

## Water Systems and Legionella Policy

Prepared by	Compliance Officer
Policy created	March 2025
Date of last review	//
Date of current review	//
Date of next review	April 2028
Reviewed by	Operation Sub-Committee

Corporate Fit	Internal Management Plan	✓
	Risk Register	✓
	Business Plan	✓
	Equalities Strategy	✓
	Legislation	✓

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乐意翻译

Our policies provide a framework to underpin our vision and values, to help us achieve our strategic objectives.

## Our Vision

Local people, local control.

By providing quality homes and services, we will create stronger communities and a better quality of life for our customers.

## Our Values

- Focused on the needs of our customers and communities.
- Supportive of our staff and Committee members.
- Responsible, efficient, and innovative.
- Open and accountable.
- Inclusive and respectful.
- Fair and trustworthy.

## Strategic Direction

**Consolidation and improvement:** Applicable to our core business as a landlord & property manager.

**Growth:** Through the new build opportunities, we are taking forward.

**Partnerships:** Where this can help to address shared goals and increase capacity and value.

**Resilience:** A key priority across all parts of our business.

## Strategic Objectives

**Services:** Deliver quality, value for money services that meet customers' needs

**Homes & neighbourhoods:** Provide quality homes and neighbourhoods.

**Assets:** Manage our assets well, by spending wisely.

**Communities:** Work with local partners to provide or enable services and activities that benefit local people and our communities as a whole

**Our people:** Offer a great workplace environment that produces a positive staff culture and highly engaged staff.

**Leadership & Financial:** Maintain good governance and a strong financial business plan, to ensure we have the capacity to achieve our goals.

## Our Equalities and Human Rights Commitment

We understand that people perform better when they can be themselves and we are committed to making the Association an environment where employees, customers, and stakeholders can be open and supported. We promote equality, diversity, and inclusion in all our policies and procedures to ensure that everyone is treated equally and that they are treated fairly on in relation to the protected characteristics as outlined in the Equality Act 2010.

## Privacy Statement

As data controller we will collect and process personal data relating to you. We will only collect personal information when we need this. The type of information we need from you will vary depending on our relationship with you. When we ask you for information, we will make it clear why we need it. We will also make it clear when you do not have to provide us with information and any consequences of not providing this. We are committed to being transparent about how we collect and use your data, and to meeting our data protection obligations with you. Further information about this commitment can be found within our full Privacy Statements.

## Policy Scope & Review

For the purpose of this policy the term Association will include all members of the Tollcross Housing Association Limited. Therefore, all employees, governing body members, volunteers, customers and other relevant stakeholders will be expected to adhere to this policy and/or procedure. All policies and procedures are reviewed every 3 years in line with best practice and current legislation. The Association reserves the right to make additions or alterations to this policy and procedure from time to time. Any timescales set out in this policy may be extended where required.

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## 1. Purpose

- 1.1. The aim of this Policy is to ensure the effective inspection, maintenance and management of all water systems within premises controlled by the Housing Association.
- 1.2. The procedures detailed within this section have been written to ensure all reasonable steps have been taken to comply 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.

## 2. Definitions

- 2.1. Legionella - *“a potentially dangerous type of bacteria when inhaled with water vapour. Bacterium grows best in warm, nutrient rich water.”*

Legionella Risk Assessment – *“a specific risk assessment carried out to determine the risk level of Legionella Assessment proliferation, and exposure from a specific water system.”*

Log Book – *“a record book provided to record all local checks and tests carried out, as specified by legionella risk assessment.”*

Legionnaires’ disease - *“a potentially fatal form of pneumonia caused by the legionella bacteria.”*

## 3. References

- 3.1.
  - BS 8580-1:2019 Water quality - risk assessments for Legionella control - Code of practice
  - BS6920 Suitability of non-metallic products for use in contact with water intended for human consumption with regard to their effect on the quality of the water
  - 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)
  - L8 (fourth edition) Approved Code of Practice The control of legionella bacteria in water systems (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

## 4. Legal Duties

- 4.1 The Housing Association has several specific legal duties which relate to water safety and, in particular, Legionella Risk Management. These include:
- Identifying and assessing sources of risk;
  - Preparing a scheme for preventing or controlling the risk;
  - Implementing and managing the scheme;
  - Keeping records and checking what has been done is effective.

## 5. Legionella Information

- 5.1 Legionella bacteria is common in natural water (such as rivers and ponds). However, legionella can grow in other water systems such as cooling towers, evaporative condensers, showers, spray apparatus and hot and cold water systems.
- 5.2 Legionnaires' disease is a potentially fatal form of pneumonia caused by the inhalation of Legionella bacteria. This includes the most serious Legionnaires' diseases, as well as the similar but less serious conditions of Pontiac Fever and Lochgoilhead Fever. The bacteria is normally contained within fine water droplets (aerosol) that may be caused by operating a cooling tower, shower, spray apparatus, running a tap outlet or operating a humidifier.
- 5.3 Legionnaires' disease has the potential to affect anybody. However, those more susceptible are normally in the age range of 45 and above, smokers, heavy drinkers, or suffer from chronic respiratory or kidney disease or have impaired immune systems.
- 5.4 Legionella survive low temperatures and thrive at temperatures between 20-45 degrees C if the conditions are right (e.g. if a supply of nutrients is present such as rust, sludge, scale and other bacteria).

## 6. Legionella Policy

- 6.1 The Housing Association will aim to minimise and control the risk from Legionnaires' disease and, to this end, will:
- Appoint a responsible person who will have a duty to put in place an action plan to minimise the risk of Legionella and to manage and monitor the necessary work systems and procedures;
  - Identify and assess sources of risk (e.g. where conditions are present that may encourage Legionella bacteria to multiply or where there is a means of creating and disseminating breathable droplets), and establish any items of non-compliance;
  - Assess the level of risk through a structured Legionella Risk Assessment programme, and aim to eliminate or reduce the risk to an acceptable level;
  - Arrange for routine inspection and maintenance of water systems, and where needed, a programme of disinfection;
  - Retain records of maintenance, inspection and testing for a minimum of 5 years.

## 2. Risk Assessment

- 7.1 The Housing Association will arrange for a suitable and sufficient risk assessment programme to be carried out (and regularly reviewed) to identify and assess the risk of exposure to Legionella bacteria from all water systems across its property portfolio.
- 7.2 A Legionella risk assessment will be carried out even if there are no water tanks present to demonstrate that potential risks have been considered, e.g:
- dead legs or other high risk hardware in the plumbing system
  - high risk events such as the property becoming void
  - any required cleaning and/or maintenance events (e.g. shower heads in an HMO)
- 7.3 The Housing Association will use a competent external company with qualified Legionella Risk Assessors to carry out the risk assessment programme. The Assessment company will not normally be associated with a water hygiene/control contracting company in an attempt to ensure independent recommendations are given by the Assessor. The Assessors and the Housing Association will determine an appropriate programme of risk assessing, which may involve the use of 'representative' assessments followed by an ongoing programme or rotation across different addresses.
- 7.4 All recommendations and remedial action will be recorded in a log book. The recommendations should also highlight the management control actions that may be carried out in-house and those which would require an external contractor.
- 7.5 The risk assessment will be reviewed at regular intervals (at least every 2 years) or when it is believed that the original risk assessment is no longer valid (e.g. following a change in the building or water supply, or following an incident).

## **8. Water Fittings and System Requirements**

- 8.1 The Housing Association will ensure that all water fittings comply with relevant legislation and have the UKCA mark, British Standard kitemark or the CE mark. Specialist advice will be obtained in the selection of all water systems fixtures and fittings.
- 8.2 The Housing Association will ensure that all water fittings are suitable for the purpose intended.
- 8.3 Flexi-hoses should conform to BS 6920 or be WRAS approved.
- 8.4 Hot water shall be stored in tanks at a temperature of at least 60°C.
- 8.5 Hot water shall reach taps at temperatures greater than 50°C within 1 minute of running.
- 8.6 Cold water shall be stored at a temperature of less than 20°C. Cold water shall reach taps at temperatures less than 20°C within 2 minutes of running.
- 8.7 All little used outlets shall be routinely flushed through.
- 8.8 Where water is used or stored for consumption in any devices, e.g. water coolers, tea urns, drinks machines etc., an effective system of regular cleaning and disinfecting shall be introduced, in accordance with manufacturer's instructions.

## **9. Disinfection**

9.1 Water services will be disinfected when any of the following situations occur:

- If a routine inspection or risk assessment shows it necessary to do so;
- 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 where temperatures have been high);
- If the system or 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 water borne infection/disease.

## **10. Void Property Actions**

10.1 It is recognised that all void properties have the potential to exhibit increased risk of Legionella due to the possibility of stagnant water remaining undisturbed within pipework for prolonged periods.

10.2 To mitigate the increased potential risk associated with voids, the contractor appointed to carry out repair and re-decoration works on all standard properties will carry out and record the following:

- Thoroughly flush all taps;
- Clean and disinfect, or replace, all shower heads;
- Inspect and report on water storage tank, where present.

10.3 All Special Lets becoming void will be assessed individually and on their own merits.

## **11. Contractors**

11.1 A competent external contractor will be appointed to carry out legionella preventative monitoring and water hygiene services. As a minimum requirement, contractors are required to be a registered member of the Legionella Control Association (LCA) or the Water Management Society (WMSoc). Contracted works may include legionella sampling, tank inspections, water sampling, (for all bacteria) and other associated services, as identified in the Legionella Risk Assessment programme.

## **12. Notification Requirements**

12.1 If it is suspected or confirmed that a tenant, employee or visitor has contracted Legionnaires' disease, the Housing Association will report the incident to the HSE under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR).

## **13. Tenant Responsibilities**

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- 13.1 Tenants will be provided with information on good water management and Legionella control through tenancy agreements and/or by means of information leaflets.
  - 13.2 Tenants are advised to clean shower heads, descale and disinfect them at least every two months.
  - 13.3 Where a property is left vacant for any time (e.g. when on holiday), tenants are advised to flush both hot and cold water systems by running all outlets for at least ten minutes.
  - 13.4 Tenants should inform the Housing Association immediately if there are problems, debris or discolouration in the water.

#### **14. Review**

- 14.1 The Housing Association will review its methodology for managing Legionella every three years or sooner if required by Statutory or best practice requirements.

## Appendix 1 – Equality & Human Rights Impact Assessment

<b>Policy</b>	Water Systems and Legionella		
<b>EIA Completed by</b>	Joe Wilson, Technical Director	<b>EIA Date</b>	31 March 2025
<b>1. Aims, objectives, and purpose of the policy / proposal</b>			
The aim of this Policy is to ensure the effective inspection, maintenance and management of all water systems within premises controlled by the Housing Association.			
<b>2. Who is intended to benefit from the policy / proposal?</b>			
Tenants and staff.			
<b>3. What outcomes are wanted from this policy / proposal?</b>			
To keep tenants and staff safe and ensure that all reasonable steps are taken to comply 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.			
<b>4. Which protected characteristics could be affected by proposal?</b>	<input type="checkbox"/> Age	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Religion or belief
	<input type="checkbox"/> Disability	<input type="checkbox"/> Marriage & civil partnership	<input type="checkbox"/> Sex
	<input type="checkbox"/> Race	<input type="checkbox"/> Pregnancy and maternity	<input type="checkbox"/> Sexual orientation
<b>5. If the policy / proposal is not relevant to any of the protected characteristics listed in part 4, state why and end the process here.</b>			
Water management is a legislative requirement. Although the protected characteristics are not relevant, the Association must ensure all reasonable steps have been taken to comply with the legal requirements.			
<b>6. Describe the likely impact(s) the policy / proposal could have on the groups identified in part 4</b>			
<b>7. What actions are required to address the impacts arising from this assessment? (This might include; collecting data, putting monitoring in place, specific actions to mitigate negative impacts).</b>			
<b>8. Consider the impact and actions to be considered for the following Human Right articles:</b>			
<b>Article 6: Right to a fair trial</b>			
Everyone should be given the opportunity to participate effectively in any hearing of their case and present their side.			
Impact: N/A	Actions: N/A		
<b>Article 8: Right to respect for private life, family life &amp; the home</b>			
Everyone has the right to access and live in their home without intrusion or interference.			
Impact: N/A	Actions: N/A		

**Article 14: Prohibition of discrimination**

Everyone has equal access to the other rights contained in the Human Rights Act.

Impact: N/A

Actions: N/A

