Aberdeenshire Multi-Agency Briefing
XL Bully Dogs: New child protection condition for holders of a Certificate of Exemption

This briefing alerts practitioners to new Scottish Government guidance: XL Bully Dogs: New child protection condition for holders of a Certificate of Exemption. It explains the legal requirement placed on owners and the action expected from practitioners where an exempted dog has contact with a child.

What is changing?
From 1 November 2026, the holder of a Certificate of Exemption must ensure that a child under 12 is not left in close contact with an exempted XL Bully dog in a private place, including a home or garden, without appropriate supervision. The condition also applies to other prohibited dogs covered by the Dangerous Dogs Act 1991.

Appropriate supervision means that a person aged 16 or over must:

- Be physically present and remain nearby
- Closely observe the child and dog
- Pay attention to their interaction
- Be able to intervene and separate them immediately

Cameras, baby monitors, video doorbells and similar devices are not a substitute for supervision by a person who is physically present. If appropriate supervision cannot be maintained, the child and dog must be safely separated so that physical contact is prevented.

Responsibilities of practitioners
When working with a child under 12 in a household or private setting where an XL Bully or other prohibited dog is present, practitioners should:

- Ask whether the dog has a Certificate of Exemption
- Establish what supervision arrangements are in place
- Consider whether a person aged 16 or over is consistently able to supervise and intervene
- Check that safe separation arrangements are available when supervision cannot be maintained
- Consider the child's age, development, communication, behaviour and any additional support needs when assessing risk
- Remain alert to occasions when supervision may be interrupted, including cooking, answering the door, using the bathroom, taking a telephone call or caring for another child
- Discuss concerns directly with the parent, carer or dog owner and provide clear advice about the new condition
- Record relevant information, observations, advice and agreed actions in the child's record
- Share relevant information with partner agencies in accordance with local child protection procedures
- Follow Aberdeenshire child protection procedures where there is concern that a child may be at risk of harm

Responding to immediate concerns

If a practitioner believes that a child is in immediate danger, they should take proportionate action to secure the child's safety and contact Police Scotland where necessary.

Failure by the owner to comply with the condition means that the Certificate of Exemption may no longer be valid. The police may seize the dog, and the owner may face criminal prosecution. Responsibility for complying with the condition rests with the Certificate holder.

Key message
The presence of an XL Bully dog does not automatically indicate that a child is at risk of significant harm. Practitioners must consider the individual circumstances, the quality and reliability of supervision, the effectiveness of separation arrangements and any wider indicators of risk. The safety and wellbeing of the child must remain paramount.

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