

# Pets & Assistance Animals Policy – HO061

## 1. Policy Principles

- 1.1 bpha recognises residents may wish to have animals in their home as a pet to reduce social isolation and improve wellbeing. In some cases, residents may require an assistance animal.
- 1.2 For clarification purposes, definitions are shown below:
  - The definition of a pet is an animal which is not required because of a disability and is therefore kept for pleasure.
  - The definition of an assistance animal is an animal that mitigates a disability for a person with a disability, as defined in the Equality Act 2010. They are highly trained by an accredited organisation and the owner will have had specialised training in the safe and effective use of their assistance animal. Assistance animals are not pets and are treated as auxiliary aids. An auxiliary aid is anything which provides additional support or assistance to a disabled person.
- 1.3 The purpose of this policy is to:
  - To ensure bpha are fair and consistent when deciding on residents having animals in their homes
  - To provide residents with clear guidance on animal ownership, how to apply for permission and why permission may be revoked
  - To provide residents with information on what animals are permitted and not permitted
  - To provide residents with information about responsible animal ownership
  - To provide a fair approach to balance the benefits of a resident having animals with the potential that an animal may have a negative impact on other residents

## 2. How we deliver the Pets and Assistance Animals Policy

- 2.1 In all cases decisions on permissions to have animals will be made after reviewing the resident's tenancy agreement, contract or lease in addition to reviewing any management agreement, conveyance or lease for a block of flats.
- 2.2 If a block of flats is a mixed tenure block, then we would look at both the tenancy agreement and the lease.
- 2.3 If a lease or management agreement does not allow for animals, then we will not be able to grant permission. Some managing agents will have their own pet policy which has to be adhered to. Where a managing agent allows pets, but we feel the design, size or location of the property, block of flats or retirement scheme is not suitable for pets, we can decide not to allow pets. This does not apply for assisted animals.
- 2.4 Permission **is not required** for the following animals, however, a maximum of three of these animals in total is allowed:
  - Small caged animals such as hamsters, mice or gerbils (this does not include guinea pigs or rabbits)
  - Small caged birds such as finches, budgies or canaries (this does not include chickens or cockerels)
- 2.5 Permission **will not** be granted for the following animals:
  - Livestock such as sheep, goats, pigs, chickens, cockerels, pigeons etc
  - Poisonous or venomous creatures

- Wild animals as defined under the Dangerous Wild Animals Act 1976 such as venomous snakes or certain types of spider
- Dogs as specified in the Dangerous Dogs Act 1991, including animals granted a certificate of exemption under the Act. This Act is now updated by the Anti-Social Behaviour, Crime and Policing Act 2014. Dangerous dogs include Pitbull Terrier, Japanese Tosa, Dogo Argentino and Fila Brasileiro
- Any other animal that is not listed above but may be **unsuitable** for the property, block of flats or retirement scheme

### 3. How to Obtain Permission for a Pet

- 3.1 Residents wanting to request permission for a pet should complete an Animal Request/Agreement Form. Permission will be considered by a Housing Officer or an Extra Care Scheme Manager, if the resident lives in a retirement living property, only once a completed form has been received.
- 3.2 A retirement living scheme, or a block of flats can be classified as a 'no animal scheme/block of flats' by approval from the Regional Managers or the Retirement Living Manager and this would be reviewed regularly. This could be due to problems with animals within a scheme or a block of flats currently and/or in the past.
- 3.3 Permission will only be granted if all of the following criteria is satisfied:
- The resident has, and continues to, conduct their tenancy satisfactorily
  - The resident is not in arrears and has not been for the past three months and can show that they can afford to look after an animal (because responsible animal ownership is an extra expense)
  - The animal is suitable for the size of the property and there is adequate space in the home and/or garden for the type of animal
  - Space needed to keep the animal does not detract from the primary use of the property
  - The owner/resident or a member of their household has not been found guilty or been suspected of causing cruelty and neglect to an animal in the past or has history of inadequate or detrimental animal ownership
  - The resident can demonstrate that they are able to care for an animal. In the case of an assistance animal, an emergency care plan, for the welfare of the animal, should be available in the event the owner is absent
  - The animal does not pose any risk or danger to residents
  - The animal is/will be micro chipped (if appropriate). If the animal is a dog, then it is a legal requirement for it to be micro chipped
  - The animal is/will be registered with a vet
  - The animal is neutered, or will be neutered by a qualified vet, as it reaches an appropriate age for neutering
  - The animal is/will be insured
- 3.4 In some cases, bpha may seek to consult with residents of a block of flats or a retirement living scheme to reach a consensus on whether to allow animals to be kept where residents have not had permission to keep animals previously.
- 3.5 bpha will not allow residents to have an excessive number of animals. In determining an excessive number of animals, we will refer to the resident's tenancy agreement/lease and consider:
- Property type and size
  - Type and number of animals
  - The ability of the resident, and the amount of disposable income they have, to look after the welfare of the animals

## 4. Assistance Animals

- 4.1 Thousands of disabled people rely on an assistance animal to help them with day to day activities that many people take for granted. Assistance animals are trained to help people with sight and hearing difficulties, epilepsy, diabetes, physical mobility problems and more. Assistance dogs carry out a variety of practical tasks for people as well as supporting their independence and confidence.
- 4.2 In the case of assistance animals, alongside the Assistance Animal Request/Agreement Form, medical evidence will be required to confirm that the resident concerned, or a member of their household, has a protected characteristic.
- 4.3 Disability is a protected characteristic, which is defined in the Equality Act 2010 as “a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day to day activities.”
- 4.4 The medical evidence will also need to confirm an assistance animal will mitigate the residents’ or a household member’s disability.
- 4.5 Once evidence is provided, permission can be granted unless the property is not suited for an assistance animal.
- 4.6 If the current property is not suitable for an assistance animal bpha will support the resident to find an alternative solution as we understand, without the auxiliary aid of an assistance animal, the resident will be put at a substantial disadvantage.
- 4.7 An emergency care plan for the welfare of the animal should be available in the event the owner is absent.

## 5. Animal Ownership

- 5.1 Animal welfare is the residents’ responsibility and bpha will take no responsibility for an animal’s welfare whilst in a bpha property or after the animal has been removed from the property. If we receive any concerns about an animal’s welfare, we will refer the matter to the relevant organisations, such as the RSPCA.
- 5.2 As a responsible animal owner residing in a bpha property, the animal owner/resident must ensure:
  - The animal receives regular treatment to avoid the infestation from fleas and other insects
  - The animal does not cause threat or harm to anyone including other residents, employees, volunteers or contractors working for or on behalf of bpha
  - The animal does not cause a nuisance
  - The animal is kept under control at all times
  - The animal does not foul in communal areas
  - They immediately and properly clear up after their animal and discard of mess appropriately
  - The animal does not cause unpleasant odours for neighbouring properties
  - The animal does not damage the property
  - Animals are not being bred or sold from the property
  - The animal is not to be kept or bred for any commercial purposes
- 5.3 Permission will be **withdrawn** if:
  - Any of the conditions above are not adhered to
  - We receive justified complaints about an animal a resident is responsible for
  - If an animal is mistreated
- 5.4 If permission is withdrawn, bpha will ask for the animals to be rehoused within a specified timescale. If this is not done, then we will take legal action and apply to court for an injunction to have the animals removed. Further legal action could be taken and may include action against a tenancy/lease as appropriate, up to and including possession action.

## 6. References

Standards, Legislation, Policies, Procedures	Retention Period	Storage
The Equality Act 2010	N/A	Internet
The Dangerous Dogs Act 1991		
The Dangerous Wild Animals Act 1976		
The Anti-Social Behaviour, Crime and Policing Act 2014		
Animal Welfare Act 2006		
Equality and Human Rights Commission		
Statutory Code of Practice for Good Services and Public Functions		
Pet and Assisted Animal Procedure (RL016)	Length of Tenancy + 6 Years	Intranet (Hive)
Animal Request/Agreement Form (FM-RL016-03)		
Assistance Animal Request/Agreement Form (FM-HO061-01)		
Tenancy Agreement, Contract, Lease & Management Agreement, Conveyance or Lease for Block of Flats		Documotive

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