



Loreburn Group

Pet Policy

Policy	Pet Policy					
Version reference	4					
Approved by	MC		LET	X	MT	X
Date of approval	May 2024					
Review period	Every 3 years or as substantive or legislative change occurs					
Review due	May 2027					
Policy champion	Head of Housing					

1. Purpose of this Policy

- 1.1 This policy outlines Loreburn Housing Association's approach to promoting responsible pet ownership. The intention of this policy is to offer tenants who wish to have pets the guidance needed to enable them to keep a domesticated animal as a companion and care for them responsibly.
- 1.2 This Policy is supported by the Procedural Guide.

2. Policy Statement

- 2.1 Loreburn Housing Association appreciates that keeping a pet can offer significant benefits to our tenants. In line with our Equality and Diversity policy, 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 required.
- 2.2 Loreburn Housing Association will work with tenants, within the Equality and Diversity framework, taking into consideration tenants' diverse needs and ensuring equal respect and fairness. We will make an extra effort to ensure particular groups, more susceptible to prejudice and discrimination, are able to benefit from owning a pet.
- 2.3 Pet ownership indeed may be especially beneficial to certain groups. We will take all reasonable steps to work with our tenants with the intention to overcome obstacles to pet ownership.
- 2.4 There is the acknowledgement that irresponsible ownership can lead to nuisance and impact the quality of life for other tenants and for the local community. Nuisance arising from irresponsible pet ownership will not be tolerated. Loreburn Housing Association will attempt to work with tenants with the intention of understanding the reasons why such circumstances have arisen and offer, where appropriate, reasonable support to rectify the situation.
- 2.5 Tenants must contact Loreburn Housing Association for permission to own a pet as part of the conditions of their tenancy agreement.
- 2.6 In some communal blocks Loreburn may decide to not allow pets on new lettings.

3. Aim

- 3.1 To provide a consistent approach towards pet ownership and a balance that ensures pet ownership does not infringe on the rights of other tenants to the peaceful enjoyment of their home.
- 3.2 To provide tenants with a clear guidance on pet ownership, including how to seek permission and the grounds on which permission may be refused or revoked, information on what type of animals can be kept as pets and in what type of property

can they be kept in and information relating to acceptable behaviour and nuisance. Loreburn reserves the right to limit the number of pets per property.

4. Associated Policies

- Anti-social Behaviour Policy
- Allocations Policy
- Estate Management Policy
- Equality and Diversity Policy
- Risk Flag Policy

5. Legislation

5.1 The following relevant legislation has been considered whilst developing the Pets Policy:

- 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
 - Clean Neighbourhoods and Environment Act 2005
 - The Animal Health and Welfare (Scotland) Act 2006
 - The Microchipping of Dogs (Scotland) Regulations 2016
 - The Equality Act 2010
- **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 this 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 (Designated Types) (Scotland) Order 2024** - designates the **XL Bully** dog type 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.
- **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. Permission will not be granted to keep a dog that is prohibited by this Act or any similar legislation.
- **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. Permission will not be granted for any pets that require a license under this Act.
- **Microchipping of Dogs (Scotland) Regulations 2016** – under this regulation all dogs over the age of 8 weeks must be microchipped.

6. Application Process

- 6.1 Requests must be made in the first instance through a discussion with the Neighbourhood Officer. They will discuss with tenants the set criteria laid out in appendix 1.
- 6.2 The criteria asks tenants to confirm that consideration has been given to the care of the animal in their absence, e.g. hospitalisation
- 6.3 Upon completion of the form, the Neighbourhood Officer will consider the request based on the information provided and the potential impact neighbours and the local community. All circumstances are unique, and we will show consideration of individual's circumstances when assessing applications, while upholding the beliefs contained in our Equality and Diversity policy. A decision will be given in writing within one month of the date of application.

7. Policy Specific Information

- 7.1 Loreburn Housing Association is committed to promoting responsible pet ownership and tenants are reminded they are legally responsible for the health and welfare of any pets.

- 7.3 Tenants must make suitable provision for a pet should they become unable to take care of it, either on a temporary or permanent basis. In such circumstances, if this has not been arranged, our staff will contact the appropriate authorities to arrange for the care of a pet and the tenant will be liable for any charges arising from this.
- 7.4 In the event of tenants being decanted from their property, for example during repairs, and being unable to take their pet(s) with them, the Association will support them in sourcing suitable temporary accommodation for the animal(s).
- 7.5 If pets are found to have been left behind in a property when a tenancy has ended, the Association will contact the appropriate authorities to arrange for their safe removal and care and any associated costs recharged to the outgoing tenant.
- 7.6 If it has been found that a tenant has neglected a pet's welfare, or mistreated or caused unnecessary suffering to a pet, then the Association will notify the appropriate authorities. Where this is brought to the attention of the Association by a third party, then they will also be advised to report it to the appropriate authorities. In such cases, permission to keep a pet in Association property will be withdrawn.

8. XL Bully Dogs

- 8.1 The Scottish Government introduced new safeguarding regulations regarding XL Bully dogs in February 2024. These regulations are intended to ensure public safety and make it an offence to:
- have an XL Bully in public without a lead and muzzle
 - breed from an XL Bully dog
 - rehome, sell, buy or transfer ownership of an XL Bully dog
 - abandon an XL Bully dog or let it stray
 - give away an XL Bully dog
- The penalties for anyone convicted of these offences are up to 6 months imprisonment and/or a fine of up to £5,000
- 8.2 Exemption certificates from 31 July 2024 - If an existing tenant has an XL Bully dog prior to the regulations taking effect, you must have an exemption certificate - or have applied for one – by 31 July 2024 to own an XL Bully dog.
- 8.3 Loreburn tenants are required to have permission to keep pets. The conditions attached to this permission and the process for obtaining permission are outlined in this Policy. It is already an offence to rehome or transfer ownership of an XL Bully dog so requests from tenants to bring a new XL Bully dog into their household will automatically be declined.
- 8.4 Loreburn needs to consider the broader interests and welfare of our workforce, other tenants and residents and the wider community. As such, a higher threshold will be required to be met for permission for an XL Bully dog compared to other types of pets. This means that existing tenants that have owned an XL Bully prior to February,

2024 will need to re-apply for permission and as part of that provide Evidence of full compliance with the safeguarding regulations including:

- An exemption certificate.
- Details of the dog's microchip will need to be provided.
- Evidence of when the dog was acquired will need to be provided. This could include paperwork relating to the purchase, confirmation from a Vet etc.
- Evidence that the applicant/tenant has adequate public liability insurance.
- Confirmation that the tenant will adhere to the safety measures that Loreburn expects to protect its staff, contractors working on behalf of Loreburn who are required to visit the property in the course of their duties. The measures will include a requirement for an XL Bully dog to be muzzled and secured in an appropriate area.

8.5 XL Bully dogs will not be allowed in flatted accommodation with communal areas nor in a property without a secure rear garden. It will be the tenants responsibility to ensure the garden is secure at their own cost and this will be inspected before the dog will be allowed to reside at the property.

8.6 Where the breed of dog is not clear, permission will not be given until the tenant is able to produce a certificate from a vet or other registered body to confirm the breed of the dog and that it is not a banned breed or if identified as an XL Bully, the dog complies with current Scottish legislation on the ownership of said breed.

8.7 Any tenant who has not declared that they have an XL Bully and is keeping one in the Loreburn property without permission will be referred to the local agencies such as the police, to explore the situation under the Dangerous Dogs (Designated Types) Scotland Order 2024.

9. Refusal

9.1 Permission will not be granted in the following cases:

- Permission will not be granted to keep a dog that is prohibited by the Dangerous Dogs Act 1991 or any similar legislation.
- Permission will not be granted for any XL Bully dogs not meeting government legislation, meaning they must have owned the dog prior to February 2024 as per the Dangerous Dogs (Designated Types) Scotland Order 2024
- Permission will not be given for XL Bully dogs in communal blocks or accommodation with no secure garden.
- Permission will not be granted for any pets that require a license under the Dangerous Wild Animal Act 1976.
- Permission will not be given to keep any breed of fighting or dangerous dog or any illegal breed of animal.

- Permission will not be given to breed or sell an animal from a Loreburn HA property
- Any type of farm animals e.g. sheep, goats, pigs, cattle and ducks.
- Any type of bird of prey e.g. kestrel, buzzard, owls.
- Primates, including all species of monkeys.
- Permission will not be granted for fish tanks with a volume of 150 litres or more as this exceeds the load-bearing capacity of our properties.
- Permission will not be granted for a tenant to keep a pet where the Association receives advice that the environment it is to be kept in is unsuitable.

10. Permission

- 10.1 Loreburn Housing Association wishes to enable our tenants to benefit from the positive aspects of pet ownership while ensuring that consideration has been given to the commitment required and animal welfare. We will support our tenants to overcome any barriers to responsible pet ownership and will not refuse permission for a pet without a valid reason.
- 10.2 Tenants are responsible for the behaviour of any pets owned by themselves or by anyone living with them or visiting them. They must ensure that pets are supervised, kept under control and do not cause nuisance or annoyance to neighbours, visitors, Association staff or contractors. This includes fouling, noise and odours from pets. Dogs must always be kept on a short lead in common areas, shared gardens and Association grounds, and are not permitted out with a tenants property unaccompanied. They will be required to be muzzled if they are XL Bully type dogs. In addition, on visits from staff or contractors of Loreburn Housing Association, pets should be secured in another room or caged from that where works or visits are taking place. Failure to comply with this will result in permission for a pet being rescinded.
- 10.3 Tenants must ensure their pets do not cause damage or deterioration to their own, their neighbours', or any other Association owned property; any common parts; or any garden or landscaped areas. This includes damage caused by pet fouling. The Association will require that any such damage is either made good by the tenant or be treated as a rechargeable repair.
- 10.4 Permission may be refused where records show a previous history of neglect or cruelty; or instances of irresponsible pet ownership, such as failure to control an animal.

10.5 Written permission is not required for assistance dogs; however, tenants are still responsible for their animal's behaviour and its welfare. Owners of assistance dogs should advise the Association of the dog's existence in case of fire/flood, etc. Any concerns raised regarding behaviour and/or well-being of the dog would be dealt with in the same way as stated in Section 7 of this policy.

10.6 The following guidelines will normally apply:

<p>Keeping Dogs</p>	<ul style="list-style-type: none"> • Permission to keep dogs will be limited to no more than two dogs per household. One dog of medium size in flatted accommodation. • You must have your dog permanently identified by microchip and wear a collar with ID tag. • You must clear up any fouling including in communal areas and public spaces, as well as your garden. • All dogs must be kept on a lead and under control in internal and external communal areas • XL Bully dogs must be muzzled and on a lead when outside of the property. <p>Dogs can suffer from behavioural problems when left alone for periods of time. This can cause nuisance, if they bark continuously. It is advisable to make alternative arrangements for your dog if you are away from your home for regular periods of time.</p>
<p>Keeping Cats</p>	<ul style="list-style-type: none"> • Permission to keep cats will usually be limited to two cats per household. <ul style="list-style-type: none"> ○ You must have your cat permanently identified by microchip and neutered. • Cats can spray, soil and have unplanned litters so, the easiest and most cost-effective way of dealing with this is to have them neutered. • You must clear up any fouling including in communal areas and public spaces, as well as your garden. • You must seek permission to fit a cat flap. Cat flaps may not be fitted to UPVC doors.

<p>Keeping Birds</p>	<ul style="list-style-type: none"> You can keep caged birds in your home if you live in a flat or a house. However, it is illegal to keep a bird in a cage where it is unable to fully stretch its wings. You must keep their home free from droppings. In cases of keeping birds outside you should make sure you have adequate outside facilities for the birds and that you can look after them properly.
<p>Keeping Small Mammals</p>	<ul style="list-style-type: none"> Tenants may be given permission to keep small animals which are housed in suitable cages, bowls or tanks inside the home and do not need to be allowed outside the property, for example small birds, fish or mice etc. If the resident has their own private garden permission maybe given to keep small pets in hutches such as rabbits or guinea pigs. Hutches will not be permitted in communal gardens. You must limit small animals to manageable numbers.
<p>Keeping Exotic Pets</p>	<ul style="list-style-type: none"> Requests for exotic pets such as snakes, lizards or spiders will be refused if the pet requires a license under the Dangerous Wild Animals Act 1976. Where a tenant holds the relevant permit permission will be refused if the pet will pose a safety risk to the household or neighbours should it escape. Exotic Pets must be kept in environments suitable for the species.
<p>Keeping Animals Outside</p>	<ul style="list-style-type: none"> Requests to keep any animals outside the property may be made and the particular circumstances will be considered given due consideration to the impact on neighbouring properties and available space.
<p>Fish Tanks</p>	<ul style="list-style-type: none"> Permission will not be granted for fish tanks with a volume of 150 litres or more as this exceeds the loadbearing capacity of our properties.

9.5 Permission will also be refused when:

- A tenant does not have adequate space in their home or garden for an animal and the garden is not secure.
- Where there are already several pets in a property and a further pet will affect their welfare
- Where there are pets in a property causing a nuisance to neighbours or damage to the property
- Where Loreburn Housing Association is not the freeholder and a land lease applies
- Communal pets will not be permitted due to the difficulties involved in ensuring the ongoing responsibility for the animals' welfare.
- Tenants have the right to appeal a rejected request as well the right to make a new application is once any rejection criteria has been met.

10. Partnership Working

- 10.1 It is our intention to enable as many of our tenants to benefit from the positive aspects of pet ownership while ensuring that consideration has been given to the commitment required and animal welfare. Specialised advice or support may be sought from other groups to ensure that Loreburn is working in line with the Equality and Diversity policy and that animal welfare advice is updated for our frontline staff.

11. Complaints

- 11.1 Loreburn has a commitment to valuing complaints and ensures the organisation benefits from feedback to identify areas for change or improvement.
- 11.2 Loreburn has a Complaints Policy which ensures there are robust and effective procedures in place for complaints to be properly managed and acted upon.
- 11.3 Anyone dissatisfied with the outcome of their complaint having exhausted Loreburn's complaints procedure has the right to refer the matter to the Scottish Public Services Ombudsman.

12. Equality, Diversity & Inclusion

- 12.1 Loreburn aims to ensure that equality, fairness, dignity and respect are central to the way we work and how we treat our tenants. We support diversity and uphold equal opportunities in all areas of our work as an employer and service provider.
- 12.2 Loreburn will not discriminate against tenants, staff, visitors, suppliers or others based on their age, sex, sexual orientation, race, disability, religion or belief, marital status, pregnancy and maternity or gender reassignment (collectively referred to as 'protected characteristics' in the Equality Act 2010).

13. Risk Management

- 13.1 Loreburn has a Risk Management Strategy, Policy and Procedure. These documents set out how the organisation will manage risk as an integral part of its governance and management systems, ensuring risks are identified, evaluated and controlled effectively.
- 13.2 Identifiable risks arising from this policy will be monitored and managed by the internal processes set out herein and by regular review of this and all other associated policies and procedures, ensuring risks are mitigated and Loreburn complies with all legislative requirements and regulatory and best practice guidance.

14. Responsibilities Chart

- 14.1 The below chart illustrates the responsibilities of all staff pertaining to this policy:

Responsibility	LET	HoH/AHM	Officers / Assistants
Set the policy and direction	X		
Ensure Loreburn HA staff have robust understanding of the Policy	X	X	
Take lead on application, make day to day decisions relating to Policy			X
Record keeping of Pet Permissions			X
Authorise Pet Requests		X	X
Ensure clear and effective communications with tenants and key stakeholders		X	X

Responsibility	LET	HoH/AHM	Officers / Assistants
Report any concerns to line manager		X	X
Work with People & Culture to deliver relevant training		X	X
Ensure Policy is reviewed as necessary		X	

15. Policy Review

- 15.1 The Policy Champion is the Head of Housing.
- 15.2 The Policy Champion is responsible for completing the Health and Safety Assessment and Equality, Diversity and Inclusion Assessment Checklist.
- 15.3 This policy will be reviewed by the Policy Champion every 3 years or sooner as required due to legislative or substantive change.

Policy Assessment Checklist



Health & Safety Assessment

Does this policy have the potential to affect:

Lone Working	Yes
Safety and/or wellbeing of staff	No
Safety and/or wellbeing of tenants	No

Have the above items been considered in the preparation of this Yes policy?

Comments:

Staff entering a tenant's home should ensure they are aware of potential risks and risk flag relating to pets, particularly aggressive pets.

Equality, Diversity & Inclusion Assessment

Does this policy have the potential to affect:

Staff's rights to equal opportunities	Yes
Tenants' / Customer's rights to equal opportunities	No
Tenants' / Customer's ability to access to homes and/or services	Yes

Have the above items been considered in the preparation of this Yes policy?

Comments: All circumstances are unique, and we will show consideration of individual's circumstances when assessing applications, while upholding the beliefs contained in our Equality and Diversity policy.

Written permission is not required for assistance dogs; however, tenants are still responsible for their animal's behaviour and its welfare. Owners of assistance dogs should advise the Association of the dog's existence in case of fire/flood, etc. Any concerns raised regarding behaviour and/or well-being of the dog would be dealt with in the same way as stated in Section 7 of the Pet Policy

Agile Working Assessment

Agile working requirements have been considered and addressed in the preparation of this policy: Yes