

Water Hygiene (Legionella) Policy

Contents

1. Our purpose
2. Introduction
3. Scope of Policy and Exclusions
4. Definitions
5. Roles and Responsibilities
6. Policy
7. Reporting and Monitoring
8. Assurance
9. Equality Impact Considerations
10. Data Protection Considerations
11. Training and Competency
12. Communication and Implementation
13. Legal and Regulatory Framework
14. Information Sharing and Confidentiality
15. Document Control

1. Our purpose

We're proud to be able to support tens of thousands of people across England by providing affordable housing and care to help people live independently.

Everything starts at home, and we are privileged to be able to do work which makes a real difference to the lives of people in our communities. Everything we do is about people – whether that's providing a good quality, safe home or providing care which helps someone to live an independent life.

We live and breathe this social purpose.

2. Introduction

GreenSquareAccord (GSA) has specific legal duties which relate to water hygiene which includes the management of legionella and scalding risks. This policy sets out our commitment to discharge our duties to manage these risks, and to ensure that customers, colleagues, and other stakeholders will be kept safe.

This policy is supplemented by the Water Hygiene (Legionella) Procedure and Water Safety Management Plan and Operational Guidance produced by the operational Property Compliance Team, which set out further details on how this policy will be delivered.

Legionella bacteria is common in natural water (such as rivers and ponds) and can also grow in other water systems such as showers, spray apparatus and hot and cold-water systems.

Legionella bacteria thrives at temperatures between 20-45 degree Celsius (°C). Legionellosis is caused by the inhalation of Legionella bacteria which is contained within fine water droplets (aerosol) that may be emitted from one of these water systems. Whilst everyone is susceptible to legionella bacteria, the Health and Safety Executive (HSE) recognise higher risk groups including smokers and those with chronic respiratory/kidney disease.

Scalding risks can be created particularly to vulnerable people by hot water temperatures (>44°C), therefore controlling water temperatures is an essential element of water safety in our properties.

The aims of this Policy are to:

- Ensure that we are fully compliant with all legislation and regulation that applies in the area of water hygiene, including the management of legionella bacteria and scalding risks.
- Set out how we will deliver our responsibilities through:
 - Identifying and assessing sources of risk
 - Preparing plans for preventing or controlling risk
 - Implementing and managing these plans
 - Keeping records and checking that the actions we have taken have been effective.
 - Inform our customers, future customers, and colleagues about the approach we take in ensuring their safety and explain how they can support us to deliver this.
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3. Scope of Policy and Exclusions

The scope of this policy covers the management of legionella bacteria risk and scalding risk within all properties owned and managed by GSA including:

- Domestic properties including general needs housing with a supply via a communal water system, extra care housing, supported properties/temporary accommodation, 55+ housing, sheltered housing and other rented properties owned and managed by GSA.
- Non-domestic properties where we have responsibility for the water management in offices, depots, shops, other commercial buildings, blocks and communal areas/common parts, remote plant, and garages.
- All properties, where under a tenancy agreement or contract, GSA has responsibility for maintenance and repairs, including the control of access of maintenance workers into the building

4. Definitions

Water Systems	Water Systems that are considered to be an inherent part of building's services. Examples include general hot and cold-water supplies, wet heating systems, sanitary water supplies, emergency drench showers, point of use water heaters directly connected to either the mains water supply or a mains-fed water storage system, building sprinkler systems, and mains-fed water fountains.
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Legionellosis	This is a collective term for diseases caused by legionella bacteria including Legionnaires' disease, Pontiac fever and Lochgoilhead fever.
Legionella Risk Assessment (LRA)	This is a specific risk assessment carried out to determine the risk of legionella bacteria and exposure from a specific water system.
Other Equipment	Any specialist Water System or equipment that is independent of a building's water supply. Examples include stand-alone water tanks, rainwater harvesting systems, humidifiers, re-circulating water vacuum systems, horticultural watering and misting systems, washing machines with sumps, coolant used with engineering and other similar equipment, hoses, and spray heads etc.
Planned Preventative Maintenance (PPM) measures	These measures are scheduled and designed to prevent legionella bacteria growth in water systems including weekly flushing of infrequently used outlets, monthly temperature monitoring and quarterly descaling of showerheads.
Thermostatic mixing valve (TMV)	A TMV is a device which is attached to the water pipes blending hot and cold to maintain a safe and consistent temperature to prevent scalding.
Written Scheme of Control	A scheme which documents the control measures for the prevention and control of legionella bacteria. The scheme should be specific to the water system covered in the risk assessment.

5. Roles and Responsibilities

5.1. The **GSA Board** is responsible for ensuring that management of health and safety and asset compliance meets statutory and regulatory requirements and is sufficiently resourced. This includes GSA's approach to the management of water hygiene (legionella).

5.2. The **Executive Board** is responsible for ensuring that appropriate arrangements and resources are put in place for ensuring the safety of customers, colleagues and others, and compliance with legal, regulatory, and statutory standards, delegating operational responsibility as appropriate.

The Executive Board is also responsible for reporting any breach in standards to the GSA Board and reporting any regulatory breaches to the Regulator of Social Housing in line with organisational policies.

5.3. The **Chief Property Officer** is responsible for:

- Ensuring that appropriate mechanisms are in place for monitoring compliance with water hygiene (legionella) legislation, regulation and policies and procedures.

- Reporting levels of compliance to GSA's Board.
- Ensuring that appropriate resourcing and arrangements are in place (in line with budget capacity) to meet the regulatory, legislative and statutory requirements relating to water hygiene (legionella) and potential scalding risks including sufficient resources to appoint the Responsible Person role in line with governance protocols and delegations.

5.4. The Director of Repairs and Maintenance is responsible for

- Ensuring that appropriate resourcing and arrangements are in place to meet the regulatory, legislative, and statutory requirements relating to water hygiene (legionella) and potential scalding risks.
- Formulating programmes of work consistent with the delivery of this Policy.
- Monitoring the performance of all work streams undertaken to ensure compliance with statutory requirements and this Policy.
- Ensuring contractors and colleagues engaged to carry out LRAs, inspections and maintenance works are procured with the required qualifications and competency.
- Monitoring the performance of contractors appointed to carry out LRAs, inspections and maintenance works, including contract and performance management. □ Escalate any breach in standards to Chief Property Officer and Executive Board.

5.5. The Head of Health and Safety is responsible for:

- Reviewing reporting (second line assurance) on water hygiene compliance to the Financial Performance and Monitoring Group and Executive Board.
- Ensuring that GSA has appropriate procedures, processes and internal controls in place which comply with all legal, regulatory and policy requirements.
- Reviewing changes to legislation and regulation to ensure that this policy remains compliant with them.
- Ensuring that appropriate mechanisms are in place for monitoring compliance with water hygiene legislation, regulation and policies and procedures.

5.6. The Head of Property Compliance is responsible for:

- Acting as the designated/nominated Responsible Person for Water Hygiene (Legionella) compliance for GSA and has the day-to-day responsibility to mitigate the risk from legionella, ensuring compliance with the relevant legislation and regulations.
- Maintaining a master asset database of all properties (domestic and commercial) where we have a responsibility to carry out water hygiene safety checks and maintenance.
- Overseeing the availability of correct stock data and landlord compliance data subsets against which work programmes and contracts are prepared.
- Overseeing data reconciliation exercises to ensure that all properties for which we have a responsibility are included on the servicing programme.
- Ensuring that GSA complies with all requirements through the implementation of this policy, regularly reviewing operational practices and performance.

- Ensuring that appropriate operational delivery mechanisms are in place for monitoring compliance with water safety legislation, regulation and policies and procedures.
- Planning and implementing an effective performance management framework and associated assurance activities that will strengthen risk control and provide the highest levels of assurance required by this policy.
- Overseeing effective and accurate upward reporting of performance on water safety compliance (first line assurance) to the Financial Performance and Monitoring Group, Executive Board, the GSA Board, and its Committees.
- Receiving audit feedback and act upon findings.
- Ensure an annual desk-top review of to identify any risk from exposure to legionella bacteria to domestic properties to ensure the safety of our customers
- Ensuring that contractors engaged to carry out water hygiene (legionella) works are procured with the required qualifications and competency.
- Ensuring that GSA colleagues have the skills, knowledge, and experience necessary to deliver the commitments outlined in this Policy.
- Overseeing the quality and correct storage of all certification and documents required to demonstrate landlord compliance.
- Reporting all material issues of non-compliance (whether potential or actual) to the Head of Health and Safety.

5.7. The Head of Data and Analytics is responsible for:

- Ensuring that GSA has appropriate controls in place for ensuring the accuracy and integrity of data reported as part of the Performance Committee Pack.
- Ensure that property compliance KPIs are data assured using the appropriate Kitemark assessment for that performance measure.

5.8. All Colleagues are responsible for:

- Reporting all material issues of non-compliance (whether potential or actual) to the Property Compliance Team and Health and Safety Team.
- Taking reasonable care of themselves and others around them including undertaking works which may affect the water hygiene in the property.
- Completing any mandatory training relevant to their role within stipulated timeframes.
- Complying with all health and safety policies, procedures, associated instructions and working practices.

6. Policy

6.1. Legionella Management

The management of legionella is regulated by the Control of Substance Hazardous to Health (CoSHH) and implementing the advice and guidance contained within the Health & Safety Executive's (HSE) Approved Code of Practice (ACOP) L8 & HSG274.

GSA use external third-party contractors, who are suitably competent and qualified to undertake Legionella Risk Assessments, and to prepare Written Scheme of Control with membership to the Legionella Control Association (LCA).

6.2. Risk Management

The approved and procured third-party contractors will identify and assess sources of risk via a Legionella Risk Assessment of all in-scope properties to identify and evaluate foreseeable risks of exposure to legionella bacteria.

The LRA includes visiting the property to check the water systems, as defined in the contractual service level agreement (SLA), in place to assess the system and conditions which may encourage bacteria to multiply and if there are higher risk people who may be exposed.

LRAs for non-domestic properties will be carried out every 2 years by GSA third-party approved contractors. For domestic properties, a desk-top review will be completed annually by the Head of Property Compliance, to identify any risk from exposure to legionella bacteria to the property to ensure the safety of our customers.

In addition to the cyclical reassessment, GSA will commission a new Legionella Risk Assessment in the following circumstances:

- There is a change to the property tenure or its use, in which the water system is installed.
- There is updated information about risks or control measures.
- The results of checks indicate that control measures are no longer effective.
- A case of legionnaires' disease/ legionella is associated with the water system.
- There are significant changes of occupancy and/or services installations that could affect the risk rating of the property.
- Conversion works - If a calorifier or combi water heater needed renewal and is replaced with a combi gas boiler, or the existing combi gas boiler is adapted to provide hot water to both the central heating and the hot water outlets.

6.3. Written Scheme of Control

The LRA will produce a Written Scheme of Control which will include the planned preventative maintenance (PPM) measures in place to manage and monitor any foreseeable risk of exposure to legionella bacteria including weekly flushing and monthly temperature monitoring.

In addition to the Written Scheme of Control, the LRA will identify if any remedial actions are required in order to reduce or remove the risk as far as reasonably practicable.

These identified works will be carried out in line with timescales specified by the GSA approved third-party contractors carrying out the LRA.

Where these are not specified, advice should be sought from the Head of Property

Compliance and/or the Head of Health and Safety. Detailed evidence is required to support any remedial works or re-inspection report marked as complete.

6.4. Emergency Procedure – Legionnaires Disease Outbreak

An outbreak is defined as two or more cases where the onset of Legionellosis is closely linked in time (weeks rather than months) and where there is epidemiological evidence of a common source of infections, with or without microbiological evidence.

In the event of an outbreak, the Head of Property Compliance will mobilise an incident/outbreak control team to investigate, with the relevant property instigating their onsite Business Continuity Plan and associated protocols.

The Head of Property Compliance will also immediately arrange for the suspected water system to be sampled with an urgent review of control measures and a new risk assessment carried out to identify any other remedial action required.

Any outbreak must be notified to the Head of Health and Safety immediately, who is responsible for notifying Public Health of any known cases. In their absence, notification can be made by designated person appointed by the Executive Director of Governance or the Chief Property Officer.

Once notified, it is the responsibility of the Local Authority to declare an outbreak. This is usually the Consultants in Communicable Diseases Control (CCDC) in England and Wales.

6.5. Scalding

Due to the temperature at which legionella bacteria thrives, GSA recognises there is a risk of scalding to vulnerable customers and will assess the risk of scalding allowing adoption of appropriate measures to control it. GSA do this by assessing customer vulnerabilities and support needs with all new and existing customers.

Where a customer's vulnerabilities is identified through GSA or external agency e.g. occupational therapist or social worker's assessment, scalding controls (in the form of a thermostatic mixing valve) are installed to prevent water being discharged at more than 43 °C. Locations include:

- ❑ Disabled washing and toilet facilities.
- ❑ Disabled adaptations
- ❑ Communal, sheltered, and supported bathrooms/toilets
- ❑ Baths as required under the relevant Building Regulations
- ❑ Showers for vulnerable customers
- ❑ Other locations as required e.g. laundry or domestic kitchens if the approved third-party contractors through their LRA advises a lack of water control risk or a hazard exists.

Scalding controls installed as part of new systems and thermostatic mixing valves will be compliant with the recommended Code of Practice for Safe Water Temperature.

They will be set to the following temperatures as outlined in the Guidelines produced by the Thermostatic Mixing Valves Manufacturers Association:

- 41°C for Showers
- 41°C for Basins
- 44°C for Baths
- 37°C for Bidets (where installed)

A programme of testing and maintenance for thermostatic mixing values (TMVs) is in place and monitored by Property Compliance team in line with the written scheme of control, including fail-safe testing, servicing and/or replacement if required.

7. Reporting and Monitoring

The Head of Property Compliance is responsible for maintaining a master database of all properties where GSA has a responsibility to provide water hygiene (legionella) checks, including details of maintenance checks and risk assessments.

Records will be held electronically including:

- A copy of the current and previous LRA and the date when the next LRA is due.
- Details of any remedial work/s which have been undertaken to reduce risk and improve water hygiene (legionella) management.
- Details of any written scheme of control and any other mitigation or control measures.
- Details of servicing and maintenance of TMVs
- Training records, which is held by the Learning and Development team.

Completion of LRAs is reported to Financial Performance and Monitoring Group via the monthly Performance Pack. Any significant performance deterioration may trigger a recovery plan following discussion between the Financial Performance and Monitoring Group and the GSA Performance Manager.

Performance scorecards including the % of properties with a current LRA are reported to GSA Board, Executive Board and Operations Committee.

Any scalding incidents are reported via the electronic health and safety management system. If a customer is in receipt of a regulated care service, the incident may also be referred to the Safeguarding Team. The Quality and Compliance Team analyse and review reported scald incidents.

8. Assurance

- First Line Assurance – The Property Compliance team will carry out water hygiene (legionella) compliance checks as detailed in their operational Water Hygiene (Legionella) Procedure.
- Second Line Assurance is via the Health and Safety Team who usually act as the internal assurance function for GSA and carry out periodic audits, which includes the presence and management of the legionella risk assessment, and escalating any concerns to the Property Compliance Team and relevant Head of Service and Director.

Second line assurance is also provided by the Performance Improvement Team who check data as part of KPI / performance reporting.

- Third Line Assurance is undertaken by GSA's internal auditors, who complete periodic audits on building safety matters, which are fed back to Executive Board and Audit and Risk Committee including any actions required.

9. Equality Impact Considerations

The implementation of this policy ensures that colleagues and those working on our behalf are properly informed around the principles of water hygiene and scalding risk.

Arrangements identified by assessing customer vulnerabilities and support needs with all new and existing customers helps us to identify risks for those who may be vulnerable and/or classed as higher risk in terms of legionella bacteria and scalding which enables us to tailor our support and risk mitigations to protect them.

10. Data Protection Considerations

Consideration has been given to data protection by ensuring this policy adheres to data protection principles, including confidentiality, fairness, transparency and data minimisation.

11. Training and Competency

- 11.1. All identified colleagues, through the job-role specific training matrix, will receive relevant training for their role including awareness of the importance of water hygiene (legionella) issues, scalding (burn) risk (Care & Support) and signs that may indicate a concern relating to water hygiene (legionella).
- 11.2. Training requirements for relevant roles are reviewed by the Learning and Development Lead, the relevant operational Head of Service and the Head of Health and Safety, to ensure that these meet legal requirements and best practice.

12. Communication and Implementation

- 12.1. GSA customers receive a water hygiene (legionella) information leaflet as part of their signup pack.

This information is also available on the GSA website and through the intranet for colleagues and information leaflets are sent as required in response to identified hazards.

The Property Compliance Team liaise with their third-party contractors and internal teams around communications with customers about the importance of providing access to undertake risk assessments and works relating to water hygiene (legionella). In the event of difficulty gaining access, the Property Compliance Team will follow the GSA Access Procedure.

- 12.2. This Policy will be communicated to colleagues via the internal intranet and the Health and Safety communication programme.

13. Legal and Regulatory Framework

Health and Safety at Work Etc. Act 1974 – the primary piece of legislation covering occupational health and safety in Great Britain.

The Management of Health and Safety at Work Regulations 1999 – the legislation which sets out duties to assess and manage risks to their employees and others, to help prevent work accidents and work-related illness.

Control of Substances Hazardous to Health Regulations (COSHH) 2002: The legislation sets out duties to adequately control exposure to materials such as legionella bacteria that can cause ill health.

Approved Code of Practice (ACoP) and Guidance L8 2013 (4th Edition)

Legionnaire's Disease - The control of legionella bacteria in water systems. It is aimed at duty holders, including employers, to help them comply with their legal duties in relation to legionella. These include identifying and assessing sources of risk, preparing a scheme to prevent or control risk, implementing, managing, and monitoring precautions, keeping records of precautions, and appointing a manager to be responsible for others.

HSG274: Legionnaires disease. Part 2: The control of legionella bacteria in hot and cold-water systems. This guidance gives practical advice on the legal requirements of the Health and Safety at Work etc Act 1974, the Control of Substances Hazardous to Health Regulations 2002 concerning the risk from exposure to Legionella and guidance on compliance with the relevant parts of the Management of Health and Safety at Work Regulations 1999

Reporting of Injuries Diseases and Dangerous Occurrences Regulations 2013: The legislation sets out duties on reporting of dangerous occurrences e.g. substantial release of hazardous substances.

The Housing Health and Safety Rating System (England) Regulations 2005: This helps local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings.

14. Information Sharing and Confidentiality

We will provide information as required in line with relevant law and regulation.

We collect information (personal data) to enable us to:

- manage and support our relationship with customers to comply with legal obligations
- improve our services
- achieve our legitimate business aims

We are committed to complying with data protection legislation when handling data.

Customers have rights including access to their data and to object to the way it is processed. For more information on how and why we process customer data and how customers can exercise their rights please view our full Privacy Policy on our website at [Privacy notice – GreenSquareAccord](#).