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## 1. Purpose and scope

### 1.1 Statement of intent

Lewisham Homes will take all reasonable steps to establish an effective system for managing risks of Legionella within water systems in the properties that it manages or occupies. This will be achieved through the process of risk assessment and written schemes where necessary.

Lewisham Homes expects that buildings with water systems which pose the highest risk will be dealt with by order of priority. LH perceive that the greatest potential risk will arise within shared or communal water systems; this view is based on there being a larger storage capacity and the overall size of distribution, which could result in a greater number of dead legs and conditions ripe for growing bacteria.

Buildings identified with communal water systems will be risk assessed as a priority and action taken to refurbish/maintain the system in a safe condition.

- 1.2 This policy provides an exemplar statement of how LH intends its managers and staff to manage the safe provision and maintenance of wholesome water hygiene in both cold and hot water services directly delivered to dwellings and premises under its control.
- 1.3 Lewisham Homes (LH) has an extensive housing portfolio and workplace; this policy applies to all parts of LH.
- 1.4 This policy forms part of the occupational health and safety management system 'documented information' and is to be considered a "living document" providing a

roadmap to compliancy and a policy statement. The related strategy is the Health, Safety & Wellbeing Strategy 2020-23.

- 1.5 The Compliance Team will work with operational teams to establish robust procedures to deliver these policy requirements. The Strategic Health and Safety Team will support this where required.

## 2. Context

- 2.1 Lewisham Homes owns and manages properties which contain shared and individual hot and cold-water installations. Its staff occupy a workplace with hot and cold-water provision.
- 2.2 One of the main risks of poor water hygiene in water storage areas is waterborne pathogens, i.e. viruses, bacteria, protozoa, fungi. The risks also include the bacterial condition known as legionellosis, which is the term used to cover the group of diseases caused by legionella.
- 2.3 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. It is caused by the bacterium Legionella pneumophila and related bacteria. Legionella bacteria can also cause less serious illnesses which are not fatal or permanently debilitating e.g. Pontiac fever, a mild flu-like illness.

## 3. Responsibilities and Duty Holders

- 3.1 **Responsible Person** - The CEO is deemed to be the 'Responsible Person'. Whilst the CEO has overall accountability for the management of all aspects of health and safety including the management of water hygiene, the day-to-day implementation of this policy is delegated to the Director of Property Services & Safety.
- 3.2 **Duty Holders** - The main duty holder will be the Director of Property Services & Safety as delegated by the CEO and may nominate competent person(s) to deliver specific duties.
- 3.3 The duty holder is legally required to take suitable precautions to prevent or control the risk of exposure to legionella. These duties include ensuring that:
  - a) suitable and sufficient risk assessments are carried out;
  - b) risk assessments are kept under review;
  - c) competent persons are in place to help LH comply the duties e.g. for managing the risks identified in the risk assessment;
  - d) a written control scheme (including schematic diagrams) is produced, implemented and maintained;
  - e) cases of ill-health arising from water supplies are reported; and
  - f) records are communicated, retained and maintained.

## 4. Risk assessment

- 4.1 Risk assessments are required for all water systems that have the potential to expose persons to the legionella bacteria; this could be directly from the water system or due to the work that is being carried out on the water system. The risk assessment must:
- Be written and completed by a competent person/contractor.
  - Be suitable and sufficient.
  - Describe the means by which exposure to the legionella bacteria will be prevented; or
  - If prevention is not reasonably practicable, the particular means by which the risk from exposure to legionella bacteria is to be controlled.
  - Be effectively communicated to relevant persons so they understand the controls required to maintain a safe place of work.
- 4.2 A number of factors will be considered, as a minimum in the risk assessment:
- Description of the water system including schematics
  - Asset registers of all associated plant, pumps, tanks etc.
  - System supply source, e.g. mains.
  - Are conditions present that will encourage bacteria to multiply? (temperature, dead legs, sediment, etc)
  - Is there a means of creating and disseminating breathable droplets? e.g. shower, taps, hoses, etc.
  - Who may be exposed?
  - Are legionella bacteria present?
  - The normal plant operating characteristics.
  - Unusual, but reasonably foreseeable operating conditions, e.g. breakdowns.
  - Any means of disinfection in use.
- 4.3 Within the group of communal buildings that LH manage, it is perceived that it is likely that those posing the greatest risk are the sheltered and hostel accommodation and those with communal showers. Risk assessments will be carried out on these as a priority by an approved contractor.
- 4.4 The risk assessment programme for communal cold water system in blocks of flats will be undertaken by an approved contractor. The programme will include an internal survey of the water system of a sample number of individual flats.
- 4.5 An historical review of the management of legionella risks in street/converted properties produced a four year management cycle, inspecting and identifying assets within 25% per annum of the converted properties. This approach will be reviewed and re-assessed and an equal or improved programme will be instigated.

- 4.6 Risk assessments will be reviewed if considered to be no longer valid, or as a minimum, as follows:
- a) Properties with communal hot and cold services (generally sheltered/hostels accommodation) – annually;
  - b) Properties with just communal cold services – every 2 years;
  - c) Street properties, smaller blocks and converted street properties (blocks under four flats) - every 4 years.
- 4.7 Where the risks from legionella cannot be avoided within a premise, the duty holder will ensure that a written scheme is prepared by a competent person to manage the risks. The written scheme will conform to the standards set out in HSE publication 'L8 – The control of legionella bacteria in water systems'. The written scheme will be documented, communicated and reviewed.

## 5. Maintenance and remedial works

- 5.1 In sheltered housing and hostels LH will implement regular checks and maintenance in line with the Approved Code of Practice and the written scheme to ensure systems are correctly used and maintained through regular inspection and subsequent remedial works.
- 5.2 Depending on the outcome of the risk assessment, controls may include taking any of the following measures to prevent and control the growth of legionella within water systems:
- a) Replacement of storage tank water systems with combination boilers throughout the stock.
  - b) Replacement of cold-water tanks which have been identified as badly corroded or non-compliant with the Water Regulations 1999.
  - c) Disinfection of cold-water systems where identified as necessary.
  - d) Thermal insulation of cold-water tanks to prevent heat build-up in warm weather where identified.
  - e) Thermal insulation of all hot and cold-water pipework in service voids.
  - f) Designing out risks by installing a combination boiler instead of a storage tank system during refurbishments and when carrying out planned improvements works.
  - g) Where modifications to existing plant or water systems may create a risk of legionella bacteria growth, the person in charge of such work shall ensure that the risk is avoided. Where it is not practicable, the system should be designed and constructed so that it will be safe and without risk to health. Any necessary review of procedures, assessments, maintenance programmes, monitoring, etc. should be undertaken.
  - h) Adequate information on the risks and the conditions necessary to ensure the plant or water system is safe to health, shall be specified as a requirement from the designers and manufacturers of the plant and water systems

- i) Suppliers of services and products used in consultancy and water treatment aimed at preventing and controlling legionella bacteria, shall be required to provide information on the safe and proper use of their products and any potential limitations on their expertise or products. All new plant or water services must be properly installed and commissioned before use.
- 5.3 In the workplace, the Facilities team will ensure the water system(s) is suitably and sufficiently risk assessed and maintained so as to reduce the risk of legionella release. Documentary evidence of legionella maintenance activities will be retained for inspection for a period of at least five years.
- 5.4 The Facilities team will obtain evidential documentation from the external Facilities Management contractor and retain it for inspection within the workplace.

## 6. Incidents

- 6.1 All cases of ill-health suspected to originate from poorly maintained water systems must be reported to the Strategic Health & Safety Team using the electronic form located on the intranet.
- 6.2 Legionnaires' disease is a notifiable disease in England and Wales. Health professionals will inform local health protection teams of suspected cases. This may result in health teams directing part of their investigations at Lewisham Homes' policy and procedure. The Strategic Health and Safety Team will review any such cases to determine if they are reportable to the HSE under RIDDOR. Such cases will be reported.
- 6.3 Emergency response plans will be developed, communicated, tested and reviewed for Legionella incidents.

## 7. Monitoring and continual improvement

- 7.1 The Health and Safety Board will monitor the implementation of and compliance with this policy. The risk associated with water supply will be recorded and assessed through the Health and Safety Board's risk register.
- 7.2 Water risk assessment and maintenance performance indicators will be reported regularly to the Executive Leadership Team, together with any significant issues that arise.
- 7.3 A health and safety audit framework is in place which includes auditing arrangements for compliance with water safety policy and procedures. A programme of Critical Friend Reviews conducted by the Strategic Health and Safety Team is in place.

- 7.4 Audits and reviews provide data reflecting the effectiveness of this policy and identify opportunities to achieve continual improvement in the management of water hygiene at LH.

## 8. Legislation and regulation

- 8.1 The primary legislation is the Health and Safety at Work etc Act 1974 which imposes on LH a general duty of care.
- 8.2 Under The Housing Health and Safety Rating System (England) Regulations 2005 (HHSRS), LH should inspect each property to check if there are one or more of 29 hazards and decide on remedial work to be done to reduce risks as low as reasonably practicable – in this case Hazard 18: Water supply.
- 8.3 Specific regulations and codes to comply with are:
- The Control of Substances Hazardous to Health (COSHH) Regulations 2002 (as amended) which require that suitable measures be put in place to protect staff and others from exposure to substances which may be hazardous to health including harmful bacteria such as Legionella.
  - Legionnaires' disease: the control legionella bacteria in water systems ACOP (L8), 4th Edition 2013 under which LH must review the risk assessment whenever there is reason to believe that the original assessment may no longer be valid. However, risk assessments must be reviewed every two years.
  - Legionnaires' disease, Technical guidance, HSG274, Part 2, the control of legionella in hot and cold-water systems 2014.
  - The Water Supply (Water Fittings) Regulations 1999 which specify the appropriate quality and standard that materials must comply with.
- 8.4 Other legislation and regulations which are applicable to this policy include:
- The Management of Health and Safety at Work Regulations 1999.
  - The Workplace (Health, Safety and Welfare) Regulations 1992.
  - The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.
  - Homes (Fitness for Human Habitation) Act 2018

## 9. Terms and definitions

- **Duty Holder** - The person on whom the tactical responsibility falls; who is of an authoritative position within the organisation; and who has sufficient responsibility to authorise necessary resources in the event of an emergency or for planned works.
- **Competent Person** - The Duty Holder shall appoint a suitably trained and competent person(s) who will have responsibility for the day to day operation of the written scheme and management and control of legionellosis.

- A competent person is someone who has sufficient technical and practical knowledge of water systems to be able to detect any defects, assess how significant they are, and implement appropriate mitigation measures.
- **Schematic Diagram** - A simplified but accurate illustration of the layout of the water system, including parts temporarily out of use.
- **Water System** - A system of engineered hydrologic and hydraulic components which provide water supply.
- **Dead/blind End** - A redundant length of pipe, closed at one end, through which water cannot flow.
- **Dead Leg** - A pipe leading to an outlet through which water flows but the outlet is unused/rarely used.
- **Sentinel Outlets** - The nearest and furthest/last outlets from hot and cold-water cylinders and tanks.
- **Thermostatic Mixer Valves (TMVs)** - These blend hot and cold water to reduce the temperature where a scald risk is present.
- **Calorifier** - An indirect-fired water heater to provide hot water in a heating and hot water system. It is a storage water cylinder with one or more heat exchanger coils which contain hot liquids.

## 10. Equality, diversity and inclusion

10.1 The safety of our residents and workforce is of the utmost importance. This policy has been written to protect all concerned taking into account all protected characteristics. As such our approach to risk assessment prioritisation takes into account people who may be more vulnerable to risk associated with legionella and water hygiene.

10.2 We will ensure that relevant information is communicated in an accessible and understandable way with the aim of keeping people safe.

## 11. Communication and consultation

11.1 A controlled version of this policy will be published on the business' intranet and the Lewisham Homes website.

11.2 The Building Safety and Compliance Team will liaise with all relevant teams and ensure this policy and the processes that implement it are clearly communicated. The Strategic Health and Safety Team will assist where required.

11.3 New tenants will be given health and safety advice at sign-up. Periodically residents will be provided with advice about specific risks and precautions that could be taken, such as flushing through showers following a period of non-use, regularly cleaning and disinfecting showerheads, and ensuring that the water temperature remains set to heat to 60 degrees centigrade as a minimum.

11.4 In the formation of this policy we consulted with staff, through our Health and Safety Board, and our Executive Team, prior to seeking approval from our Board. Subsequent reviews are checked for accuracy and change prior to reapproval.

<b>Replaces:</b> Legionella and water hygiene policy 2020	
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<b>Next review:</b> May 2025 or sooner if required	
<b>Approved by:</b> Programmed update reapproved by Executive Leadership Team (ELT) Original approval by Lewisham Homes Board, following consultation through Health and Safety Board and ELT	
<b>Policy owner:</b> Head of Building Safety and Compliance	