

Pets and Animals Policy

Policy Statement

- 1.1 Providence Row Housing Association works to enhance the Life Chances of customers by providing safe, secure and affordable places to live, developing quality services that meet customers' needs and engaging with customers to build inclusive and sustainable communities.

Policy

- 2.1 Providence Row Housing Association acknowledges that pet ownership can bring a great deal of pleasure and enjoyment to residents. We recognise that, especially in the case of vulnerable residents, owning a pet can enhance well-being and improve a resident's quality of life.
- 2.2 Providence Row Housing Association supports the view that, there should be no unreasonable restrictions on residents keeping animals at their property.
- 2.3 However, we also recognise that if animals are not accommodated, cared for and controlled in a responsible manner, they may cause nuisance and disturbance, and potentially pose a risk to people and other animals.
- 2.4 We recognise the rights of all residents living in accommodation with shared facilities, such as sheltered housing and shared supported housing, to be involved in decisions about the suitability of pets being kept there.
- 2.5 We are committed to maintaining a quality environment for all residents. Providence Row Housing Association takes all complaints of pet or animal nuisance seriously and we aim to achieve a quick resolution to any nuisance by using relevant laws and/or by taking action through the tenancy agreement.
- 2.6 Providence Row Housing Association is sensitive to the requirements of some residents who are registered blind, registered deaf, or have other disabilities, who may need to house a trained assistance animal at their property. This may include 'seeing eye' dogs, hearing ear dogs, seizure alert dogs and mobility assistance dogs.
- 2.7 All residents must adhere to the terms of their tenancy or occupancy agreement, and the terms of this policy, in relation to the keeping of pets or animals at their property.

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2.8 In exceptional circumstances, exceptions to these policy guidelines may be allowed by a senior management. Where exceptions are allowed, the full reasons for the decision must be recorded on the housing management system.

Permission

2.9 Applicants for housing are asked to indicate on their application form if they intend to keep a pet. This will not prejudice their application unless they plan to keep a pet for which permission cannot be granted. If this is the case then this matter must be resolved before an offer of accommodation is made. We will offer pet-friendly accommodation to the resident wherever possible.

2.10 Residents should seek permission before getting a pet, to allow us to keep a record of animals which are being kept at the property. Permission will not be unreasonably refused.

2.11 In shared accommodation, including supported or sheltered accommodation, if a current resident or an applicant for housing requests permission to keep a pet, supported housing management staff will consult with other residents at the property to seek their views. The views of all residents who have the use of communal facilities will be taken into account in deciding whether to grant permission for a pet to be kept.

Key conditions for keeping a pet or animal

3.1 The following conditions for keeping animals are often set out in occupancy agreements. Where the occupancy agreement does not include information about pets and animals, these policy conditions should be made clear to the resident:

- Residents must not keep a pet without prior consent from the landlord or where appropriate, the service provider.
- Pets must be kept under control at all times.
- If an animal fouls any area it should be cleared up immediately by the owner.
- Pets must not cause nuisance or danger to persons or other animals. Please see **Section 7** for more information about what constitutes nuisance caused by animals.
- Running a business such as breeding animals, or operating a boarding kennels from one of our properties is not permitted.

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- We highly recommend that all pets are neutered and will support residents to find a scheme that will neuter for free or at a highly subsidised fee. For example Cats Protection (and vets linked to the scheme) offers neutering for £10 for those on benefits. Blue Cross Animal Hospitals will neuter dogs for free, As well as preventing pregnancies, neutering prevents nuisance, aggressive behaviour & roaming and increases the life expectancy of your pet and lowers the risk of serious injury & vets costs through fighting with other animals.

Pet Identification

- 3.2 To comply with current legislation, dogs must wear a collar and tag.
- 3.3 Legally dogs and cats must be micro-chipped. It has been a legal requirement for dogs since 2016, and cats must be micro-chipped by June 2024. Micro-chip details should be registered with the landlord.

Assistance Animals

- 4.1 We will support and assist residents who require guide dogs and other assistance animals. We will comply with Disability Discrimination Act 1995 and the Disability Act 2005 and work with appropriate organisations to ensure proper arrangements are made.
- 4.2 Residents who are registered blind and make use of trained assistance dogs are exempt by legislation from the obligation to remove their dog's faeces from communal areas and gardens. This also applies to residents whose disability prevents them from being aware of, or removing their animal's faeces. Residents who are registered deaf remain responsible for removing dog faeces from communal areas or gardens. In practice, however, the situation will rarely occur, as assistance dogs are trained to an extremely high standard of behaviour and assistance dog handlers tend to make responsible dog owners.
- 4.3 Registered blind, deaf and disabled residents who make use of trained assistance dogs are not subject to estate regulations or dog control orders excluding dogs from specific land on the estate.
- 4.4 All animal owners are required to keep their dogs on a lead in communal areas; this includes registered blind, deaf and disabled residents who use assistance dogs.

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- 4.5 As an organisation, we are committed to providing a welcoming environment at all our premises and offices for assistance dogs accompanying their handlers. Any particular requirements that customers with disabilities may have will be met in accordance with PRHA's Equality and Diversity policy and our responsibilities under the Disability Discrimination Act 2005.

Types of Animal

- 5.1 We will not unreasonably refuse permission for small domestic animals to be kept at a resident's home, where the property is suitable to accommodate them.
- 5.2 Officers may wish to refer to the RSPCA website www.rspca.org.uk for more information about suitable living conditions for different species of animal.
- 5.3 The following is a list of pets and animals which will not be granted permission to be kept in a Providence Row Housing Association property:

Dogs bred specifically for fight (or appearing to be) or having the characteristics of a type bred for that purpose as specified in the **Dangerous Dogs Act 1991**. In 2006 the following types of dog were added: Pit Bull Terrier, Dogo Argentino, Fila Brasileiro and Japanese Tosa. Any cross breeds of these four breeds are also not permitted. Up to date information on banned breeds & dangerous dogs can be obtained at <https://www.gov.uk/control-dog-public/banned-dogs>

From **1st February 2024** XL Bully dogs were added to the **Dangerous Dogs Act 1991**. It will be illegal to own unless registered on the index of Exempted Dogs. PRHA cannot grant permission to keep such a dog at any of their properties. <https://www.gov.uk/guidance/prepare-for-the-ban-on-xl-bully-dogs>

Animals which should be licensed under the Dangerous Wild Animals Act 1976. Examples of animals registered under the Act are certain types of venomous snake and spiders. A full list of animals requiring a license under the Act can be obtained at <https://www.legislation.gov.uk/ukpga/1976/38/contents>

Pigeons - without consulting with neighbours and without membership of the Racing Pigeon Association. Consent can be withdrawn at anytime.

- 5.4 Local decisions will be made by partner landlords whether permission can be granted for the following:

Farm animals – for example, sheep, goats, pigs, cattle, horses, donkeys, chickens, ducks or similar types of animals.

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Another dog or cat where the household already has 1 dog or 1 cat or a dog and a cat.

- 5.5 Where there is an ongoing problem with pet ownership in the household or there has been a significant, unresolved problem in the past, permission to keep an animal will be refused.

Types of property

- 6.1 In most cases, domestic pets may be kept if the accommodation is a house, maisonette or a flat with its own entrance and access to an outside area.
- 6.2 Where a flat has a communal entrance, Providence Row Housing Association will decide on a case-by-case basis whether animals may be kept in the property.
- 6.3 Local decisions may be made to only allow larger animals, such as dogs and cats, in properties with their own access to outside areas, such as houses or ground floor flats with a garden. Where a property only has access to a balcony, larger pets may not be allowed.
- 6.4 Some landlords have an agreement in place that on certain estates, in blocks of flats or specific types of accommodation, no pets are allowed.
- 6.5 Our partner landlords must make this information clear and available to residents, particularly during the viewing and sign-up process for a new resident.
- 6.6 Where there is no such agreement in place, the landlord must consult fully with all residents before bringing any new arrangements into force.
- 6.7 Shared accommodation includes supported and sheltered accommodation, as well as properties which have key communal areas such as kitchen and living space.
- 6.8 General needs flats would not usually be considered shared accommodation.
- 6.9 In shared accommodation, the landlord must consult with all residents and service users before granting permission for any one person to get a pet or animal.

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6.10 The views of all residents who have use of communal facilities, including shared entrances, hallways, lifts, lounges, kitchens, bathrooms, and gardens will be taken into account in deciding whether to grant permission for a pet to be kept.

Nuisance and anti-social behaviour

7.1 Providence Row Housing Association will take appropriate action whenever complaints are received that a pet or animal is causing nuisance and disturbance. Anti-social behaviour procedures will be activated and legal action may be taken. The case may also be referred to the local authority, the police or the Royal Society for the Prevention of Cruelty to Animals (RSPCA).

7.2 Providence Row Housing Association staff should not enter a property where they feel they may be at risk of intimidation or injury by an animal.

7.3 Providence Row Housing Association takes the view that all and any of the following may constitute pet or animal nuisance, this list is not exhaustive:

- Fouling of gardens, internal and external communal areas, where animal faeces or urine are not cleaned up immediately.
- Loud or persistent noise or barking that disturbs other residents
- Dogs not being kept under proper control, including dogs not being on a lead or muzzled in communal areas
- Animals that roam or escape from their owners
- Animals being kept in unhygienic conditions, where this may pose a health risk to themselves and other residents
- Over-population of animals within a household, particularly unneutered animals
- Unpleasant odours caused by animals or their products (e.g. cat litter not regularly cleaned or unwashed dog blankets), or by owners not caring for or cleaning up after their animals
- Residents keeping windows or communal entrance doors open so that an animal may be allowed in and out
- People who use animals to menace, intimidate or attack people or other animals, particularly those who use weapon dogs, are undertaking severe anti-

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social behaviour and in many cases, criminal activity, and will be dealt with in accordance with procedures in the Anti-social Behaviour policy and in partnership with other agencies such as the police.

7.4 The majority of occupancy agreements state that the resident must repair any damage caused to the landlord's property, fixtures and fittings. This includes any damage that is caused by pets or animals.

Potential Action

8.1 In animal nuisance cases, we aim to resolve the situation informally and by agreement with the people involved. Where an agreement cannot be reached, the following options may be considered:

- Arranging for a mediator to become involved
- Neutering
- Making responsible pet ownership part of a Good Neighbour Agreement
- Making responsible pet ownership part of an Acceptable Behaviour Contract (ABC)
- Withdrawing permission to keep an animal
- Restricting the number of animals
- Involving statutory organisations such as the Police or the Local Authority
- Involving voluntary organisations such as the RSPCA
- Obtaining an Injunction to oblige a pet owner to do something or to refrain from doing something. The landlord may ask the Court to make an Order requiring the owner to remove the animal.
- Terminating the tenancy and taking possession proceedings where tenancy conditions are breached.

Animal cruelty or neglect

8.2 Residents are responsible for the health and welfare of their pets. Under the Animal Welfare Act 2006, this is called a "Duty of Care". If residents have any

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questions about the care of their pet, they should contact their vet or another organisation such as the RSPCA.

- 8.3 Where a member of staff witnesses cruelty or neglect they will report this to the RSPCA and their line manager. Where cruelty or neglect is reported to us by a third party, we will also report this to the RSPCA, making it clear that we have not directly witnessed the cruelty or neglect, but that it has been reported to us. The person reporting the abuse to us will also be encouraged to contact the RSPCA.

Equality and Diversity

- 9.1 Providence Row Housing Association will treat all customers with fairness and respect. We recognise that we have an ethical and a legal duty to advance equality of opportunity and prevent discrimination on the grounds of age, sex and sexual orientation, disability, race, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.
- 9.2 This document and any related leaflet may be translated or interpreted, or provided in accessible formats such as large print or Braille according to customers' needs.
- 9.3 All staff receive Equality and Diversity training on joining Providence Row Housing Association and are responsible for ensuring that the Equality and Diversity policy is incorporated into all work activities and all dealings with customers and colleagues.

Procedure

Keeping a Pet or Animal at the Property

- 10.1 General needs residents and supported housing residents in self-contained accommodation should be informed that permission is required before they can keep an animal.
- 10.2 The resident should also be made aware that if the animal causes disturbance or puts the health and safety of others at risk, then nuisance procedures will be activated. This may put their tenancy at risk.
- 10.3 Supported housing residents in shared accommodation should be advised to request permission from the Supported Housing Officer, who will ask for details of the animal to be kept and check that the resident has considered how the animal will be cared for if the resident is unwell, on remand, imprisoned or on holiday. The SHO will also consult with other residents to see if they have any

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objections to the pet or animal living at the property. Residents' views will be taken in to consideration as part of the decision making process.

10.4 In the case of supported housing residents who are pet owners, details of the animal and arrangements for its care should the owner fall ill, should be included in the resident's support plan.

10.5 Pets are not permitted to visit pet-free accommodation.

Granting Permission

11.1 Permission to keep a pet or animal must never be unreasonably refused.

11.2 When considering whether to grant permission for a resident to keep a pet at a property, there are a few important things to check:

- Are pets usually allowed in this area/type of accommodation?
- Does the tenancy agreement or lease agreement have any terms which refer to animals?
- Does the property have access to an outside area?
- If yes, does the outside area have appropriate fencing?
- Have you checked the RSPCA guidance on keeping that type of animal? Were any valid concerns raised?
- Does the accommodation have shared facilities? If yes, have you fully consulted all other residents to ensure they are happy with a pet living in the property?
- Does the resident have any other animals? If yes, could another animal result in animal overcrowding or potential nuisance? (The number and type of pets which may be kept, not including visitors' pets, are listed in some tenancy agreements, and guidelines are given in this policy at Section 4.)

11.3 Some tenancy agreements or leases clearly state that pets may not be kept or only be kept where the accommodation does not have a communal entrance. Where this is the case, if a resident asks for permission to keep a pet, the relevant condition must be explained to them.

Process

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- 12.1 If a resident wishes to keep a pet, the landlord will note the request on the housing management system.
- 12.2 The landlord will consider the request, based on the criteria in this policy and procedure and grant or refuse permission as appropriate.
- 12.3 Where permission is granted, a note must be made on the housing management system and the permission must be confirmed to the resident in writing.

Pet Owning Contract

- 13.1 At some group partners, a **Pet Owning Resident's Contract** may be signed whenever permission is granted for a resident to keep a pet.
- 13.2 Our landlord partners will make a local decision whether using the **Pet Owning Resident's Contract** will assist their management of pet and animal situations. Where the contract is adopted, to ensure fairness, it must be used for all residents who are granted permission to keep a pet.
- 13.3 The resident and the landlord complete and sign the **Pet Owning Residents Contract**. The contract outlines expectations of care for the pet, provides contact details in the event of a problem and the action the landlord may take if the terms of the contract are broken.
- 13.4 A copy of the contract must be given to the resident and a copy must be saved on the housing management system.

Permission Refused

14. Where permission to keep a pet is refused, the landlord must clearly set out their reasons for refusing permission in writing.

Discovering an animal at a property without permission

- 15.1 If an animal is discovered at a property and the owner does not have permission to keep that type of animal there, in many cases, it may be possible to grant retrospective permission for the animal to remain at the property.
- 15.2 This is particularly important where the previous policy stated that residents did not require permission before getting a pet. Residents must not be penalised for getting a pet without permission where permission was not previously required.

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15.3 Please be aware that it can cause great distress to both people and animals when they are separated. Wherever possible, we will allow the owner to keep their animal and remain in the property.

15.4 Where the animal is discovered because of reports of nuisance or anti-social behaviour, the procedures set out below will be followed.

15.5 Where the nuisance or anti-social behaviour cannot be remedied, action may be taken, including removing the animal where appropriate.

Pet or Animal Nuisance (First report of nuisance)

16.1 Staff receiving the initial complaint can advise the complainant to speak to their neighbour as a first step, unless this would pose a health and safety risk to the complainant. For example, dog owners may not always realise how serious a problem it is if their dog is barking when they are not at home, or if they have become used to the noise.

16.2 It is also important that the complainant is directed to contact the relevant public agency, as local authorities and the police have a wide range of legal powers to impose sanctions or take further legal action.

16.3 Where the nuisance relates to unknown dogs barking or stray dogs, complainants should be advised to contact Environmental Health.

16.4 In the case of dog fouling, complainants should be advised to either contact the local authority, or the relevant land or property owner where the land does not belong to us.

16.5 Dangerous dogs should be reported to the police, while cases of suspected ill-treatment of animals should be reported to the RSPCA.

Referral to a Supported Housing Officer or Housing Management

17.1 In the case where the complainant has already spoken to their neighbour and/or contacted the relevant agencies, or where a further complaint is received about a pet or animal, the issue should be referred to the officer responsible for that locality.

17.2 The officer should send a letter to the owner of the animal, reminding them of the conditions of their tenancy or occupancy agreement and asking them to rectify the matter.

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Persistent nuisance

18. Should the letter not remedy the nuisance, further complaints about a pet or animal should be handled in accordance with the procedures in the Anti-social Behaviour policy.

Safety of Providence Row Housing Association Staff

- 19.1 Strangers coming into their home can disturb an animal. To reduce any stress the animal may suffer, residents should be advised where appropriate to keep the animal in another room while the visit takes place.
- 19.2 Residents with assistance dogs must not be asked to remove animals to another room. As these are working animals, the officer should not attempt to pet the animal or distract it from its duties. In the rare event that an assistance dog does misbehave, the officer should inform the handler, and request that they control their dog.
- 19.3 In the event that an officer is menaced or attacked by an animal belonging to a resident, the incident should be reported to their manager.

Animals and Eviction

- 20.1 Where a possession order has been granted by the court, and court bailiffs are due to visit the property, it is helpful to know in advance if a pet is kept at the property.
- 20.2 If the bailiff suspects there may be health and safety risks associated with gaining access to the property, they will not enter.
- 20.3 If there is known or suspected to be an animal loose in the premises, particularly a dog, the officer will need to arrange for a pest and animal control operative or local authority dog warden to attend the property and remove the animal.
- 20.4 The RSPCA will not usually be able to assist in arranging the removal of an animal as part of the eviction, unless the animal is suspected or known to be abandoned and suffering.

Monitoring

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- 21.1 All complaints of pet or animal nuisance and incidents of animal bites/attacks will be recorded (in the Salesforce Database) to ensure that the number and outcome of reported incidents can be evaluated.
- 21.2 Where anti-social behaviour is a factor, incidents, actions and outcomes will be recorded and monitored in line with procedures in the Anti-Social Behaviour policy.
- 21.3 In self-contained and shared supported housing accommodation, incidents will be also be monitored by staff on-site, who will work closely with the residents to resolve any problems.

Appendix 1

Pets and Animals and the Law There are many laws concerning animals, the following are some of the most relevant laws:

Protection of Animals Act 1911 Persons found guilty of cruelty or neglect may be imprisoned and/or fined. They may also be banned from keeping an animal for life.

Abandonment of Animals Act 1960 Abandoning an animal is an offence.

Animals Act 1971 if a dog worries livestock, it may be shot and the owner faces criminal prosecution. It is the duty of owners to ensure that animals do not stray onto the road and cause injury or damage.

The Road Traffic Act 1988 it is an offence to have a dog without a lead on certain designated roads.

Dogs Act 1871 Courts can order a dangerous dog to be destroyed or order the owner to keep it under proper control.

The Dangerous Dogs Act 1991 (amended 1997) Residents cannot own the following by law; Japanese Tosa, Fila Brasileiro, Argentine Dogo, Pit Bull terrier or any dogs with these characteristics. The Act states that any dog dangerously out of control in a public place may be destroyed; owners face the possibility of a 6 month prison sentence or a maximum £5000 fine. From the 1st February 2024 it will also be illegal to own an XL Bully Dog unless it has been added to the Index of Exempted Dogs. PRHA, however, will not permit those 'Exempted' due to the level of risk.

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Control of Dogs Order 1992 every dog, while in a public place, must wear a collar displaying the owners name and address.

Environmental Protection Act 1990 This act gives the relevant local authority the power to seize a stray dog and to hold it for 7 days. After 7 days, the dog can be found another home, sold or destroyed. The local authority can also serve a Noise Abatement notice.

Crime and Disorder Act 1998 (updated by the Police Reform Act 2002) A landlord can apply to Court for an Anti-Social Behaviour Order where harassment, alarm or distress is being caused which includes the actions of a pet under the control of a resident.

Dog (Fouling of Land) Act 1996 (DFOLA) Allows local authorities to apply a bylaw to make owners clean up after their pets.

Housing Act 1996 (amends part 2 of the Anti-Social Behaviour Act 2003)
 Gives social landlords the power to apply to Court for an injunction or demotion of a tenancy when nuisance and annoyance has been caused.

Clean Neighbourhoods and Environment Act 2005 This Act allows the local authority to designate public areas where dogs must be kept on leads or where they are excluded. It also gives the local authority powers to enforce dog fouling bye laws on public land. It is no defence for the owner to say they were unaware of the dogs' actions and the owner may be prosecuted or fined. The Act can also enforce dog control orders.

Micro-chipping From April 2016 it was a legal requirement to micro-chip dogs before they are 8 weeks old. From June 2024 cats will also be required before they are 20 weeks old. Owners will be fined up to £500 if their dog or cat is not micro-chipped. Potential owners should ask for proof of micro-chip fitting (this will be a certificate and/or vet records) before they get a pet.

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