



**Gardeen Housing Association Ltd**  
**Building a Better Future**

**GARDEEN HOUSING ASSOCIATION**

# **LEGIONELLA MANAGEMENT POLICY**

Implementation	2023/24
Next Review	2026/27

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## 1.0 Introduction

Legionella bacteria is common in natural water, such as rivers and ponds. However, legionella can grow in man-made water systems such as cooling towers, evaporative condensers showers, spray apparatus and hot & cold water systems.

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 are 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, spa or sauna.

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. Men are also more susceptible to infection by Legionella Bacteria.

Legionella bacteria survive low temperatures and thrive at temperatures between 20-45 degrees Celsius. Presence of rust, sludge, scale, water stagnation or other bacteria may provide an increased likelihood that Legionella growth can occur.

## 2.0 Policy Objectives

This aim of this policy is to ensure that water systems, within premises controlled by Gardeen Housing Association ('the Association'), are properly inspected, maintained and managed.

The procedures detailed within this policy 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.

For more detailed information refer to our Written Scheme of Control.

## 3.0 Definitions

- 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 potential of Legionella proliferation within a buildings water system, the likelihood of exposure and recommendations on how to minimise the risk.
- Log Book: "a written record or database 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.”

#### 4.0 Legal Duties & Statutory Guidance

The 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; and
- Keeping records and checking what has been done is effective.

The Association shall take reasonable steps to comply with:

- The Health and Safety at Work Act 1974 (HASWA)
- ACoP L8 Legionnaires' disease. The control of legionella bacteria in water systems
- The Control of Substances Hazardous to Health Regulations 2002 (as amended);
- the Water Supply (Water Fittings) (Scotland) Byelaws 2014;
- British Standards 8580-1:2019- Water Quality: Risk assessment for Legionella;
- INDG 458 Legionnaires' Disease- a Brief guide for Duty holders (2012):
- HSG274 Legionnaires' Disease- Technical Guidance (Parts 1,2&3) (2013);
- IACL27 (rev2) Legionnaires' Disease- A guide to employers;
- Public Health (Scotland) Act 2008;
- The Management of Health and Safety at Work Regulations 1999;
- The Water Supply (Water Quality) (Scotland) Regulations 2001;
- The Water Supply (Water Fittings) (Scotland) Byelaws 2014;
- The Building (Scotland) Regulations 2004;
- The Housing (Scotland) Act 2006; and
- The Private Water Supplies (Scotland) Regulations 2006.

#### 5.0 The Scottish Social Housing Charter

This policy statement supports Gardeen Housing Association in achieving the following relevant Charter Outcomes and Standards:

##### **Housing Quality & Maintenance:**

**4: Quality of Housing** - *Social landlords manage their businesses so that tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) by April 2015 and continue to meet it thereafter, and when they are allocated, are always clean, tidy and in a good state of repair.*

**5: Repairs, Maintenance & Improvements** - *Social landlords manage their businesses so that tenants' homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done*

## **6.0 Legionella Policy**

The Association shall aim to minimise and control the risk from Legionnaires' disease and other infections as a result of Legionella bacteria 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 five years.

For more detailed information refer to our Written Scheme of Control.

## **7.0 Management Responsibilities**

It is the overall responsibility of the Management Committee to ensure that the Association complies with all statutory duties placed on it by Health & Safety Legislation.

The Management Committee shall receive ongoing quarterly reports on relevant aspects of Legionella control within the Association's properties. The Management Committee shall be informed of any unsafe situations that arise as soon as practicably possible.

The Association's Director's duties and responsibilities include:

- To act as "Duty-holder" under the Legionella Regulations;
- Appointing a Responsible Person and Deputy Responsible Person to implement the day to day management of this process and associated procedures. The Responsible and Deputy Responsible Persons will have adequate training, be competent and hold suitable authority to hold the roles.
- Implementation and the continuing review of this policy;
- Ensuring adequate finance is secured for the delivery of this service;
- Ensuring that all staff who have a responsibility in implementing this policy are kept fully informed of developments in legislation and good practices relating to the management of Legionella bacteria within water systems;
- Ensuring competent staff are employed in delivering the policy and procedure;

- Ensuring that the duty of care to our tenants, employees and contractors is met; and
- Ensure via appointed staff responsibility for the day to day delivery of the process and continuing audit.

The Association's Senior Housing Officer's duties and responsibilities include:

- To act as "competent person" under the Legionella Regulations;
- Procure suitably competent and qualified contractor(s) on behalf of the Association who will be available to undertake all works, surveys, removals and risk assessments in order to comply with the Legionella Regulations;
- Commission Risk Assessments for Legionella Management for the office, and all common properties and ensure that these are updated at least once every 2 years and sooner to reflect any legislative and regulatory changes or in the event of
  - a change to the water system or its use;
  - significant changes to the water system on site
  - a change to the use of the building where the system is installed;
  - the results of checks indicating that control measures are no longer effective;
  - changes to key personnel;
  - a case of Legionnaires' disease / Legionellosis associated with the system
- To ensure surveys are undertaken as and when the policy dictates;
- That the Legionella database is kept up to date with additional or extra surveys as dictated by this procedure;
- If required, organising a practical prioritised programme of chlorination to those areas offering the greatest risk to ensure that they are treated first. Any new discoveries will either be added to the database or treated separately;
- Ensuring all planned, cyclical, refurbishment and void works fall in line with this policy;
- Ensuring there is communication with tenants regarding Legionella management via the Association's website, newsletter and correspondence as required; and
- Carrying out training needs analysis for the members of staff involved with Legionella Management.

The Association's Customer Services Officer's duties and responsibilities include:

- Ensuring hygiene testing at common water tanks within common properties;
- The day-to-day running of the Association's programme of water hygiene testing at the office;
- Timeous instruction of any recommended remedial works as per the timescales set out in the 'Risk Assessment' Section;
- Co-ordinating communication and information to residents regarding programmes for legionella inspection, and publish an annual reminder of tenant's responsibilities in the newsletter;
- Administration of the Legionella database;
- Tenant liaison and appointment scheduling;
- Contractor liaison and appointment scheduling;

- Updating the database with information gathered during inspections;
- To note and action any remedial works required to the domestic water system and to bring these to the attention of the responsible person; and
- To bring to the attention of the responsible person any anomalies with regards water temperatures during checks and organise contractors to deal with these anomalies.

## 8.0 Risk Assessment

The 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 water systems across all of its properties.

The 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 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.

All recommendations and remedial action will be recorded in the legionella database. The recommendations should also highlight the management control actions that may be carried out in-house and those which would require an external contractor. On completion of the Risk Assessment, the Association's records will be updated with all the relevant information.

Timescales for the remedial work completion are:

- **High Priority** - Work to be carried out immediately (where this is not possible, regular disinfection and temperature monitoring regime to be adopted until period of rectification);
- **Medium Priority** - Within 3 months; and
- **Low Priority** - Within 12 months.

The risk assessment will be reviewed at regular intervals (at least every two years) or when it is believed that the original risk assessment is no longer valid, for example following a change in the building or water supply, or following an incident.

## 9.0 Water Fittings and System Requirements

The Association shall ensure that all water fittings comply with relevant legislation and have the CE mark, British Standard kitemark or appropriate equivalent. Specialist advice will be obtained in the selection of all water systems fixtures and fittings.

The Association will ensure that all water fittings are suitable for the purpose intended.

Hot water shall be stored in tanks at a temperature of at least 60 degrees Celsius to achieve thermal disinfection.

Water pipes shall be as short and direct as possible and pipes and tanks will be effectively insulated. Tanks will be protected against contamination and materials used which do not encourage Legionella growth.

Hot water shall reach taps at temperatures greater than 50 degrees Celsius within one minute of running.

Cold water shall be stored at a temperature of less than 20 degrees Celsius. Cold water shall reach taps at temperatures less than 20 degrees Celsius within two minutes of running.

All little used outlets shall be routinely flushed through.

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

## **10.0 Disinfection**

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; or
- Following an outbreak or suspected outbreak of Legionnaires disease or any other water borne infection/disease.

## **11.0 Void properties**

The Association recognises that all void properties may have the potential to exhibit increased risk of Legionella due to the possibility of stagnant water remaining undisturbed within pipework for prolonged periods.

In accordance with our 'Minimum Lettable Standard' and to mitigate any increased potential risk associated with void properties, the contractor responsible for carrying out repair and maintenance works will carry out and record the following (when the property has been void for longer than 1 week):



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

Where a property is likely to be empty for a period of two weeks or more, the water systems will be drained to minimise legionella risk.

## **12.0 Contractors**

We will appoint a competent external contractor to carry out legionella preventative monitoring and water hygiene services. As a minimum requirement, contractors are required to be 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.

## **13.0 Notification Requirements**

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

## **14.0 Staff Training**

While the Management Responsibility protocols establish the control hierarchy and key personnel for the management of Legionella issues, the Association's Management Committee recognise their duties to make available appropriate and adequate funding and resources to allow an effective system to be maintained.

All staff involved with the implementation and delivery of the Legionella policy and plan will be offered appropriate training and will be provided with such additional training, facilities and support as is deemed necessary by the Board for the efficient discharging of their duties.

All Staff within the Association will: require to have knowledge of current Legionella legislation; and will also receive such training and support as deemed necessary by the Association.

## **15.0 Tenant Responsibilities**

Tenants will be provided with information on good water management and Legionella control through Tenancy Agreements and/or by means of newsletters or information leaflets.

Tenants are advised annually to clean shower heads, descale and disinfect them at least every 3 months. For showers that are only occasionally used, tenants are advised to flush the shower through by running for at least 2 minutes once a week.

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 two minutes.

Tenants should inform the Association immediately if there are problems, debris or discolouration in the water, or a suspected or confirmed diagnosis of contracting infection from legionella.

## **16.0 Data Protection**

The Association recognises that confidentiality is important to tenants and others and will treat tenancy and personal information in the strictest confidence under General Data Protection Regulation (GDPR).

## **17.0 Review**

The Management Committee will review its methodology for managing Legionella, every three years or sooner if required by statutory or regulatory requirements.