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## **Control of Legionella and Water Hygiene Policy**

**SER-POL-11**

**Version 5.0**

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**Date approved: 19<sup>th</sup> October 2021**

**Approved by: Audit and Risk Committee**

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## **1. Introduction**

- 1.1 Scope: This Policy covers the management requirements to minimise the risk of a legionella outbreak across Southway Housing Trust properties. This Policy applies to all existing buildings that are owned, managed or occupied by Southway Housing or its subsidiaries. It covers the duties to control and provide information in respect of legionella and the activities to reduce the risk where legionella exposure may occur.
- 1.2 Southway recognises that it has a Duty of Care towards employees, residents, contractors, visitors and others who may be at risk from Legionellosis. This Policy sets out where those duties arise and how Southway will operate to discharge these duties and responsibilities. Southway will ensure that so far as is reasonably practicable:
- steps are taken to identify potential Legionellosis hazards in water systems within the properties under our control and take steps to prevent or minimise the risk to exposure to legionella bacteria.
  - all water systems that could be a potential source of infection are identified and assessed for risks
  - where necessary, control systems are put in place to ensure that the risk of exposure is minimised and that instructions and training is provided for relevant staff to ensure that those control systems are operated in an efficient manner.

## **2. Legislative and Regulatory Framework**

- 2.1 Southway Housing Trust accepts the duties and responsibilities contained in the following statutory and regulatory documents in respect of the management and control of legionella:
- L8 (4<sup>th</sup> Edition) 2013 – Legionnaires’ Disease. The control of Legionella bacteria in water systems – Approved Code of Practice & Guidance (ACOP). The ACOP provides practical guidance on the legal requirements concerning the risks from exposure to the legionella bacteria. The code also gives guidance in respect of the relevant parts of the ‘Management of Health & Safety at Work’ regulations 1999
  - Health & Safety at Work Act 1974 – HASAWA 1974 requires all employers to “ensure as far is reasonably practicable, the health, safety and welfare at work of all their employees”.

- The Management of Health & Safety at Work Regulations 1999 specifies in more detail the general duties of HASAWA 1974 with regards to safety management requiring all employers to undertake a “suitable and sufficient” assessment of the risks to the health and safety of its their employees and others who may be affected by their work activities and environment. This will include risks that may arise from legionella bacteria in water.
- The Control of Substances Hazardous to Health Regulations (COSHH) 2002. The COSHH Regulations 2002 require employers to manage the risks that may arise from biological hazards, this will include legionella.

2.2 Other relevant legislation:

- Health & Safety at Work Act 1974
- Workplace (Health, Safety and Welfare) Regulations 1992
- Construction (Design and Management) Regulations 2015
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- Building Regulations and Building Standards Regulations

### **3. Roles & Responsibilities**

- 3.1 Overall responsibility for health and safety within Southway lies with the Chief Executive. Responsibility for ensuring this Policy is being carried out and adequate resources are provided to enable compliance with this Policy lies with the Strategic Director Property and Development.
- 3.2 The Strategic Director Property and Development will also ensure that an appropriate system of communication is in place whereby all significant accidents, incidents, audits, or reviews relating to the effective management of legionella is brought to the attention of the Chief Executive at the earliest opportunity.
- 3.3 Responsibility for the regular review and updating of this Policy lies with the Head of Health and Safety and Compliance, as does its effective implementation.
- 3.4 The Head of Health and Safety and Compliance is responsible for the day to day management of the measures and controls in place for the Control of Legionella and Water Testing.

- 3.5 Southway Housing Trust recognises its duties under this legislation and guidance listed in Section 2.1 above and will responsibly manage the control of legionella so as not to present a risk to employees, customers, visitors, service users, contractors or members of the public.
- 3.6 Southway will discharge the following specific duties by:
- Appointing a competent person/company who shall have the necessary skills, knowledge and experience to ensure that Southway complies with its health and safety responsibilities in relation to the Control of Legionella
  - Preparing and action a Legionella Management Plan
  - Employing competent consultant/contractor to carry out inspections, testing, servicing and risk assessments
  - Identifying properties that may be at risk
  - Commissioning the preparation and review of risk assessments at the appropriate frequency to determine the necessary control measures are correct and in place
  - Implementing, managing and monitoring the measures identified within the risk assessments
  - Keeping records of the control measures and activities
  - Implementing appropriate training for staff with responsibility for the administration of the control measures.
- 3.7 The Compliance Manager will put suitable systems in place, for monitoring the effective implementation of this Policy. The key performance indicators for the effective management of Legionella will form part of the compliance report which will be updated monthly.
- 3.8 The Compliance Report will be reviewed monthly by the Head Health and Safety and Compliance and the Compliance Manager. The Compliance Team will be responsible for the scrutiny and audit of the relevant processes to assure compliance.
- 3.9 Compliance reports will be submitted to the Executive Team and the Audit & Risk Committee quarterly or where a specific need arises.

**4. Equality & Diversity**

4.1 Southway will ensure that this Policy is applied fairly and with sensitivity to the diverse needs of individuals and communities. This Policy and other Southway policies and publications can be provided on request in other formats (e.g. in an alternative language, in Braille, on tape, in large print).

**5. Involving Customers**

5.1 Tenants will be encouraged to contribute to service development and to provide feedback on the performance of contractors, the materials used and the effectiveness of our policies and procedures via the Southway Consultative Group and customer feedback questionnaires.

**6. Related Policy Documents**

- Responsive Repairs Policy
- Customer Care Policy
- Single Equalities Scheme
- Health and Safety Policy
- Legionella Risk Management Schemes

<b>POLICY REVIEW HISTORY</b>	
<i>To be completed during each review</i>	
<b>Previous versions</b> (version number – approved by – approval date – title if different)	
V1 – Board – 23/03/2010	
V2 – Audit & Risk 01/04/2014	
V3 – Audit and Risk 16/10/18	
V4 – Audit and Risk 13/10/19	
V5 – Audit and Risk 19/10/21	
<b>Date of last EIA:</b>	Sep 2017
<b>Review lead by:</b>	Garry Warren
<b>Main points or amendments made and reasons</b>	
<ul style="list-style-type: none"> <li>▪ Updates to staff responsibilities to reflect changes in the staffing structure and clarification on the responsibilities of staff.</li> </ul>	

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<b>Next review due:</b>	<b>Q2 2021/22</b>
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