

Legionella and Water Management Policy



Directorate: Property Services
Issue Date: October 2022
Revision Date: October 2025
Version: V7

Document Information

Scope:

The aim of this policy is intended to ensure that Salix Homes complies with current legislation in relation to the stored facilities and transmission of hot and cold water in its properties.

That being the Approved Code of Practice (L8).” Legionnaires Disease – “The control of legionella bacteria in water systems”; as required under the Control of Substances Hazardous to Health and Safety Regulations 2002. Additionally, in compliance with the Health & Safety Executive (HSE) guidance document “HSG 274 parts 1, 2 & 3”.

Service Standards / Performance Measures / Corporate Strategy:

The expected service standards required by Salix Homes is to remove the potential of Legionella Bacterium that could cause Legionnaires Disease. The following will be monitored via an internal audit and the results presented within the compliance dashboard.

Water Management Program

The water treatment program is to be carried out according to the points raised in the risk assessment and the written scheme produced for each applicable site.

This will be delivered by a specialist water management contractor, who will provide an electronic storage file system and any competent advice so that all visits and works carried out can be monitored by the responsible person.

Additionally, a log book on all sites will have details of visits made.

Water Treatment Program

- Monthly water temperature inspections are to be completed for all applicable sites by the Contractor and monitored by the Responsible Person / Deputy Responsible Person. Ref Legionella and water Management Procedure Flowcharts - Monthly Temperature Check Visits;
- Certificates to be hosted on Contractor Database and held within Salix R Drive folder structure;
- Three successive non-conformities are actioned within 48 hours;
- Weekly little used water outlet flushing completed for all known little used outlets and voids, carried out by trained Salix Homes staff as indicated below;
High Rise - by the individual staff member responsible for each site generally the

Document Information

caretaker

Sheltered accommodation - by the Property Safety Officer;

- Flushing reports to be monitored by the Responsible Person / Deputy Responsible Person and held within the Salix R Drive folder structure;
- Any remedial works denoted will be reviewed by Responsible Person / Deputy Responsible Person and actioned via Salix Repairs & Maintenance Team or the Contractor;
- Following inspection by the Contractor as and when deemed a tank clean is necessary, water treatment (Chlorination) of water storage tanks at applicable sites to be carried out by the Contractor and monitored by the Responsible Person / Deputy Responsible Person;
- Tank Certificates to be hosted on Contractor Database and held within the Salix R Drive folder structure;
- Six monthly water sample visits completed for all applicable sites carried out by the Contractor and monitored by the Responsible Person / Deputy Responsible Person;
- Certificates to be hosted on Contractor Database and held within the Salix R Drive folder structure.

Risk Assessments and Annual Reviews

Subject to there being no major changes to a location Salix Homes will carry out a full risk assessment every 4 years and an annual review of existing risk assessments annually in the intervening 3 years.

In all cases reviews will be completed of written schemes of work on all water storage and supply plant, to ensure that any future risks are appropriately controlled. If it is identified at an annual review that changes have occurred and these impact on the full risk assessment in place then a new full risk assessment will be completed.

The following frequency of assessments will be completed for each location subject to these being no significant changes:

Full Legionella Risk Assessment Report

12 months – Annual Legionella Risk Assessment Review Report

24 months – Annual Legionella Risk Assessment Review Report

36 months – Annual Legionella Risk Assessment Review Report

48 months – Full Legionella Risk Assessment Report

All risk assessments and annual reviews / written schemes and logbooks will be available within the Salix Homes water management files, the contractor’s electronic files and at all sites.

Risk assessments and annual reviews are carried out by the Contractor. Risk assessments are constantly updated when any works to the water systems are carried out. These are kept on the Contractor’s electronic file and copies held within the Salix R Drive folder structure.

A Contractor/Consultant to undertake an annual review of existing formal risk assessments for all communal buildings and workplaces. If changes to a location are identified at this review that would impact on the risk assessment in place a new risk assessment will be undertaken.

Document Information

Key Performance Indicators

% of Risk Assessment/Reviews in date as detailed above, target is 100%
 % of Legionella Water Treatment completed, target is 100% where deemed applicable;
 % of Stored Water Tanks to have had a maximum 6 monthly water sample, target is 100%

Risks:

Salix Homes acknowledges and accepts its responsibilities under L8 to identify properties with stored water facilities and transmission of hot and cold water to ensure it is fit for purpose and not liable to fail leading to a potential outbreak of the legionella bacteria. Approved guidance information by the HSE shall be taken as the adopted standard.

Measures for Managing the Risk

The following strategic risks are linked to this policy and show the relevant mitigating controls under each risk:

SR04 – Failure to comply with health and safety obligations as an employer.

- Robust Health and Safety Policy and Procedures are in place which cover all statutory obligations
- Health and Safety performance framework in place with suite of approved health and safety performance indicators
- Incident reporting procedure in place
- Salix continues to hold certification to BS OHSAS 18001 (ISO 45001)
- Salix continues to hold certification to Contractors Health and Safety Assessment Scheme (CHAS)
- Achieved ISO45001 status

SR36 – Failure to manage assets to comply with agreed standard and produce the planned financial and social returns

- Asset Management Strategy, Policies and Procedures in place with monthly financial monitoring of the investment programme ensuring forecasts are in-line with the organisations current business plan;
- Regular monitoring and reporting of Compliance Dashboard to SMT and Board.

The risk involved with this policy will be managed by the procedure laid out in Salix Homes, Legionella and Water Management Procedure.

The risk factors in failing to deliver an effective legionella and water management regime are high.

Contravention of the regulations is an offence and can or will result in fines and/or imprisonment.

A charge of Corporate Manslaughter could be levied against members of Salix Homes’ staff with any service failure that leads to loss of life.

The risk if this service is not delivered, could be injury to persons, and could result in legal

Document Information

action being taken against Salix Homes Ltd; by the Health and Safety Executive.
The post responsible for Salix Homes risk management is the Service Director Building Safety

The main risk factors associated with the successful delivery of this procedure are:

Failure of Salix Contact Centre or Salix First Response Team

A delay or not communicating the degree of urgency within the response times laid down, to the Contractor.

Failure of Salix Homes to carry out their duties as laid down

A robust audit trail to ensure asset information is correct via the completion of an annual review of the risk assessment in place and a visual inspection of each location completed by the water management contractor.

Failure of the database

If Salix Homes internal database, Accuserv, was to fail then risk assessments could continue to be managed via the information available on the Contractors web portal and a manual process would also be implemented between Salix Homes and the Contractor to ensure service delivery was maintained until that system was either repaired or replaced.

Failure of the related staff to be suitably trained

All training records and qualifications are provided to the Salix Homes and available upon request to ensure they comply with current legislation and are up to date.

Management of staffing levels, this is controlled by the Contractor having other contracts that they can utilise other staff from.

Salix Homes acknowledges and accepts its responsibilities under the Approved Code of Practice on the prevention and control of Legionellosis (including L8) issued by the Health and Safety Commission (HSC) in 2000.

Failure to adequately manage the risk can lead to:

Risk 1 - Failure to sufficiently risk assess, manage and monitor the water systems in communal buildings and void properties may allow the proliferation of Legionella bacterium and result in employees or others being exposed to legionella bacteria, enforcement action, prosecution and civil claim.

Risk 2 - Failure to effectively manage and communicate the controls in place in communal buildings and void properties may result in scalding to employees or others where temperature is used to control proliferation, enforcement action, prosecution and civil claim.

Risk 3 - Failure to sufficiently risk assess, manage and monitor the stored drinking water systems in communal buildings and void properties may allow for contamination of the water and the proliferation bacterium and result in employees or others becoming unwell, enforcement action, prosecution and civil claim.

Risk 4 – Scalding. High water temperatures create a scalding risk to all vulnerable service users, as the minimum temperature which starts to burn/ scald skin is 45°C (depending on the skin condition and contact time). Those at risk from scalding/burning include children, the elderly, those with mental illness, learning disability, reduced mobility and anyone with

Document Information

reduced sensitivity to temperature, or who cannot react appropriately, or quickly enough, to prevent injury. They may be in residential / short break projects, day care or schools. The risk of scalding/burning should also be assessed in community facilities sheltered schemes and in all public areas.

To reduce the risk of legionella bacterium proliferating hot water systems store water at a minimum of 60°C. To reduce the risk of scalding, the policy within the organisation is for that a type 3 Thermostatic Mixer Valve (TMV) will be installed to protect all hot water outlets where reasonably practicable except areas used for hygiene purposes. They will be maintained, serviced and tested in accordance with the manufacturer's instructions.

In some projects, regular checks may be required to ensure that the TMV's are working properly this will include measuring and recording temperatures at the outlets with a thermometer.

Risk 5 - Toxic Poisoning. A toxic chemical which is commonly used for disinfecting cold water systems in the management of legionella risk is sodium hypochlorite which is toxic at a dose level of 50 parts per million (ppm). The requirement is to leave this dose level in the system for 1 hour, therefore there is a risk of building occupants using the system and being exposed to the toxic chemicals.

To prevent or reduce the risk all outlets need to be labelled with warning signs and wherever possible the disinfecting process should be carried out when the building is empty and only by a competent person.

Mitigation and Management of Risk

- Risk assessments and management plans in place for all buildings with communal water systems;
- Employees with responsibility for managing water systems or undertaking flushing regimes are provided with sufficient awareness training relevant to role;
- Systems are managed using monthly temperature control and chlorination where deemed necessary by the Contractor;
- Annual tank inspections and six-monthly testing of potable water;
- Appointed Contractor/Consultant to be a member of the Legionella Control Association (LCA) member company that (as a minimum) hold LCA registration in the following categories:

Legionella Risk Assessment Services

- Hot and Cold Water Services
- Process and Other Systems

Hot and Cold Water Monitoring and Inspection Services

Cleaning and Disinfection Services for:

- Hot and Cold Water Systems Disinfection
- Process and Other Systems Cleaning and Disinfection (to cover fire tanks if and when required)

Independent Consultancy Services

Training Services

Legionella Monitoring Services

- Sampling
- In Field Analysis
- Interpretation of Analysis

Document Information

Plant and Equipment Services

- Installation
- Servicing/maintenance
- Refurbishment

The Contractor to have staff that hold (as a minimum) the following:

- PPM Technicians – BOHS P900;
- Risk Assessors – BOHS P901 or City & Guilds In Legionella Risk Assessing;
- Plumbers – NVQ Level 2 or above in Plumbing and Unvented (G3) qualifications for working on the unvented water systems.
- Contractor/Consultant to conduct annual competency check on employees with responsibility for managing water systems or undertaking flushing regimes are provided with sufficient awareness training relevant to role.

Note:-

Records will be retained throughout the period for which they remain current and for at least two years after that period.

Related Policy/Procedure & Documents:

- Legionella and Water Management Procedure
- Health and Safety Policy
- Cyclical Maintenance Policy
- Hazardous Substances Procedure

Related Legislation / Relevant Regulation:

The following statutory legislation and specific guidance has been identified as being significantly relevant to managing the associated risks of legionella and water management and any further information on any document below can be obtained directly from the HSE:

Legislation

- The Health and Safety at Work etc. Act 1974
- The Management of Health and Safety at Work Regulations 1999
- Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)
- Workplace (Health, Safety & Welfare) Regulations 1992
- Health & Safety (Safety Signs & Signals) Regulations 1996
- Control of Substances Hazardous to Health Regulations 2002 (COSHH)
- Water Supply and Fittings Regulations 1999

Approved Codes of Practice (ACoP) (Health & Safety Executive)

- British Standard BS8580
- HTM04-01 part A & B
- HSE Guidance L8 – Legionnaires Disease – The Control of Legionella Bacteria in Water Systems.
- HSG 274 Parts 1, 2 & 3.
- Food Safety Act 1990
- Public Health Infectious Diseases Regulations
- HSG 274 Part2 Hot & Cold Water Systems

Document Information
<p>Retention & Legal Basis for Storage:</p> <p>The legal basis for processing to capture this information is necessary for contract.</p> <p>The retention period for the storage of this information is six years.</p>
<p>Stakeholders:</p> <p>There were no significant changes made to this policy during the recent review, therefore, there was no requirement for stakeholder consultation.</p>
<p>Data Protection Impact Assessment (DPIA)</p> <p>A DPIA was completed by the Heating Compliance Manager in June 2022 and found that the appropriate risk mitigation was in place in respect of data sharing with contractors. An appropriate Data Sharing Agreement is in place with the contractors and minimal information is shared to ensure the works can go ahead.</p>
<p>Equality Impact Assessment (EIA)</p> <p>An EIA was completed by the Heating Compliance Manager in June 2022 and found that an EIA was not required. An EIA was not required as the process for Legionella and Water Management is the same process for all customers and no active discrimination is in place.</p>

Introduction

1. This policy will ensure that Salix Homes is compliant with its management of stored water facilities and transmission of hot and cold water in its properties and carries out its duties in respect of L8.
2. Our aim is to ensure all employees and partner contractors working with Salix Homes;
 - adhere to the policies and procedures set out in the relevant documents;
 - commitment to providing the safe operation and maintenance of the water systems of all projects and premises, where they have responsibility for water management on that project/premises;
 - actively audit relevant legionella-related documentation in order to identify any weaknesses or revisions to the procedure required for effective on-going risk management, and demonstrate compliance with the recommended management set out within published HSE guidance and where necessary appropriately respond to issues found as part of the overall Salix Homes compliance regime.

Legionella and Water Management

3. Salix Homes acknowledges the risks associated with poor water management and legionella; this policy recognises the requirements set out in L8 to effectively manage its stored water facilities and transmission of hot and cold water in its properties to ensure it is fit for purpose and not liable to fail leading to a potential outbreak of the legionella bacteria.
4. The legionella and water management policy has been produced for the protection of all staff, clients, service users and visitors to all premises maintained by Salix Homes. To ensure compliance Salix Homes will:
 - ensure the duty of all persons, who may be concerned with the operation of, or work upon the water systems and equipment of the organisation to comply with this safety policy and be thoroughly conversant with all legislation governing the work they may be called upon to undertake;
 - allow only persons conversant with this policy and the risks associated with the management of water may carry out maintenance of relevant equipment or implement maintenance programs to safeguard staff, clients, service users or visitors to the organisations premises;
 - attach great importance to the health, safety and wellbeing of all its staff, clients, service users and visitors to its premises. It is considered essential that the management and staff within the organisation work together positively to achieve an environment compatible with proper provisions of services to all, and where hazards arising from water management systems are reduced to a reasonably practicable minimum.
5. It is the intention of the organisation to ensure the implementation of this statement of intent and to review and amend the statement to ensure that change in operational practices and legislation are considered in all aspects of health and safety management decision making.

Responsibilities

Management and Hierarchy of Control

6. It is the duty of all persons, who may be concerned with the operation of, or work upon the water systems and equipment of Salix Homes to comply with this safety policy and be thoroughly conversant with all legislation governing the work they may be called upon to undertake.

Management Responsibilities

7. As required under ACOP L8, Salix Homes has a structure in place to be responsible for the day to day controlling and implementation of the associated procedure to this policy.
8. The personnel within the Salix Homes senior management structure and their associated responsibilities are given below:
 - **The Duty Holder: The Chief Executive**
Responsible for the implementation of this policy;

- The Responsible Person: **Building Safety Manager**
Responsible for the day to day controlling of the associated procedure to this policy, and responsible for the implementation of this procedure and the authorised deputy;
- Responsible Person Deputy: **Heating Compliance Manager (Gas, Legionella & LOLER)**
Responsible for the day to day controlling of the associated procedure to this policy in the event the responsible person is unavailable. These persons will be suitably trained and aware of their duties under current legislation and this policy document.