, XL Bully type dogs and any other breed listed under the Dangerous Dogs Act 1991.

(iiiii) **Behavioural Standards**: Any pet that exhibits repeated aggressive behaviour, including but not limited to biting, growling, or lunging at people or other animals, must be removed from the property upon the landlord’s request.

* 1. If you are a leaseholder or a shared owner, you should refer to the specific points in your individual lease agreement for information on keeping animals / pets in your home.

1. **Definition**
   1. Throughout this policy, a ‘pet’ means a domesticated animal, such as a dog, cat, bird, rodent, fish, turtle, or other animal that is kept for pleasure rather than for commercial purposes. By animal we mean any mammal, reptile, bird, amphibian, insect, or fish, whether wild, tamed or domesticated.
   2. This policy also includes any commercial animals such as, animals that are kept primarily for economical purposes, farming or trading. An example of this would be sheep, pigs, cattle and fish in agriculture.
   3. The Royal Society for the Prevention of Cruelty to Animals (RSPCA) is a charity operating in England and Wales that promotes animal welfare.
   4. An ‘assistance’ dog – such as a guide dog or hearing dog - helps someone with a disability to complete essential tasks so they can increase their independence and improve their quality of life.
   5. Nuisance, under the Environmental Protection Act 1990, is defined as: 'An unreasonable and significant emission of noise that causes significant and unreasonable interference with the use and enjoyment of your premises’.
2. **Legal Framework**
   1. The key piece of legislation for this policy is the Animal Welfare Act 2006. Section 9 of the Animal Welfare Act places a duty of care on people to ensure they take reasonable steps to meet the welfare needs of their animals to the extent required by good practice.
   2. Further information can be found in specific Codes of Practice produced by DEFRA (for England) relating to cats, dogs, horses, ponies and donkeys and privately kept non-human primates.
   3. There is also relevant legislation relating to dangerous dogs and dangerous wild animals. For some animals, such as certain types of wild or exotic animals, a licence is a legal requirement, see https://www.gov.uk/licence-wild-animal for details. See 4.5 below for our approach in these cases.
   4. There are laws that relate to nuisance caused by pets, for example, a barking dog can be a 'statutory noise nuisance'. Under the Environmental Protection Act 1990, legal action could be taken against an owner if they do not stop the nuisance.
   5. There are several other laws including those that relate to keeping and breeding animals, such as Breeding and Sale of Dogs (Welfare) Act 1999, Breeding of Dogs Act 1991 and Breeding of Dogs Act 1973.
   6. Further laws we work within include the Dangerous Wild Animal Act 1976 and the Dangerous Dog Act 1991
   7. If you are keeping birds that are subject to certain regulations, such as exotic or captive-bred wild birds, you may need to register with the Animal and Plant Health Agency (APHA). This is especially important for disease control purposes, like preventing the spread of avian influenza.
3. **Policy statement** 
   1. Residents must ask for our permission to keep a pet, unless the tenancy agreement says that permission is not required. Permission must be granted before a resident can have a pet in their home.
   2. This policy also applies to accredited guide dogs and assistance dogs. We will ensure we consider the Equalities Act 2010 when requests are made to keep such dogs, as we are aware these dogs can be essential to help someone achieve independence and are highly trained.
   3. Pets should not cause a nuisance. Dangerous or nuisance activities include (but are not limited to):

• Fouling staircases, walkways or communal areas. We expect owners to clear up their mess immediately.

• Excessive noise by pets - the volume, duration and time of day will be considered.

• Animal biting and/or attacks on people or other animals.

• Injuring or frightening anyone into thinking they may become injured.

• Pets being out of control or a danger to other tenants.

• Offensive/unpleasant odours.

• Failing to keep a dog on a lead in all communal areas.

• Damage to the home or communal areas

* Excessive animal hoarding
  1. The resident is responsible for the health and welfare of any pets in their home. Under the Animal Welfare Act 2006, this is called a duty of care. For example, it is a legal requirement for pet owners to ensure their pet has:

• A proper diet (food and water).

• Protection from pain, suffering, injury or disease.

• The ability to exhibit normal behaviour patterns.

• A suitable environment to live in with or apart from other animals

* 1. The control of pets and any pet visiting the home is the responsibility of the tenant. They must never be let out on their own – this includes any communal area including but not limited to balconies, walkways, lifts, and stairwells.
  2. Animal fouling must always be removed, disposed of appropriately and the area cleaned immediately by the resident responsible for the pet.
  3. If outside accommodation for a pet is required, other than a hutch or pen for small mammals, written permission must be obtained from us before it is built. An application must include plans of the proposed construction and detail the species to be kept.
  4. If a cat or dog flap is required, the resident must request permission from us before installing this. Permission will be refused if the door is a fire door as this could compromise the safety of the building. Ways to make a permission request are detailed on our website www.Archeshousing.org.uk.
  5. A pet must not be left unattended for a long period of time that will result in the owner being unable to meet their welfare needs as defined under the Animal Welfare Act 2006. No pet should be left in the home when the resident is away unless arrangements have been made to provide adequate care. In general, this will require the pet to be boarded elsewhere but close supervision by a neighbour may be adequate for some animals. If left alone, the pet must not be neglected, stressed, create a noise nuisance or become destructive.
  6. Tenants are liable for any damage or nuisance that is caused by their pets. Damage includes damage to fixtures and fittings in the home and communal areas (including carpets and floor coverings where these are provided), as well as the garden and wider neighbourhood.
  7. Any pets of children under 16 years of age are legally the responsibility of the parents.
  8. We will not give permission to breed or offer any animal for sale from an Arches home, including the dwelling and other areas such as garages. This is in accordance with guidance from the RSPCA.
  9. We expect Residents who keep a pet to keep to the following:
* They will house their pet properly and securely, for example in a cage, tank or garden
* They will keep the animal in a way that ensures its physical and psychological well-being
* They will not have so many pets that there are issues of overcrowding with potential health implications for animals and/or people or potential problems with regards to the upkeep or condition of the home/garden
* They will not ‘hoard’ animals – thus it is not permitted to keep a higher than usual number of animals as pets without having the ability to properly house or care for them
* They will not keep dogs outside for long periods. A dog should never be left without adequate shelter, space, clean drinking water, or in any circumstances that may mean that its needs are not met, its well-being potentially compromised, and/or it becomes distressed or a nuisance or risk to others.
* They will ensure no nuisance is caused, such as excessive odours or noise, animals entering children’s play areas, animals presenting a risk to anyone or to other pets
* They will follow all requirements set out in law in relation to pet ownership, for example microchipping animals as required.

1. **Permitted Pets** 
   1. Below are some of the things we will consider when a tenant requests permission for a pet:

* If the home has a private garden and its own separate entrance.
* Whether the tenant is considered suitable based on tenancy history.
* Any other factor deemed necessary for the well-being of the animal.
* Permission to keep cats will usually be limited to two cats per household.
* Permission to keep dogs will usually be limited to two per household.
* Permission for a small number of pets such as small, caged animals, caged birds and fish in tanks.
* Permission to keep poultry - birds such as chickens, bantams, geese or ducks will be considered based on garden size, environmental factors, and details of property / estate rules.
  1. **Our Approach to XL Bully type dogs For New Tenants / Leaseholders / Shared Owners;**
     1. From 01 October 2024 we will not grant permission for any new tenant, leaseholder or shared owner to own an XL bully type dog in Arches Housing properties. There will be no exceptions to this decision and prospective tenants, leaseholders or shared owners have no right to appeal this decision.
  2. **Our approach to XL Bully type dogs owned by existing Tenants / Leaseholders / Shared Owners;**
     1. As of 31st July 2024 ‘XL Bullies’ are illegal to own, Arches has taken the decision to not let any properties to anyone that has or intends to own a XL bully.
     2. If you owned your XL Bully and you lived in an Arches Housing property with a Tenancy or Lease dated pre 01 October 2024 you will need to do the following:
        + Retrospectively ask for permission to keep your pet at your address
        + Provide Arches Housing with a copy of your pets DEFRA exemption certificate
        + Provide Arches Housing with a copy of your pets public liability insurance showing current cover, you must provide this each time the insurance is renewed
        + You must ensure that you follow all legal requirement for keeping your dog
     3. If a member of Arches Housing staff or an appointed representative visits your home you must:
        + Ensure that your dog is wearing a muzzle and on a lead
        + Keep the dog in a secure outside space during the visit, alternatively keep the dog in a separate room
     4. Arches Housing will add a risk notice to our housing management system in relation to your dog. This risk notice will be shared with Arches Housing Staff and Approved Contractors who may attend your property on our behalf. We will also share this information with relevant 3rd parties, such as the Police, other Emergency Services or Local Council on request.
  3. **Other Dangerous Dogs or Animals;**
     1. Dogs listed in the Dangerous Dogs Act 1991 and any animals listed in the Schedule of the Dangerous Wild Animals Act 1976 can not be kept in your home.

1. **Actions and enforcements** 
   1. The pet’s behaviour is the responsibility of the tenant, regardless of who the owner is. If a pet is at your property and it causes a nuisance, we are likely to retract our permission for the tenant to keep it and ask for it to be removed.
   2. We will investigate all complaints made about pets in line with our policies. If the complaint relates to nuisance or anti-social behaviour, we will respond in line with our Anti-Social Behaviour Policy.
   3. Each case will be dealt with individually depending on the circumstances, and we will liaise with other agencies where appropriate, including if a pet is deemed dangerous. Where a pet has attacked or endangered a tenant or member of staff, we will immediately report the incident to the police.
   4. If we feel that a pet has been mistreated, abandoned or that there are other issues of concern, we will report this to the Police and RSPCA in every instance.
   5. We will support the relevant authorities to take enforcement action against an Arches resident in partnership with other agencies e.g. RSPCA, police, or other animal welfare organisation if an animal has been mistreated, abandoned or there are other issues of concern.
   6. Where a complaint is made about a pet being kept without permission, we will investigate the complaint and decide the most appropriate way forward. It the complaint is upheld then the tenant will be asked to re-home the pet within a reasonable timeframe.
   7. If there are persistent breaches of this policy we will consider legal action which could include requesting an injunction for applying for possession of the property.
2. **Appeals**
   1. When writing to you with a decision regarding keeping a pet, we will advise you of the reason for our decision and of your right to appeal. You can appeal our decision for the following reasons:

* You believe that we haven’t considered a key piece of evidence already provided.
* You believe that reasonable adjustments have not been considered in relation to any disability or medical condition.
* There is additional evidence that you consider to be important in making a decision and you want to send it to us.
  1. We cannot accept an appeal for any other reason.
  2. To appeal our decision, you should contact us within 10 working days of our decision and tell us which reason you are using to appeal and provide us with any supporting information.
  3. We accept an appeal in the following ways:
* Emailing our customer services team on info@archeshousing.org.uk with the title – Request to Appeal Pet Permission Decision; or

* Telephoning us on 0114 2288100 advising us you are appealing a decision. We will ask for you to provide the information above and may need you to send further information in by email or post.

* In person. You can advise any member of staff that you wish to appeal a decision. We will ask for you to provide the information above and may need you to send further information in by email or post.

* By post to Arches Housing, 122 Burngreave Road, Sheffield, S3 9DE Request to Appeal Pet Permission Decision.
  1. The appeal will be heard by a manager who has not been involved in the original decision and our response to your appeal will be sent within 10 working days. In exceptional cases it may take us a little longer to consider the appeal. If this is the case, we will let you know and agree a date when you will have a decision.
  2. As part of dealing with the appeal, we may contact you to ask questions and ensure we have all the right information.
  3. Once the appeal decision has been made there will be no further appeal.
  4. If you are unhappy with how we have managed your case, you can make a complaint via our Complaints Policy which is available on our website or on request.

**8. References**

8.1 This Policy takes account of the RSPCA’s A Guide to Good Practice 2017 for housing providers which can be found at https://politicalanimal.rspca.org.uk/england/guides.

**9. Monitoring, evaluating and reporting**

* Complaints policy
* Access to Housing Policy will be assessing suitability of pets at allocations stage
* ASB Policy through reports of ASB on pets