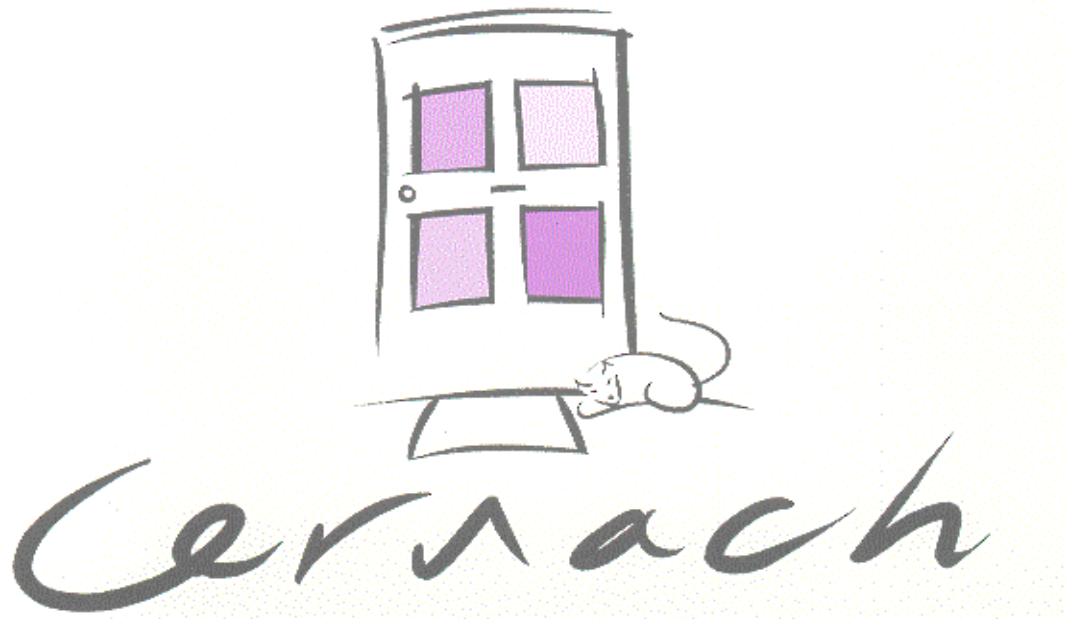


CERNACH HOUSING ASSOCIATION LIMITED



Control of Legionella Policy

Date Approved by Management Committee:	September 2024
Date Issued to Staff	October 2024
Due for Review:	September 2027

Cernach Housing Association

Control Of Legionella Policy



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1. Introduction

- 1.1 Cernach Housing Association recognises that it has a duty of care to employees, tenants, visitors and the public that may be affected by the operation and maintenance of premises owned by the Association. Therefore, this policy is to ensure the effective inspection, maintenance and management of all water systems within premises controlled by the Association.
- 1.2 The Associations stock fall into two categories, Stock owned by Cernach Housing and GHA stock transfer properties acquired from GHA in 2010.
- 1.3 The stock owned by CHA are entirely mains water supplied. All domestic hot water is supplied by Combi Boiler. These properties are considered low risk.
- 1.4 The properties acquired from GHA in 2010 at time of transfer had cold water supplied to their bathrooms from a cold water tank located within the attic space. These properties are still considered low risk but require inspection, maintenance and management of the water system.
- 1.5 Cernach Housing Association aim is to ensure that tenants have a safe and secure environment to live in. We will 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. Legislative & Regulatory Framework

- 2.1 Cernach HA will adhere to the following legalisation to ensure the statutory and legal obligations are fulfilled:
 - BS 8580-1:2019 Water quality - risk assessments for Legionella control - 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)
 - 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

2.2 This policy has been developed within a framework that ensures proper compliance regulatory advice and good practice including: -

- Scottish Social Housing Charter
- Scottish Secure Tenancy Agreement
- Short Scottish Secure Tenancy Agreement
- General Data Protection Regulation and Data Protection Act 2018
- Human Rights Act 1998
- Equalities Act 2010

2.3 This policy has been developed using reference from Landlord Facilities Health, Safety and Welfare Management System, control Manual.

2.4 The Association has several specific legal duties which relate to water safety and in particular, Legionella risk management. These include:

- Identifying and assessing source 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.

2.5 This policy has taken into account the requirements set out in the Scottish Social Housing Charter that became effective on 1 April 2012, and which was reviewed during 2016 and 2021.

2.6 Outcome 4: Quality of Housing.

Social landlords manage their businesses so that “tenants’ homes as a minimum, when they are allocated are always clean , tidy and in a good state of repair, meet the Scottish Housing Quality Standard (SHQS), And any other building quality standard in place throughout the tenancy; and also meet the relevant Energy Efficiency and Zero Emission Heat Standard.

2.7 Outcome 5: Repair, maintenance and Improvements

Tenants’ homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done”.

2.8 Outcome 13: Value for Money

tenants, owners, and other customers receive services that provide continually improving value for the rent and other service charges they pay.

3. Equality and Human Rights

The Association's Equality and Human Rights policy, which was approved by the Committee in April 2021, outlines our commitment to promote a zero tolerance to unfair treatment or discrimination to any person or group of persons, particularly on the basis of any of the protected characteristics¹. This includes ensuring that everyone has equal access to information and services, and, to this end, the Association will make available a copy of this document in a range of alternative formats including large print, translated into another language or by data transferred to voice.

We are also aware of the potential for policies to inadvertently discriminate against an individual or group of individuals. To help tackle this and ensure that it does not occur, best practice suggests that organisations carry out Equality Impact Assessments to help identify any part of a policy that may be discriminatory so that this can be addressed (please see section 6 of the Equality and Human Rights policy for more information).

In line with section 6 of the Equality and Human Rights Policy, the Association carried out an Equality Impact Assessment on this policy and no remedial action was identified as necessary. The full assessment is appended at the end of this policy.

4. Policy Aim

The 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;

The Equality Act 2010 identifies the "protected characteristics" as age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, gender reassignment and sexual orientation.

- 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.

5. Legionella Information

5.1 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 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

- 5.2 Legionnaires disease is a potentially fatal form of pneumonia which can affect anybody, but which principally affects those who are susceptible because of age , illness , immunosuppression , smoking etc. Legionella bacteria can also cause less serious illness , which are not fatal which can affect all people.

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.

Suitable conditions for Legionella to multiple include:

- A water temperature range of between 20 degrees and 50 degrees
- Presence of iron (rust), bacterial slimes, algae and limescale

The disease is contracted by inhaling an aerosol of small droplets of water that contain the bacteria, into the lungs. Systems which have potential to create such, and aerosol include:

- Showers and spray taps
- Hoses, water features and spa baths

6. Management and Responsibilities

The Association will use best practicable means to ensure that our tenants and employees are exposed to minimum risk from Legionellosis from any water system in our properties. The Association will assess Legionellosis risk in all our properties and minimise any risk by carrying out remedial works required to remove the risk and by conducting regular checks on water systems.

The Associations Management committee will be responsible for establishing and managing the Legionella Control Policy.

The Depute Director will be assume the position of Duty Holder. The Duty Holder has overall responsibility for ensuring that the Association take suitable precautions to prevent or control the risk of exposure to Legionella.

The Senior Maintenance Officer – Responsible Person. The responsible person has responsibility to monitor and manage policy objectives and ensure suitable resourced and training is provided to staff.

The Maintenance officer is responsible for undertaking the day-to-day management of the policy objectives

Contractors – Are responsible for carrying out monitoring checks, Inspections and testing to required tanks and remedial works as per instruction from the Maintenance team.

7. Risk Assessment

7.1 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 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.

7.3 Cernach 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 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.
- 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. Legionella Management Strategy

Where, as a result of the risk assessment process, the contractor engaged by the Association recommend legionella monitoring and treatment regimes, these recommendations will be reviewed by the Responsible Person and implemented where appropriate.

The Responsible Person may seek independent advice of any of the recommendations in order to determine the suitability of the recommendations.

Any monitoring and treatment regimens implemented by the Association will be subject to regular reporting, dependent on testing and treatment intervals by the responsible contractor. These reports will be reviewed by the Responsible Person to assess the effectiveness of the regime. The Responsible Person may revise the frequency of any testing and treatment regime were considered appropriate.

9. Water Fittings and System Requirements

- 9.1 The Association will ensure that all water fittings are suitable for the purpose intended.
- 9.2 Hot water shall be stored in tanks at a temperature of at least 60°C.
- 9.3 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.
- 9.4 Hot water shall reach taps at temperatures greater than 50°C within 1 minute of running.
- 9.5 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.
- 9.6 All little used outlets shall be routinely flushed through.
- 9.7 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

10. 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;
- Following an outbreak or suspected outbreak of Legionnaires' disease or any other water borne infection/disease.

11. Void Properties

11.1 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.

11.2 To reduce this potential risk the association maintenance officer will instruct works to:

- Thoroughly flush all taps
- Replace all shower heads
- Inspect and report on water storage tank where present

11.3 This information will be recorded on the appropriate void inspection paperwork to show audit trail of the above works being completed.

12. Contractors

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.

13. Notification requirements

13.1 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. Tenant responsibilities

- 14.1 Tenants will be provided with information on good water management and Legionella control through tenancy agreements and/or by means of information leaflets.
- 14.2 Tenants are advised to clean shower heads, descale and disinfect them at least every two months.
- 14.3 For showers that are only occasionally used, tenants are advised to flush the shower through by running the water for at least 2 minutes once a week.
- 14.4 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 2 minutes.
- 14.5 Tenants should inform Cernach Housing Association immediately if there are problems, debris or discolouration in the water.

15. Training

- 15.1 Cernach recognises that it is extremely important that the resourcing and training of staff is adequate to meet all the needs of its tenants. The Association is committed to making training relating to effective repairs and maintenance available to staff. Training should be updated as appropriate. Staff will be encouraged to network with other RSLs in order to share best practice in providing an effective and efficient repairs and maintenance service.

16. Complaints

The Association has a published Complaints policy & procedure, which can be used where there is dissatisfaction with this policy or the operation of this policy. Any tenant who feels aggrieved by their treatment under this policy can ask for a copy of the Association's complaints policy, which is available at the Association's office and on the website www.cernachha.co.uk. As with all our service policies, the complaints policy can be made available in large print, translated or on tape. Tenants also have the right to complain to the Scottish Public Services Ombudsman.

17. Policy Review and Tenant Consultation

The Senior Maintenance Officer is responsible for the review of the Control of Legionella Policy and providing the monitoring information to the Management Committee and Staff, this will be achieved by providing performance reports to the Operation Sub Committee on a monthly basis and update staff at staff meetings.

The Operation Sub Committee and Management Committee will review the Control of Legionella policy every three years. This review will be brought forward if there is a need to respond to new legislation and/or policy guidance.

The success of this policy shall be measured against the following outputs and outcomes:-

OUTPUT	OUTCOME
Clear guidance on repairs responsibilities and delivery of maintenance service	Confidence of other appropriate members of staff to carry out this function in the absence of the Senior Maintenance Officer.
Compliance with Raising Standards	Confidence in maintenance procedures and working practices for audit purposes
Meet our statutory obligations and legal requirements	Confidence that the Association is meeting our legal obligations.

Cernach Housing Association

Control Of Legionella Policy



Cernach Housing Association Equality Impact Assessment Tool	
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Name of the policy / proposal to be assessed	Control of Legionella Policy	Is this a new policy / proposal or a revision?	New Policy
Person(s) responsible for the assessment	Holly Lochran , Senior Maintenance officer		
1. Briefly describe the aims, objectives and purpose of the policy / proposal	The aim of this policy is to ensure CHA have effective management in place of all water systems within premises controlled by the association.		
2. Who is intended to benefit from the policy / proposal? (e.g. <i>applicants, tenants, staff, contractors</i>)	Tenants, owners, staff, and contractors		
3. What outcomes are wanted from this policy / proposal ? (e.g. <i>the benefits to customers</i>)	To ensure all staff have an understanding of Legionella control and the associations duty.		

**Cernach Housing Association
Repairs and Maintenance Policy (Cont'd)**



4. Which protected characteristics could be affected by the proposal? (tick all that apply)

Age Disability Marriage & Civil Partnership Pregnancy/Maternity
 Race
 Religion or Belief Gender Gender Reassignment Sexual Orientation

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.

After consideration there is no known elements of this policy which could impact protected characteristics as all known water tanks are located within the common attic area that the Association are able to access without causing disturbance to residents.

	Positive impact(s)	Negative impact(s)
<p>6. Describe the likely positive or negative impact(s) the policy / proposal could have on the groups identified in part 4</p>		
<p>7. What actions are required to address the impacts arising from this assessment? (This might include; collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts).</p>		

Signed: *M. O'Connell*

(Job title): Senior Maintenance Officer

Date the Equality Impact Assessment was completed:

Please attach the completed document as an appendix to your policy / proposal report