

Legionella Policy

Housing Services

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Approvals

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Associated Documentation

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A. INTRODUCTION

1. South Derbyshire District Council (SDDC) will meet all legislative and regulatory requirements in relation to Legionella safety management in residential premises.
2. This Policy outlines the arrangements that SDDC has in place to manage legionella risks to protect employees, tenants, contractors and others who may work on, occupy, visit or use its premises, or who may be affected by its activities.
3. This policy is supported by Legionella Procedures and Guidance.
4. This Policy will be reviewed annually by the Repair and Improvement Team Leader and approved by the Leadership team. All revisions will be communicated to all relevant staff by the Project Officer (Compliance).

B. RESPONSIBILITIES

5. The Chief Executive Officer (CEO) has governance responsibility for implementation of this policy and will ensure that adequate physical and financial resources are made available to enable SDDC to meet its obligations under this policy and associated procedures.
6. The CEO has overall responsibility for the management of Legionella safety and will ensure that the Leadership Team is committed to the implementation of this policy and associated procedures.
7. The Head of Housing (HOH) has strategic responsibility for the management of hot and cold-water systems. They will oversee the implementation of this Policy and associated procedures and advise the CEO of any failure in the management arrangements.
8. The Repair and Improvement Team Leader (RITL) will ensure that the management arrangements comply with regulatory, legislative and best practice requirements. They will also ensure appropriate allocation of resources and levels of competency within the delivery team. The RITL will advise the HOH of any failure in the management arrangements.
9. The Gas and Heating Project Officer (GHPO) will be responsible for the day-to-day operational delivery of all legionella management work streams including risk assessments, inspections and maintenance programmes. The GHPO will advise the RITL of any failure in the management arrangements.
10. The HOH will be responsible for the implementation of legionella management arrangements within sheltered schemes and ensuring that any

recommendations arising from risk assessments in relation to tenant behaviours, vulnerabilities etc. are actioned. They will also provide key support in gaining access to properties and facilitate legal processes to gain access where necessary.

11. The Health and Safety Committee will advise and support the operational teams on legal issues and the operational effectiveness of this Policy and associated procedures.
12. Employees will be responsible for co-operating with SDDC by attending training as required, undertaking relevant water temperature testing and flushing activities assigned to them and reporting any deficiencies in the procedures or hazard control arrangements.
13. The Head of Planning and Strategic Housing will ensure that all elements within SDDC's 'design brief' in relation to legionella safety are fully adhered to in SDDC development projects and adhered to as far as is reasonably practical in S106 and 'development agreement' acquisitions. They will also ensure that all schemes of control and certifications are forwarded to the RITL at handover.

C. REGULATORY STANDARD

1. The implementation of this Policy and associated procedures will ensure compliance with the regulatory framework and consumer standards (Home Standard) for social housing in England, which was introduced by the Homes and Communities Agency (now the Regulator of Social Housing) in April 2012.

D. LEGISLATION, APPROVED CODES OF PRACTICE AND GUIDANCE

1. Legislation

1. The Health & Safety at Work etc. Act 1974
2. The Management of Health & Safety at Work Regulations 1999
3. The Control of Substances Hazardous to Health Regulations 2002
4. The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR 2013)
5. Construction (Design and Management) Regulations 2015 (CDM 2015)
6. The Workplace (Health Safety & Welfare) Regulations 1992
7. Housing Act 2004

2. Approved Code of Practice, Guidance and British Standards

1. L8 - Legionnaires' disease: The control of legionella bacteria in water systems
2. HSG274 - Legionnaires' disease: Technical guidance Part 2: The control of legionella bacteria in hot and cold-water systems
3. INDG458 - Legionnaires' disease: A guide for duty holders
4. BS 8580:2010 Water Quality – Risk assessments for legionella control. Code of practice.

E. STATEMENT OF INTENT

14. SDDC acknowledges and accepts its responsibilities to manage hot and cold-water systems to prevent the growth of legionella bacteria in accordance with the L8.
15. Suitable and sufficient legionella risk assessments will be carried out and actions arising from the risk assessments will be completed within recommended timescales. Risk assessments will be reviewed:
 - 15.1. Domestic properties at a frequency recommended by risk assessment.
 - 15.2. Commercial properties/Community rooms, as required, but no longer than two years
16. Suitable schemes of control for communal hot and cold-water systems will be in place.
17. Staff will have adequate and appropriate training in accordance with SDDC health and safety training needs analysis to enable them to fulfil their roles in relation to water hygiene management.
18. Emergency procedures will be in place for all office premises, sheltered schemes and apartment blocks in the event of a positive Legionella sample being identified.

F. ARRANGEMENTS

1. Legionella risk assessments will be carried out on all communal hot and cold-water systems and all void domestic properties. Any identified risks will be mitigated by implementing an appropriate 'scheme of control' identified by the assessment.
2. Where the assessment demonstrates there is no reasonably foreseeable risk or that risks are insignificant, no further assessment or measures are needed.

3. SDDC Housing Management Team and Repairs Team will ensure that robust processes and controls are in place to manage legionella risks in voids to ensure properties are risk free on occupation.
4. All construction work, including remedial works and new installation works, will be carried out in accordance with the Construction (Design and Management) Regulations 2015 (CDM 2015). The RITL will support and advise the Operational Team in respect of CDM 2015 compliance and SDDC will ensure that adequate management arrangements are in place before work is permitted to start.
5. With the support of the Housing Management Team and enforcement of the tenancy and lease agreements, SDDC will gain timely access to any property in order to undertake necessary Legionella safety management work or where there might be concern in relation to tenant vulnerability.

G. RECORD KEEPING

1. SDDC Operational Maintenance Team will maintain and store adequate records in respect of all risk assessments, written schemes of control and their associated servicing and maintenance requirements, remedial works, water quality tests and audits and shall keep these records for the time they remain current and for at least five years thereafter.
2. Relevant risk assessments and water sample test results will be saved on "Lifespan" or other relevant software.
3. SDDC will hold an accurate asset list of all premises that require a legionella risk assessment. Periodic asset data reviews will be undertaken to ensure that legionella safety data held against the organizations' property assets is accurate and up to date.
4. All records and other relevant building information from CDM Health and Safety File and Operations and Maintenance (O&M) information will be kept for the lifetime of the building.
5. Records of all legionella safety related training undertaken by staff will be held by Human Resources on employee files for the duration of their employment.

H. TRAINING AND COMPETENCE

1. Legionella safety training will be delivered according to SDDC's health and safety training needs analysis. At least one member of the Repair and Improvement Team will hold the BOHS Proficiency module 901 or equivalent. Other specific training will be provided to those responsible for implementation

of the legionella risk assessment and maintenance and inspection programmes.

2. The responsible person will ensure that only suitably competent consultants and contractors, UKAS accredited organisations and registered members of the Legionella Control Association (LCA) or equivalent, are procured and appointed to undertake risk assessments, prepare written schemes of control and undertake works in respect of water hygiene and legionella control. The operational team with responsibility for delivery will check the relevant qualifications of employees working for these contractors annually to ensure that all persons are appropriately qualified for the work that they are carrying out.

I. MONITORING AND REVIEW

1. Performance against the legionella safety management arrangements is reported quarterly to the Health and Safety Committee.
2. Legionella risk assessments will be subject to 10% internal quality checks by the qualified member of the Property Maintenance Team.
3. Independent auditing of legionella safety management arrangements will take place at least once every two years.
4. Any non-compliance identified by the audit will be reported to the Head of Housing who will agree an appropriate course of corrective action and report to the Leadership Team accordingly.
5. Completion of audit actions will be monitored by the Health and Safety Committee
6. In the case of a serious non-compliance issue the Health and Safety Committee will determine whether it should be declared to the Regulator of Social Housing and or reported as a RIDDOR incident.