



<b>Policy:</b>	<b>Animals</b>
<b>Housing Services</b>	
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**CONTENTS**

**Page Number**

1. Introduction ..... 3

2. Aims of the Animals Policy ..... 3

3. Scottish Social Housing Charter Outcomes ..... 4

4. Annual Return on the Charter (ARC) Indicators ..... 4

5. Community Wellbeing ..... 5

6. Animal Wellbeing ..... 5

7. Conditions of the Animal Policy ..... 6

8. Breaches of the Animals Policy ..... 6

9. Equality & Diversity ..... 7

10. Legal Framework ..... 8

11. Guidance & Good Practice ..... 8

12. Role of the Management Committee ..... 9

13. Decision Review ..... 9

14. Complaints ..... 9

15. Monitoring & Reporting ..... 9

16. Audit Trail ..... 10

17. Review of Policy ..... 10

## **1.0 Introduction**

- 1.1 Provanhall Housing Association is a community based not-for-profit organisation located in the Provanhall area of Easterhouse. The Association is run by an elected and voluntary Management Committee. Policies of the Association are agreed and approved by the Management Committee with the operation of these policies the responsibility of staff.
- 1.2 Provanhall Housing Association recognises that for many residents keeping animals offer many benefits to their owners and are a great source of comfort and friendship. For others however animals can be a source of annoyance and irresponsible ownership can cause a real nuisance to others living nearby. The Animals Policy aims to address the issues surrounding the keeping of animals as pets to encourage and ensure good neighbour relations are maintained.
- 1.3 The Association encourages responsible animal ownership. Animal ownership is a privilege, not a right, and tenants must comply with the guidelines and conditions in this policy and their Tenancy Agreement. In Tenant Satisfaction Surveys, dog fouling remains one of the biggest neighbourhood concerns for residents. So clearly the keeping of animals impacts on the quality of life within communities and on the wellbeing of residents. See '*Community Wellbeing*' section for further details. For these reasons keeping animals cover a range of issues that involve other policies of the Association including:
  - 1.3.1 Tenancy Agreement
  - 1.3.2 Antisocial Behaviour Policy
  - 1.3.3 Estate Management Policy
  - 1.3.4 Allocations & Internal Transfer Policies
  - 1.3.5 Complaints Policy
  - 1.3.6 Equality & Diversity Policy

## **2.0 Aims of the Animals Policy**

- 2.1 The aims of the Animals Policy are:
- 2.2 To recognise the keeping of animals offer major benefits to their owners but that irresponsible ownership can be a real nuisance to others
- 2.3 To provide clear guidelines for current and future tenants outlining the conditions under which animals may be kept and controlled
- 2.4 To promote good neighbour and landlord relations by encouraging tenants to consider their neighbours' enjoyment of their homes
- 2.5 To encourage responsible animal ownership and welfare

### **3.0 Scottish Social Housing Charter Outcomes**

3.1 The following charter outcomes and standards are relevant to the Animals Policy:

3.2 **Charter Outcome 1 'Equalities':**

*'every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services'*

3.3 **Charter Outcome 2 'Communication':**

*'tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides'*

3.4 **Charter Outcome 6 'Estate management, antisocial behaviour, neighbour nuisance and tenancy disputes':**

*'Social landlords, working in partnership with other agencies, help ensure as far as reasonable possible that: tenants and other customers live in well-maintained neighbourhoods where they feel safe'*

3.5 **Charter Outcome 11 'Tenancy Sustainment':**

*'tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations'*

### **4.0 Annual Return on the Charter (ARC) Indicators**

4.1 The following Annual Return on the Charter (ARC) Indicators are relevant to the Animals Policy:

4.2 Charter Indicator 13 *'Percentage of tenants satisfied with the landlord's contribution to the management of the neighbourhood they live in'*

4.3 Charter Indicator 17 *'Percentage of antisocial behaviour cases reported in the last year which were resolved'*

4.4 Charter Indicator 22 *'Percentage of the court actions initiated which resulted in eviction and the reasons for eviction'*

## **5.0 Community Wellbeing**

- 5.1 All tenants have a right to the peaceful enjoyment of their home and community. The Association believes it is irresponsible animal owners, and not the animals themselves, which are the cause of most tenancy breaches and nuisance or antisocial behaviour complaints involving animals.
- 5.2 The majority of animal problems in our community relate to dogs; dog fouling and associated health risks, noise nuisance regarding barking and dogs not being controlled properly. There are various laws relating to dogs which range from a requirement for all dogs in public to have a collar with a name and address tag and be microchipped through to certain breeds being registered and muzzled.
- 5.3 According to the Scottish Household Survey 2019, yet again the most commonly experienced neighbourhood problems were animal nuisance such as dog fouling or animal noise. Under the Dog Fouling (Scotland) Act 2003 irresponsible dog owners can be issued with a fixed penalty. Dog owners can also be brought to Court and receive a criminal conviction under Section 49 of the Civic Government (Scotland) Act 1982 and fined up to £500. Under the Control of Dogs (Scotland) Act 2010 various actions can be taken if a dog has not been kept under control effectively and regularly or is causing alarm or apprehension.
- 5.4 Glasgow City Council campaigns on issues such as *'environmental incivility'* which they define as *'any act which is harmful to or contributes to the degradation of your living environment. This can include vandalism, fly tipping, dog fouling, littering and graffiti'*. The Scottish Government also state *'environmental antisocial behaviour can give communities the appearance of decline....'* The Association has long recognised the appearance of the local environment has a significant impact on the quality of life within our community and on the wellbeing of residents.
- 5.7 For these reasons environmental services were developed and established for the benefit of all tenants and residents within the Provanhall community. Staff work in partnership with all statutory and voluntary agencies in the operation of the Animals Policy. Please refer to the Estate Management Policy and Antisocial Behaviour Policy for full details of the preventative & proactive measures carried out by staff and in partnership with others.

## **6.0 Animal Wellbeing**

- 6.1 The Association hopes all its tenants properly look after and care for their animals. Animal Health and Welfare (Scotland) Act 2006 increased the penalties for those who inflict serious cruelty on animals and also introduced a welfare offence. This places a *'duty of care'* on pet owners to provide for their animal's basic needs, such as adequate food and water, veterinary treatment and a suitable living environment. This welfare offence means that animals do not have to suffer for owners to be prosecuted. Animals can also be removed from the owner to protect them from suffering.

## **7.0 Conditions of the Animals Policy**

- 7.1 The Association will make sure all tenants are aware of its Animal Policy. When offering a tenancy, staff will explain the Animals Policy and the tenant must sign a separate written acceptance of the '*Conditions Governing the Keeping of Animals as Pets*' outlined in this Animals Policy.
- 7.2 As stated in the Tenancy Agreement each tenant is permitted to keep a maximum of two domestic animals in their home. This is subject to the following conditions outlined in Section 2.6 of the Tenancy Agreement:
- 7.2.1 Keeping your animal is not prohibited by the Dangerous Dogs Act 1991, or by any other law
  - 7.2.2 You are responsible for the behaviour of any animal owned by you or anyone living with you
  - 7.2.3 You must take all reasonable steps to supervise and keep such animals under control
  - 7.2.4 You must take all reasonable steps to prevent animals causing nuisance, annoyance or danger to your neighbours. This includes fouling or noise or smell from your animals
  - 7.2.5 You must take reasonable care to see that such animals do not foul or cause damage to the house, your neighbour's property, anything belonging to us or anything we are responsible for, such as the common parts
  - 7.2.6 We will be entitled to require removal of the animals if causing nuisance or damage
  - 7.2.7 You will be responsible for cleaning up dog faeces
  - 7.2.8 Tenants found to be keeping animals in their home without permission from the Association may be required to remove the animal with 28 days
  - 7.2.9 The keeping of pigeons or other such non-domestic species of birds will not be permitted
  - 7.2.10 No non domestic animals should be kept in the house or garden
  - 7.2.11 If you fail to meet the above conditions, permission to continue to keep the animal will be withdrawn. If permission is withdrawn, we will be entitled to require removal of the animal. In such circumstances, you hereby agree not to keep the animal and ensure removal from the house on a permanent basis within 28 days of the permission being withdrawn.
- 7.3 You must not fail to control your animal properly or allow them to foul or cause damage to other people's property (Section 3.3)
- 7.4 Failure to meet the above conditions may mean more serious action, including legal and court action, being taken against you.

## **8.0 Breaches of the Animals Policy**

- 8.1 This may take several forms and require different responses, depending on the nature and seriousness of the issues involved. For example:
- 8.1.1 Having more animals than is permitted

- 8.1.2 Keeping animals that are not permitted
  - 8.1.3 Failing to adequately supervise or control your animal
  - 8.1.4 Failing to adequately maintain the health and welfare of your animal
- 8.2 Under the Control of Dogs (Scotland) Act 2010, a dog is deemed to be "out of control" if:
- 8.2.1 it is not being kept under control effectively and consistently (by whatever means) by the proper person (generally the proper person is the owner of the dog but it may be the person who has parental responsibilities in relation to an owner under 16 or any person who appears to have day-to-day charge of the dog), and
  - 8.2.2 its behaviour gives rise to alarm, or apprehensiveness on the part of any individual, and the individual's alarm or apprehensiveness is, in all circumstances, reasonable. The apprehensiveness may be as to (any or all) - (a) the individual's own safety, (b) the safety of some other person, or (c) the safety of an animal other than the dog in question.
  - 8.2.3 The definition of "out of control" is crafted so that both elements of the test must be met in order for an authorised officer to be able to serve a Dog Control Notice.
- 8.3 If a complaint is received or it is clear to staff a breach of tenancy has taken place, the Association will try to resolve the issue through provision of information, advice and support. We may work in partnership with other agencies to provide this support. Holding mediation meetings between two neighbours or full close meetings may also be carried out. Verbal and written warnings may also be issued. The Scottish SPCA will be contacted if there are any animal welfare issues or concerns.
- 8.4 If complaints or breaches are not successfully resolved, joint meetings with the tenant and relevant agencies will be held prior to more serious action being taken against the tenant. This partnership approach ensures we do all we can to resolve issues and keep tenants and their families in their home. Serious action includes legal or court action which could ultimately lead to the eviction of the tenant and their family. Please see the Antisocial Behaviour Policy and Procedure for details.

## **9.0 Equality & Diversity**

- 9.1 Provanhall Housing Association is committed to promoting an environment of respect, understanding, encouraging diversity and eliminating discrimination by providing equality of opportunity for all. The Animals Policy in its operation will adhere to all parts of the Equality & Diversity Policy.
- 9.2 The Association wishes to ensure there are no barriers in accessing its services. Relevant documents can therefore be translated into a range of languages on request. We will also ensure that translation services are available for those who wish more detailed information and to assist those who wish to make personal enquiries. For anyone with visual or audio

impairment relevant documents can also, on request, be made available in larger print, on tape, in Braille or on any format required.

## **10.0 Legal Framework**

- 10.1 The Animals Policy in its operation shall adhere to the following relevant legislation:
- 10.2 Data Protection Act 2018 (incorporates GDPR 2016)
- 10.3 The Microchipping of Dogs (Scotland) Regulations 2016
- 10.4 The Dog Fouling (Fixed Penalty) (Scotland) Order 2016
- 10.5 Control of Dogs (Scotland) Act 2010
- 10.6 Animal Health and Welfare Act (Scotland) 2006
- 10.7 Clean Neighbourhoods and Environment Act 2005
- 10.8 Dog Fouling (Scotland) Act 2003
- 10.9 Dangerous Dogs Act 1991
- 10.10 Civic Government (Scotland) Act 1982
- 10.11 Control of Dogs Order 1992
- 10.12 Antisocial Behaviour etc. (Scotland) Act 2004
- 10.13 Equalities Act 2010
- 10.14 Human Rights Act 1998
- 10.15 Housing (Scotland) Acts 2016, 2010, 2006, 2001 & 1987
- 10.16 Homelessness etc. (Scotland) Act 2003
- 10.17 Crime and Disorder Act 1998
- 10.18 Environmental Protection Act 1990

## **11.0 Guidance and Good Practice**

- 11.1 Every effort has been made to develop this policy with regards to the following information, guidance and good practice on animals and pets:
- 11.2 Updated Guidance on the Control of Dogs (Scotland) Act 2010 (Scottish Government, 2020)
- 11.3 An Introduction to Glasgow's Environmental Task Force (Glasgow City Council, 2016)
- 11.4 Tackling Dog Fouling (Keep Scotland Beautiful, 2015)
- 11.5 Promoting Responsible Dog Ownership in Scotland (Scottish Government, 2014)
- 11.6 Guidelines on Pet Management for Housing Providers, (Pet Advisory Committee, 2010)
- 11.7 Cleaning Up After Your Dog – A Guide for the public (Keep Scotland Beautiful, 2006)
- 11.8 The Scottish Social Housing Charter (Scottish Government, 2017)
- 11.9 Scottish Social Housing Charter, Revised Technical Guidance for Landlords – March 2021 (Scottish Housing Regulator)
- 11.10 Improving the Neighbourhood – A Community Environment Standard for Scotland (CIH, 2006)
- 11.11 Action Plan for a Community Environment Standard (CIH, 2008)



11.12 Firm Foundations: The Future of Housing in Scotland (Scottish Government, 2007)

## **12.0 Role of the Management Committee**

12.1 Staff will undertake the day to day operation of the Animals Policy. The role of the Management Committee is to agree and review the policy. This includes approval of estate management and antisocial behaviour report actions. The Management Committee will also monitor and review the outcomes of the policy.

## **13.0 Decision Review**

13.1 A tenant or resident dissatisfied with any decision taken regarding the animal's policy or complaints process has the right to request a review of the decision. A tenant or resident is advised the review process is as follows:

13.2 A tenant or resident can request a review of the decision to the Housing Services Manager of the Association. Their review request can be made in person by making an appointment or by phone, email, via the Association's website or in writing. The Housing Services Manager will provide a written response within 5 working days.

13.3 If the tenant or resident does not agree or accept the decision of the Housing Services Manager, they have the right to make a final decision review request to the Director of the Association. Their review request can be made in person by making an appointment or by phone, email, via the Association's website or in writing. The Director will provide a written response within 5 working days. The Director's decision will be final.

## **14.0 Complaints**

14.1 A tenant or resident has the right to complain if they are unhappy. We value any complaint a tenant or resident may have as this can help improve the service we provide. See the Complaints Policy and Procedure for details.

## **15.0 Monitoring and Reporting**

15.1 It is important for the Association through the Management Committee to establish whether the aims of the Animals Policy are being met. Regular monitoring and reporting of estate management or antisocial behaviour issues helps to establish whether or not these aims are being met and assist in future policy reviews. This will also help in the review of performance indicators and targets.

## **16.0 Audit Trail**

- 16.1 An audit trail of monitoring and reporting inspections, complaints and performance outcomes shall be recorded. This audit trail will clearly demonstrate the need for the escalation stages of this or other relevant policies and procedures.

## **17.0 Review of Policy**

- 17.1 This policy will be reviewed five years from date of approval or sooner due to legislative, guidance or good practice requirements.