



Legionella Policy

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Manual Version Control

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Manual Version Control:

Version	Date	Author	Change Description
1.0	September 2019	Martin Sherman	Updated version with logo and management instructions
1.1	September 2021	Martin Sherman	Added timescale to renew risk assessments to best practice every two years to comply with internal audit recommendations.
1.2	February 2022	James Butterworth	Updated records and reporting as per internal audit recommendations.
2.0	July 2023	Richard Walker/Tandi Smith/LMRS	Full review

1. Policy Statement

1.1. Pickering and Ferens Homes (PFH) must control the risks of legionellosis (a collective term for diseases caused by legionella bacteria) by introducing measures which reduce and/or control the risk of legionella growth and proliferation of legionella bacteria and other organisms in the water systems and reduce, so far as is reasonably practicable, exposure to water droplets and aerosol in non-domestic and domestic stock as required. This will reduce the possibility of creating conditions in which the risk from exposure to legionella bacteria is increased.

1.2. PFH acknowledges and accepts its responsibilities about water hygiene safety and preventing exposure to legionella.

1.3. PFH will hold accurate and up to date records against each property it owns or manages setting out the requirements for water hygiene risk assessments and safety checks.

2. Aim & Purpose of Policy

2.1. PFH has established a policy which meets the requirements of the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999 (the Management Regulations). In addition to this, the policy provides assurance that measures are in place to demonstrate compliance with the Control of Substances Hazardous to Health Regulations 2002 (as amended) and to identify, manage and/or mitigate risks associated with hot and cold-water systems and any other systems that may cause exposure to legionella bacteria. The approved code of practice, L8 ("Legionnaires' disease. The control of legionella bacteria in water system"), is available to duty holders to provide practical guidance on how to comply with their legal duties in relation to legionella.

2.2. The policy applies to all employees, residents, contractors and other persons or other stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services.

2.3. It should be used by all to ensure they understand the obligations placed upon PFH to maintain a safe environment for customers and employees within the homes of each customer, and within all communal areas of buildings and 'other' properties (offices, pop-ins, etc.) owned and managed by PFH.

3. Requirements

3.1. Obligations

The Control of Substances Hazardous to Health Regulations 2002 (as amended) (COSHH), the Management of Health and Safety at Work Regulations 1999 and the Health and Safety at Work Act 1974 place a duty,

as an employer or person in control of a premises (e.g., a landlord), to take suitable precautions to prevent or control the risk of exposure to legionella.

PFH as the 'Duty Holder' as defined by ACoP L8 is responsible for Health and Safety and must take the right precautions to reduce the risks of exposure to Legionella, including understanding how the organisation will:

- Identify and assess sources of risk.
- Manage any risks.
- Prevent or control any risks.
- Keep and maintain the correct records.

PFH must ensure there is a risk assessment undertaken for all hot and cold-water systems, cooling plant and any other systems that can produce water droplets to establish any potential risks and implement measures to either eliminate or control the identified risks.

PFH is responsible for control of legionella and water hygiene safety and must appoint a competent/responsible person to take managerial responsibility for legionella control - risk assessment, production of a written scheme and implementation of that scheme to prevent or control the risks. A competent person is someone with sufficient authority, competence, necessary skills, knowledge of the system and experience.

PFH will ensure that properties are risk assessed by a competent person for potential to cause exposure to legionella.

3.2 Risk assessment and managerial arrangements

Legionella Risk Assessments (LRA) – PFH will carry out a program of legionella risk assessments and risk assessment reviews to properties containing any water system that could present a risk of exposure to legionella.

PFH will ensure that a 'written scheme of control' is developed and fully implemented for all properties risk assessed as requiring controls to adequately manage the risk of legionella exposure.

These risk assessments will be reviewed every three years, after any works have been completed to the installation, and no later than the review date set by the LRA.

PFH will ensure that only suitably competent consultants, surveyors, risk assessors and engineers undertake works for the organisation in respect of water hygiene safety.

PFH will make written schemes of control in communal areas of buildings available to inform occupants on how the risk of exposure to legionella bacteria is being managed and controlled.

PFH have a process in place to gain access to properties where tenant vulnerability issues are known or identified while ensuring the organisation can gain timely access to any property to be compliant with this policy and safeguard the wellbeing of the tenant.

PFH will establish and maintain a plan of all continuous improvement activity undertaken with regards to water hygiene safety.

3.3 Routine testing and maintenance

PFH will carry out a programme of maintenance visits by competent persons to all properties that have a written scheme of control in place. These programmes will ensure that all maintenance and testing set out in the written scheme of control is fully completed at the times and intervals stated. This will include routine water temperature checks, de-scaling and cleaning of water equipment including showerheads and regular flushing through of outlets not in regular use.

Communal blocks and 'other' properties - all communal blocks and 'other' properties (e.g., offices, pop-ins etc.) will be subject an initial visit to establish whether a legionella risk assessment is required. Where a risk assessment is not required, PFH will record this as such on their records, including the date of the initial visit. Where a legionella risk assessment is required, PFH will ensure this communal block or 'other' property is included in the programme.

Void properties – Properties left unoccupied will have frequent flushing or systems drained if they are remaining unoccupied for more than 120 days. Before occupation, these premises are to have their water systems disinfected and flushed.

On letting a property, we will ensure that new residents are made aware of the risk of Legionella and advise them to flush through the system and ensure shower heads are clean.

All plumbing alterations are carried out by certified plumbers in order to ensure compliance with the Water Supply (Water Fittings) Regulations 1999.

Example of maintenance controls is contained in appendix 1.

3.4 Compliance Follow up Work

PFH will ensure there is a process in place for the management of any follow-up works required following the completion of a legionella risk assessment or where identified by the competent person when undertaking required maintenance activities. Where high risk defects are identified within the LRA the required remedial works will be programmed on a priority basis derived from the property risk type and the overall risk rating applied to the assessment. Lower rated defects that do not impact directly on the legionella risk to the users will be targeted when larger scale refurbishment works are being carried out in the property.

PFH will ensure that there is a process in place to collate and record details of all remedial works and water testing completed against individual installations.

4. Responsibilities within this Policy

In order to ensure that this Legionella Policy is adhered to, PFH will appoint suitably competent personnel to act as the 'Responsible Person' on behalf of the individual Duty Holder and oversee the implementation and review of these documents.

4.1 Appointed Duty Holder

The Home Services Director will fulfil the role of the appointed 'Duty Holder' on behalf of PFH in order to ensure the appropriate management of the risks associated with Water Hygiene. As a result, the Home Services Director will hold responsibility for the implementation of this document, and supporting procedure, as well as ensuring compliance is achieved and maintained.

Although the organisation has an appointed Duty Holder, the Chief Executive will be ultimately responsible for ensuring compliance with current legislation and to ensure that the organisation fulfils its duties and responsibilities as outlined in this policy document.

4.2 Responsible Persons

The Property and Compliance Manager shall ensure that there are suitable arrangements in place for the implementation of this policy, as well as overseeing the delivery of the agreed survey inspection programmes and the prioritisation and implementation of any works arising from the surveys.

The Board will have overall governance responsibility for ensuring the Legionella Policy is fully implemented to ensure full compliance with the regulatory standards, legislation, and approved codes of practice. As such the Board will formally approve this policy and review it periodically.

4.3 Competent Persons

PFH will ensure that the Property and Compliance Manager is appropriately competent; preferably holding a recognised qualification in legionella control through the completion of a certified training course designed to meet the training needs of a 'duty holder' or 'responsible person' for legionella control. If the competent person does not have appropriate qualifications already, PFH will seek to support the individual to obtain as soon as reasonably practicable but will use the appointment H&S Advisor as our 'competent person' primarily for advice and guidance.

Training includes courses by BOHS (British Occupational Hygiene Society) such as P901 – Management and control of building hot and cold-water services, City and Guilds, CIBSE, or HABC around the requirements of ACoP L8 - 'Legionnaires' disease: The control of legionella bacteria in water systems.

PFH will ensure that only suitably competent consultants and contractors, 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.

5. Regulatory Standards, Legislation and Approved Codes of Practice

5.1 Regulatory Standards

The application of this policy will ensure compliance with the regulatory framework and consumer standards (Current Home Standard to be enhanced to the Safety & Quality Standard) for social housing in England, which was introduced by the Regulator of Social Housing (RSH).

5.2 Legislation

The principle legislation applicable to this policy is the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999 (the Management Regulations) and the Control of Substances Hazardous to Health Regulations 2002 (as amended) (COSHH). PFH has a legal obligation under COSHH to prevent or control exposure to biological agents. Being harmful to human health, legionella falls within the scope of these regulations.

5.3 Code of Practice

The principle approved codes of practice applicable to this policy are:

- ACoP L8 - 'Legionnaires' disease: The control of legionella bacteria in water systems' (4th edition 2013).
- HSG274 - Legionnaires' disease: Technical guidance Part 1: The control of legionella bacteria in evaporating cooling systems (2013).
- HSG274 - Legionnaires' disease: Technical guidance Part 2: The control of legionella bacteria in hot and cold-water systems (2014).
- HSG274 - Legionnaires' disease: Technical guidance Part 3: The control of legionella bacteria in other risk systems (2013).
- INDG458 - Legionnaires' disease: A guide for duty holders Leaflet (HSE Books 2012).

5.4 Additional Legislation

This Legionella Policy also operates in the context of the following legislation:

- The Workplace (Health Safety & Welfare) Regulations 1992
- Construction, Design and Management Regulations 2015
- Housing Act 2004
- Landlord and Tenant Act 1985

- Homes (fitness for Human Habitation) Act 2018
- Housing Health and Safety Rating System (HHSRS) 2006
- Data Protection Act 2018
- RIDDOR 2013

6. Our Commitment to Equalities

6.1 PFH seeks to ensure that our actions do not lead to unlawful discrimination. Deliberate acts of discrimination, including victimisation, harassment, instruction, or pressure to discriminate, will result in disciplinary actions and/or termination of contracts with external agents.

6.2 We can provide access to interpreters for minority languages including sign language, and we can arrange written material in large print, Braille and first languages where necessary.

6.3 PFH will aim to ensure that no individual or group is treated less favourably on the grounds of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. We aim to recognise the needs of individuals and treat each person through the complaints process with dignity and respect.

6.4 We will consider the individual needs of residents who may require additional support and make reasonable adjustments in line with the Equality Act 2010 and in accordance with our EDI Policy.

6.5 We will work with our contractors to ensure that any resident who feels uncomfortable with male only operatives, either can opt to have a female operative, or a female accompanying the operative.

7. Record Keeping

7.1 PFH will establish and maintain a core asset register of all properties that have a written scheme of control for water hygiene in place. This register will also hold data against each property asset of the legionella risk assessment carried out.

7.2 Inspection and re-inspection dates, along with LRA and monitoring records, will also be held electronically.

7.3 PFH will establish and maintain accurate records of all written schemes of control and any associated remedial works and water testing as per the organisation's Data Retention Policy.

7.4 PFH will maintain logbooks for all relevant sites as required to record the details of the results from the ongoing monitoring and inspection, where required.

7.5 PFH will hold and maintain accurate records on the qualifications of all consultants, surveyors, risk assessors and engineers undertaking water hygiene works for the organisation.

7.6 PFH will ensure processes and controls are in place to provide and maintain appropriate levels of security for all water hygiene safety-related data.

8. Performance Monitoring & Reporting

8.1 PFH ensures compliance with water hygiene legislation is formally reported at Senior Leadership Team (SLT) and Board level, including the details of any non-compliance, and planned corrective actions.

8.2 There is a robust procedure in place for monitoring compliance and validating asset lists.

8.3 Robust key performance indicator (KPI) measures are in place and maintained to ensure PFH can report on performance relating to water hygiene / legionella safety.

8.4 Key performance indicator (KPI) measurements are regularly reviewed and reported to senior management, other relevant staff, resident committees, and the Board.

8.5 Service standards have been codesigned and agreed with residents, these will be communicated to residents, adhered to, and reported against.

9. Review

9.1 The policy will be reviewed every three years (or sooner if there is a change in regulation, legislation, or codes of practice).

Appendix 1.

Example Legionella Maintenance Controls.

Service	Frequency	Required check	Completed by
Calorifiers	Monthly Annual	Temperature. Inspection/Purge.	Approved 3 rd Party Contractor
Hot Water Services	Monthly Quarterly	Temperature (sentinel and representative outlets). Circulating systems – Temperature of return.	Approved 3 rd Party Contractor
POU Water Heaters (no greater than 15ltrs)	Monthly – Six Monthly	Temperature.	Approved 3 rd Party Contractor
Combination water heaters	Monthly Annually	Temperature. Tank inspection, clean and disinfect as needed.	Approved 3 rd Party Contractor
Cold water tanks	Annually	Tank inspection, clean and disinfect as needed. Check tank temperature.	Approved 3 rd Party Contractor
Cold water services	Monthly Annually	Temperature (sentinel and representative outlets). Thermal insulation.	Approved 3 rd Party Contractor
Showers and spray taps	Quarterly	Dismantle, clean, and disinfect.	Approved 3 rd Party Contractor
Infrequently used outlets	Weekly	Flush outlets.	PFH Colleagues
TMVs	Annually	Inspect, clean, and disinfect where needed.	Approved 3 rd Party Contractor
Expansion vessels	Monthly – six monthly	Flush through and purge to drain. Bladders changed as per manufacturers guidelines.	Approved 3 rd Party Contractor