

## Homes First Pet Policy

<b>Version</b> (e.g., first draft, final):	Final Version 26 April 2021
<b>Authorities covered:</b>	Joint
<b>Applies to:</b>	<p>This document applies to all staff working for either Eastbourne Borough Council or Lewes District Council Homes First and Neighbourhood First.</p> <p>It applies to all tenants and leaseholders living in general needs and retirement accommodation managed by Homes First.</p>
<b>Responsible:</b> (Executive Lead)	Gary Hall, Head of Homes First
<b>Accountable:</b> (Operational Lead)	Liz Martin, Neighbourhood Housing Lead
<b>Consultation:</b>	<p>Tenants and residents have been involved in the formulation of this policy through an online questionnaire and a combination of telephone and paper surveys within Retirement Housing. The draft policy was also taken to the resident groups in LDC and EBC.</p> <p>Consultation has involved the Council's Neighbourhood Housing Team, Retirement Housing Team, Leaseholder team.</p>
<b>Final Equality and Fairness Analysis (EaFA) Report approved by and date:</b>	Tim Whelan, Director of Service Delivery 26 April 2021
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## **1.0 Policy Statement**

We encourage responsible pet ownership; balancing the potential positive impact of pets, while ensuring they do not negatively affect others or cause a nuisance.

## **2.0 Scope**

This Policy outlines our approach to dealing with pets in residents' homes and applies to residents living in properties managed by Homes First. The policy has been developed in consultation with tenants and will be implemented from 26 April 2021.

## **3.0 Legal and Regulatory Framework**

We encourage responsible pet ownership, in accordance with the Animal Welfare Act 2006. We will involve the RSPCA immediately where we suspect animal cruelty or neglect and encourage anyone who reports concerns about a pet to us, to do the same.

We will contact the RSPCA if we are aware that you have a court order banning you from keeping animals and we are aware you have animals at the property.

## **4.0 Definition/s**

Where we use "you" or "your" we mean residents. The terms 'we', 'our' and 'us' means Homes First.

Where we refer to keeping "a small pet" we mean small animals that are kept in a cage, hutch or tank, i.e., fish, spiders or hamsters.

## **5.0 Introduction**

This policy sets out the process for requesting approval, how decisions will be reached, and what terms and conditions may be attached to the consent given by Homes First. The policy highlights the need to ensure any animal you own or belongs to a person living or visiting with you must not cause any nuisance, annoyance or disturbance.

Pets are not allowed in some of our properties including some blocks of flats and retirement housing schemes where there is a no pet agreement in place.

Applicants for accommodation will be expected to keep their application updated in regard to pet ownership. This information will be considered and discussed with prospective new tenants as part of the offer of accommodation process. Where a no pet agreement applies to a property, applicants with pets will be refused unless they agree to rehome their pet.

The advert will clearly state if we do not allow pets in that specific property.

## **6.0 Your Responsibilities**

You must keep animals in a reasonable manner and not allow them to cause a nuisance to anyone or cause damage to your home.

It is strongly recommended that you arrange pet insurance in case your pet causes injury/accident to others as well as covering veterinary expenses.

You must not keep, or allow visitors to bring to your home, any livestock or animal classed as wild or dangerous in law as referred to within the Dangerous Wild Animals Act 1976 or the Dangerous Dogs Act 1991.

Visitors can bring animals to your home for temporary periods of time, as long as they don't cause nuisance to neighbours.

You and other members of your household must not breed animals in your home or garden.

If you have been given approval to have a dog, you have extra responsibilities:

- You must ensure that your dog is microchipped and wears a collar and tag with the owner's name and address whenever it is in a public place.
- You must ensure that your dog is under control whenever it is in a public place.
- If you allow a dog into your garden, then you must ensure that it cannot escape.

- You must not allow dog waste to accumulate in your garden, any waste should be removed promptly.
- You must pick up your dog's waste from any public place or communal areas and dispose of it responsibly.
- Pets must be restrained or kept in a different room when a member of council staff, repairs and maintenance contractor, Councillor or any other agency working with the council visits your home.

## **7.0 Pets in Retirement Housing**

In consultation with tenants, we have pet agreements for each scheme. (This does not apply to retirement bungalows.) There are some schemes where pets are not permitted due to the expressed wishes of the majority of tenants residing at the scheme. These local arrangements will be kept under review. You will not be able to have a pet where the scheme has a no pet agreement. When vacancies on these schemes are advertised, we will ensure the advert advises there is a no pet agreement on the scheme and applicants with pets will be refused unless they agree to rehome their pet.

Tenants in retirement housing bungalows and schemes where you are able to have pets must seek approval to keep any pet from the Retirement Housing Advisor. Approval for tenants living on schemes will be restricted according to the number of pets allowed on the scheme and whether the tenants lives on the ground floor.

Decisions for all retirement housing requests will be made on a case-by-case basis according to factors such as: the tenant's capacity to care for the pet; the nature of arrangements for taking care of the pet in the event of a change of circumstance, such as hospital stay, move to other accommodation or a decline in health or wellbeing; and any potential impact the animal may have on other tenants or the environment within the scheme.

## **8.0 Approval**

Approval is conditional on you:

- making suitable arrangements for the animal's care if you go away overnight, or for longer, and providing the Neighbourhood Housing Team with details of an emergency contact;
- making sure that litter trays, hutches, tanks or cages are cleaned frequently, and pet faeces are cleared promptly from the house and/or garden and no smell is caused by the pets;
- keeping your pet(s) under control at all times, including where visitors such as Homes First staff, contractors and postal workers come to your home.

Approval will only be granted to keep the animals specified by the council and at the tenant's current address. The tenant must ask for approval if they move to another property or wish to keep more animals.

It is illegal to bury a pet in a private or communal garden unless you are the owner occupier.

### **8.1 You must obtain our approval before you get a pet, if you:**

- Live in Retirement Housing.
- Would like to have a dog (applies to all properties, and dog owners need to sign a Responsible Dog Agreement).
- You would like to have a cat or a dog and live in a self-contained flat or maisonette.
- Want to run a pet related business from home e.g., grooming, dog walking, pet sitting.
- Want to install dog or cat flaps - we need to check the flaps will not affect the door's fire safety.

## **8.2** When you request approval, we will consider any of the following:

- The terms and conditions of your occupancy agreement.
- The suitability of the accommodation (including size and type of property).
- If you have access to outside spaces communal areas.
- Whether this is a temporary arrangement, e.g., a family member is in hospital.
- The number of pets in a block.

## **8.3** We will not give approval on the following grounds:

- Where a resident already has the permitted number of pets (see Section 9).
- If you live in a retirement scheme or a block of flats with a no pet agreement.
- Where a resident has a previous history of irresponsible pet ownership that has caused nuisance, including noise or damage to our property.
- Where there is a previous history of animal welfare issues.
- Where the condition of a resident's home means it is not suitable for a pet.
- Where the pet is pregnant.

If you feel we have refused approval for a pet unfairly, you can appeal by following the appeals process as set out in Section 12 of this policy.

We will grant approval for an assistance or service pet once we have confirmation this has been formally endorsed. An assistance or service pet is one that has undergone formal rigorous training for the purpose of assisting individuals with their disability and enabling them to live independently. This differs to a therapy or emotional support pet which whilst recognised to improve someone's wellbeing do not fall under the exemption criteria within the Equality Act.

If a pet is kept in our homes without approval, or residents who have pets do not meet the conditions set out in this policy and our tenancy agreement they may not be able to keep their pet and in serious cases may risk losing their home.

Where we discover a pet is being kept without our knowledge where approval is required, we may give approval retrospectively if other conditions for keeping a pet can be met. Tenants who have more than the permitted number of pets at the time that this policy is approved, will be granted retrospective approval to keep their existing pets as long as they are not causing a nuisance. In these cases when a pet passes away, they should not be replaced.

Before we grant approval to have a dog, we will ask you to sign a Responsible Dog Owner Agreement. If we do not give approval, we will contact you to explain why.

## **9.0 Restrictions**

We won't allow you to keep:

- Any animal listed in the Dangerous Wild Animals Act 1976 including large or venomous snakes and certain types of spider.
- Dogs listed in the Dangerous Dog Act 1991 Section 1.
- Farm animals, e.g., sheep, goats, pigs, cattle, horses, cockerels.
- Bees (only permitted in exceptional circumstances).
- Pets in guest rooms in Retirement Housing.
- We will not usually permit more than two dogs or cats (e.g., you can have two dogs, or two cats, or one of each).
- We may restrict the number of pets in a block if there are management issues that warrant this action being taken.

## **10.0 Communal Gardens**

If approval is granted to keep a pet in a property with a communal garden, you must not allow your dog to be given free access to the garden and they must be kept on a lead at all times in communal gardens and common areas.

If approval is granted, but the animal causes nuisance to other people in the locality of the property, we will ask you to address the situation, for example, by training the pet, seeking rehoming or rehoming the animal in a responsible manner.

We will not grant approval for you to keep a pet in a communal garden, for example, animals in an outdoor hutch or place an outdoor run in the communal garden.

## **11.0 What if there is a problem?**

If there are problems with a pet in your home, e.g., noise complaints, we will work with you to solve any problems in line with our Anti-Social Behaviour Policy.

If pets cause damage to your home or to any communal area, we will recharge you the cost if we have to clean or repair damage, if caused by a pet owned by you, a member of your household or a visitor.

We will ask you re-home your pet(s) if:

- You are keeping pet(s) where we would not give approval or refused your request.
- Your pet is causing a nuisance and you are not working with us to resolve this or there are no further options available.
- Your pet attacks or injures other animals or people.
- Your pet is causing damage to the property or the condition of your property is unhygienic because of your pets.
- You have too many pets in your home.
- If, in the course of carrying out normal landlord functions, e.g., repairs and maintenance or annual checks, you cannot control your pet to allow safe access to the property.

If we ask you to rehome any pet, we will tell you why and discuss with you a timescale for you to remove the pet from your home. We will confirm our agreement in writing. Any costs associated with the removal of pets will be recharged to you. We will work in partnership with all relevant agencies to support you where appropriate.

We expect you to engage with us and any partner agencies to help resolve problems. We may take possession proceedings for breach of tenancy if you fail to put right any problems or fail to rehome your pet within a reasonable time.

## **12.0 Decisions and Appeals**

We will always consider requests in line with our policy and let you know in writing what our decision is. If approval is refused you can appeal in writing to the Neighbourhood Housing team with your reason. You must do this within 5 working days of our decision. We will respond in writing to the appeal within 10 working days following receipt of the appeal.

## **13.0 Equalities Impact Assessment**

The equality impact assessment showed a potential adverse impact on residents with disabilities or vulnerabilities. This policy sets out that we will grant approval for an Assistance Pet for residents with disabilities. Other residents that may be considered vulnerable will be supported to re-home their pets where they are no longer able to take care of them.

## **14.0 Data Protection, Confidentiality and Information Sharing**

The council will ensure it complies with the requirements of the Data protection Act 1998 and its own data Protection Policies when managing information, it holds about its tenants.

## **15.0 Monitoring and Review**

We will carry out a fundamental review of this policy every three years or sooner, subject to legal, regulatory changes or if internal changes necessitate.