



Water Systems and Legionella Policy

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1. Policy Statement

ng homes are committed to ensuring that all social housing tenants live in homes where the risks from water systems and legionella is reduced to as low as reasonably practicable.

2. Background

ng homes owns properties of mixed tenure and is responsible for water safety domestically and within communal areas.

ng homes has several leased and HMO properties which it has overall water hygiene responsibility for.

3. Policy Aims

ng homes aims to ensure its homes are maintained to a high standard through the delivery of efficient and effective repair and maintenance services.

The aim of this policy is to:

- To place the health and welfare of our tenants and residents first.
- Minimise the risk of Legionella from within those premises which ng homes own or manage.
- Ensure that Legionella statutory compliance and performance of assets is appropriately recorded, monitored, reported, reviewed and where appropriate, improved.
- Ensure an effective approach to risk management and service continuity.

This policy has been written to ensure that all reasonable steps and precautions have been taken to ensure compliance with The Control of Substances Hazardous to Health Regulations 2002 (as amended), The Water Supply (Water Fittings) (Scotland) Byelaws 2014 and all other relevant legislation.

4. Legislation and Statutory Requirements

- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999
- L8 (fourth edition) Approved Code of Practice The control of legionella bacteria in water systems (2013)
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

- Public Health etc. (Scotland) Act 2008
- The Building (Scotland) Regulations 2004
- The Control of Substances Hazardous to Health Regulations 2002, as amended
- The Housing (Scotland) Act 2006
- The Management of Health and Safety at Work Regulations 1999
- The Private Water Supply (Scotland) 2006
- The Water Supply (Water Fittings) (Scotland) Byelaws 2014
- The Water Supply (Water Quality) (Scotland) Regulations 2001

5. Guidance

- BS 8580-1:2019 Water quality - risk assessments for Legionella control - Code of practice
- BS 7592: 2022 Sampling for Legionella bacteria in water systems – Code of practice
- HSG220 (Second edition) Health and Safety in Care Homes
- HSG274 Legionnaires Disease – Technical Guidance (in 3 Parts) (2013)
- INDG 458 Legionnaires Disease – A Brief Guide for Duty Holders (2012)

The list is not intended to be exhaustive. Staff need to be aware of relevant revisions to guidance and regulations that periodically take place and it is their individual responsibility to apply and follow current legislation and guidance.

6. Legal Duties

ng homes have statutory duties which relate to water safety and legionella risk management, including:

- Identifying and assessing sources of risk
- Preparing an operational written scheme for preventing or controlling the risk
- Implementing and managing the scheme
- Keeping records and checking what has been done is effective and compliant.

7. Legionella Information

Legionellosis refers to a group of illnesses caused by legionella bacteria, which include the severe Legionnaires' disease, as well as the less serious Pontiac fever and Lochgoilhead fever.

Legionnaires' disease is a type of pneumonia that can be fatal and can affect anyone. However, the risk increases with age and certain groups are at higher risk, including people over 45 years old,

smokers, heavy drinkers, those with chronic respiratory or kidney disease, diabetes, lung and heart disease, and anyone with a weakened immune system.

Legionella pneumophila and related bacteria are common in natural water sources such as rivers, lakes, and reservoirs in low numbers. They may also be found in man-made water systems such as cooling towers, evaporative condensers, hot and cold-water systems, and spa pools.

If conditions are suitable, these bacteria can grow and increase the risk of Legionnaires' disease. therefore, it is essential to control the risks.

8. At Risk Groups

At-risk groups include all stakeholders, tenants, customers and visitors to our properties, including the office.

Legionnaires' disease can affect people of all ages and health conditions who come in contact with contaminated systems.

The infection occurs more frequently in men than women and usually affects middle-aged or elderly people, smokers, alcoholics, or people with other chest problems.

The most vulnerable groups are the elderly and infirm, alcoholics, and those suffering from cancer, diabetes, chronic respiratory or kidney disease, and people using immunosuppressant medication.

9. Infection Pathways

Legionella bacteria are naturally occurring microbes that are widespread in nature. They mainly reside in natural water systems such as rivers and ponds, but the conditions are rarely suitable for people to contract the disease from these sources.

Legionella is a type of illness that can spread through exposure to bacteria found in purpose-built systems like cooling towers, evaporative condensers, spa pools, and hot water systems. These systems are often maintained at a temperature that allows the bacteria to grow. The illness can occur in a variety of premises, both commercial and domestic.

Infection is caused by breathing in tiny airborne droplets of water contaminated with the bacteria, not by drinking contaminated water.

It is important to note that any water application that releases contaminated aerosols into the surrounding area can spread Legionella bacteria. This bacteria can be transmitted through various sources such as air conditioning systems, cooling towers, evaporative condensers, showers, taps, humidifiers, fountains, whirlpool baths, and hydrotherapy baths. These bacteria can survive at low temperatures, but they require specific conditions in water systems to thrive. These conditions include a food source such as the presence of biofilm, sludge, scale, rust, algae or organic matter, as well as a water temperature between 20°C and 45°C. Bacteria naturally aggregate a biofilm and within the biofilm matrix legionella can be protected from high water temperatures which is why routine disinfection of systems with stored supplied is often required.

Factors which increase the risk:

- Not keeping water storage tanks and down-service pipe-work maintained, with biofilms being kept in check.
- Not maintaining stored hot water supply above 60°C, and distribution below 50°C.
- Not maintaining the cold-water supply at 20°C or below.
- Not maintaining the flow of water through all outlets.
- Not flushing infrequently used outlets.
- Having the presence of dead ends in the system.
- Not adequately managing void sites.

Certain conditions increase the risk from legionella:

- a suitable water temperature for growth, 20 to 45°C.
- a source of nutrients in water tanks such as biofilm, sludge, scale, rust, algae, and other organic matter for Legionella and other bacteria to feed on.
- a way of creating and spreading breathable droplets, e.g. the aerosol created by a tap, shower head or even a toilet flushing.

10.Scope

This Policy applies to all Board and Committee members, tenants/residents where ng homes has a repairing obligation, members of staff whether employees of ng homes or sub-contractors irrespective of grade, position, or length of service responsible for the management of repairs and maintenance within ng homes.

Arrangements must be put in place throughout ng homes so that all staff understand this policy along with their statutory obligations and implement the necessary measures in all areas. The

resulting measures should ensure the arrangements include all statutory obligations, contained within this policy.

All policies and strategies should be administered by those with responsibility for managing the buildings. Cooperation between persons with legionella safety responsibilities in the above context is a fundamental requirement of this policy.

The requirements of this policy, along with the relevant statutory obligations contained within the Health and Safety Executive's (HSE) Approved Code of Practice and guidance document L8:2013 and the Health & Safety Guidance - HSG 274 part 2:2014 apply to those premises where ng homes operates from, irrespective of the ownership of the building.

11. Risk Assessment

ng homes will conduct and regularly review a comprehensive risk assessment programme to determine and evaluate the risk of Legionella bacteria exposure from all water systems in its property portfolio.

A legionella risk assessment will be carried out on all relevant properties.

The assessor will provide ng homes with impartial recommendations.

ng homes will determine a suitable programme for risk assessment.

Risk assessments should be reviewed regularly. The frequency depends on individual circumstances. Risk assessments are considered a living document that must be reviewed regularly to remain up to date.

All recommendations will be recorded in an electronic logbook to which ng homes has access. Recommendations will also highlight management control measures.

The original risk assessment should be reassessed when there are significant changes to ensure that it remains valid.

Examples of significant changes are:

- Changes to the water system or use
- Changes to the use of the building or part of the building where the system is installed

- Changes to the availability of information about risks or control measures
- Indications that control measures are no longer effective
- New construction work or system modifications
- Changes to key personnel, contractors or service providers.

Water systems with high inherent risks or where changes are poorly documented may need to be assessed frequently e.g. annually.

For systems with a low inherent risk, where all changes are recorded and systems are well managed, it may be sufficient for a formal review to be completed every two years.

12.Periodic Audit and Review

Periodic audits shall be conducted to confirm that the policy objectives are being achieved and to implement any changes in the operational procedures that are required.

13.Disinfection

If a routine inspection or risk assessment shows that it is necessary, the system should be cleaned.

It is also important to clean the system under the following circumstances:

- After any prolonged shutdown of a month or longer (a risk assessment may indicate the need for cleaning after a period of less than one month, especially in summer when temperatures have been high).
- If the system or any part of it has been substantially altered or entered for maintenance purposes in a manner that may lead to contamination.
- Following an outbreak or suspected outbreak of Legionnaires' disease or any other waterborne infection/disease.

14.Void Properties

It is recognised that void properties have the potential to increase the risk of Legionella due to stagnant water in the pipework.

To reduce potential risk associated with voids, the contractor assigned to carry out repair and maintenance works on standard properties will perform and document the following:

- Thoroughly flush all taps
- It is recommended to either clean and disinfect shower heads regularly or replace them altogether.
- Inspect and provide a report on any water storage tank that is present.

15. Contractors

ng homes will appoint a contractor who is/are competent and experienced Legionella Risk Assessors to carry out their risk assessment programme.

Contractors must be members of Legionella Control Association (LCA) or Water Management Society (WMSoc).

Competency checks for contractors will include as a minimum:

- Experience in undertaking risk assessments in accordance with ACoP L8
- Qualifications of staff members
- Written statement of compliance that the contractor complies with the Legionella Control Association Code of Conduct

Contracted works may include Legionella sampling, tank inspections, and other associated services as identified in the Legionella Risk Assessment programme. Water sampling is also conducted for all bacteria. In the event of no access we will implement our No Access Policy.

16. RIDDOR

If a tenant, employee or visitor is suspected or confirmed to have contracted Legionnaires' disease, ng homes will report the incident to the HSE under RIDDOR regulations.

17. Action in the event of an outbreak

When two or more cases of infection are confirmed or probable and closely linked in time and place, with strong evidence of a common source, it is considered an outbreak.

Notification to the NHS board HPT must be supported by microbiological evidence of recent Legionella infection meeting confirmed or probable case definitions, unless notified as a suspected case(s) associated with an identified outbreak.

ng homes will assist be providing all relevant records and information in the event of an outbreak.

18.Tenant/Resident Responsibilities

Tenants will receive information about proper water management and Legionella control through ng homes communication channels.

Tenants/residents should clean, descale, and disinfect shower heads every two months.

Tenants are advised to flush both hot and cold-water systems by running all outlets for at least 2 minutes when a property is left vacant (e.g. when on holiday).

Tenants must immediately report water problems, debris or discolouration to ng homes.

19.Communication

ng homes will keep tenants informed about the progress of any work to deal with water treatment and legionella. This will include:

- Keeping tenants/residents informed of the planned repairs.
- Letting tenants/residents know when the repairs are complete.

20.No access or refusal of access to a property

Where legionella has been identified either by a tenant/resident or by ng homes or a property has been assessed as high risk, tenants/residents will be required to allow access for inspections and for the carrying out of remedial works (in accordance with their tenancy agreement).

21.Training

ng homes will provide appropriate training for relevant staff on how to deal with water treatment and legionella management.

There is a legal duty to ensure that all those involved, including the management of and risk assessment must be trained and competent.

22.Periodic Audit and Review

Periodic audits shall be conducted to confirm that the policy objectives are being achieved and to implement any changes in the operational procedures that are required.

23.Non-compliance/Escalation Process

All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred or becoming aware of it.

In cases of serious non-compliance, the CEO will advise the Association's Board of the proposed course of action which may be subject to Board approval. The issue will be disclosed to the Scottish Housing Regulator, and any other relevant organisation such as the Health and Safety Executive.

Where the matter is considered to be a notifiable event the Association's Notifiable Events Policy, and the SHR Statutory Guidance on Notifiable Events, will be followed.

24.Conclusion

ng homes is committed to providing its' tenants with safe and healthy homes.

By following this Policy, ng homes aims to prevent any issues with water and legionella from occurring within its' properties and to deal with any problems that occur promptly and effectively

25.Other Related Strategies, Policies and Procedures

- Adaptations Policy
- Asbestos Management Policy and Procedures
- Asset Management Strategy
- Complaints Policy
- Customer Care Policy
- Data Protection Policy
- Electrical Safety Policy and Procedures
- Electrical Safety in Multi-Storey Blocks Policy
- Emergency Lighting in Multi-Storey Blocks Policy
- Fire Safety Policy and Procedures
- Fire Safety in Multi-Storey Blocks Policy
- Gas Safety Policy and Procedures
- No Access Policy

- Notifiable Events Policy
- Repairs and Maintenance Policy
- Risk Management Strategy
- Tenants Right to Repair Policy
- Void Management policy

26.UK General Data Protection Regulation 2021 (UK GDPR)

The ng group will treat your personal data in line with our obligations under the UK General Data Protection Regulation 2021 (UK GDPR) and our own Data Protection Policy. Information regarding how your data will be used and the basis for processing your data is provided in our Fair Processing Notices. The organisation will treat your personal data in line with our obligations under the UK General Data Protection Regulation and our own Data Protection Policy. Information regarding how your data will be used and the basis for processing your data is provided in our Fair Processing Notices.

27.Equality Impact Assessment

This Policy is equally applicable to all. It is recognised that in applying this Policy any necessary action will be taken where appropriate, including making reasonable adjustments, to ensure that there is no detrimental impact to protected characteristics groups.

28.Review

This Policy will be reviewed every three years or earlier in line with regulatory or legislative guidance/changes or good practice guidelines.

