



fairfield housing  
co-operative

## **Legionella Safety Policy**

**Approval date: 28<sup>th</sup> April 2020**

**Approved by: Management Committee**

**Review date: April 2023**

**Effective date: 29<sup>th</sup> April 2020**

**Policy Owner: Management Committee**

**Policy Author: G Swanson / Susan Bell**

## This policy applies to

Employees and tenants of Fairfield Housing Co-operative

## Policy Summary

The purpose of this policy is to provide a clear statement of the Fairfield Housing Co-operative's (FHC) policy on legionella safety in domestic and commercial (residential and non-residential) buildings owned and managed by FHC.

This policy is important in ensuring the health and safety of employees, tenants, residents of FHC properties and of those who live in the immediate area, work in, or visit their homes and office premises. As a landlord, FHC has a responsibility to ensure the safety of its tenants. This policy sets out how the FHC will fulfil these requirements.

## Equalities

Fairfield Housing Co-operative will ensure there is a consistent approach in promoting equality and diversity across all areas and this policy will be administered in accordance with the Fairfield Policy on Equality and Diversity.

## Privacy

This policy has been developed and will be applied in compliance with General Data Protection Regulations (2018).

## Compliance

### SHR Regulatory Standards

**Standard 1:** The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users

1.3 The governing body complies with its constitution and its legal obligations

**Other Guidance** – Approved Code of Practice & Guidance L8 Legionnaires' disease – The control of legionella bacteria in water systems.

Legionnaires' disease (HSG 274) part 2 Technical guidance.

Other legislation as detailed at Section 2.2 in the policy.

## Related Policies

Reactive Maintenance Policy (to be reviewed)

Health & Safety Policy

ACS Health and Safety Manual

Business Continuity Policy (to be developed)

## 1.0. INTRODUCTION

- 1.1 The aim of the Legionella Policy is to ensure an effective inspection, maintenance and management regime of all water systems within premises controlled by Fairfield Housing Co-operative (FHC) is in place.
- 1.2 Legionella bacteria occurs naturally and can be found in any water, such as rivers and ponds. However, the most common sources of legionella occur in man-made water systems such as cooling towers and evaporative condensers, spray apparatus, showers and hot and cold-water systems.
- 1.3 Legionnaires' disease is a potentially fatal form of pneumonia caused by the inhalation of legionella bacteria. The bacteria is normally contained within fine water droplets (aerosols) that may be caused by operating, for example, a shower, spray apparatus or running a tap outlet.
- 1.4 Legionnaires' disease has the potential to affect a wide range of people. The risk increases with age but some people are at higher risk including people over 45 years of age, smokers and heavy drinkers, people suffering from chronic respiratory or kidney disease, and anyone with an impaired immune system.
- 1.5 Legionella bacteria survive low temperatures and can multiply at temperatures between 20-45 degrees Celsius if the environmental conditions in water systems promote growth e.g. if rust, sludge, scale and other bacteria are present.
- 1.6 Implementation of this policy is important in ensuring the health and safety of people who live in FHC's properties and to those who live in the immediate area, work in, or visit their homes and Office.
- 1.7 FHC owns one office premise and 514 social rented housing and flats, and all properties are provided as self-contained homes for individual households. It does not have any specialist housing such as sheltered or supported housing and has no communal or shared water storage facilities.

## 2.0 PRINCIPLES

- 2.1 The principles governing the operation of this policy are that the policy and associated procedures should:
  - be clear and understood by all employees
  - be fair, equitable and non-discriminatory
  - reflect statutory requirements and best practice
  - be flexible and adaptable to changing needs
- 2.2 FHC will comply with all relevant legislation in terms of water hygiene and control of legionella, including:

- The Health and Safety at Work Act 1974;
- The Management of Health and Safety at Work Regulations 1999;
- The Control of Legionella Bacteria in Water Systems 4<sup>th</sup> Edition 2013 (ACOP L8)
- Legionnaires' disease (HSG 274) Part 2 Technical Guidance
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013;
- Control of Substances Hazardous to Health Regulations 2002 (COSHH)

### 3.0 OBJECTIVES

3.1 The objectives of the policy are to meet all legal and regulatory obligations and ensure best practice is followed in relation to legionella safety. It therefore aims to:

- Keep the general public, tenants and employees aware of the risks of legionella and as far as reasonably practical ensure they are safe from danger
- Set out a clear approach to assessing, controlling and monitoring the risk of legionella within FHC's properties and office premises
- Educate and inform tenants on the safe use of hot and cold water systems within their homes.
- Raise resident and staff awareness of legionella including recognising the symptoms of Legionnaires' disease and the procedure to follow if it is suspected.
- Ensure that all procedures relating to the Legionella Safety Policy support the fair treatment of all tenants with respect to their different needs, circumstances and lifestyle.

### 4.0 APPROACH AND METHOD

#### 4.1 What we will do:

FHC aim to minimise and control the risk from Legionaries' disease and will ensure that it fulfils its legal and regulatory obligations relating to legionella safety by ensuring compliance with legislation at 2.2, adhering the principles of this policy and by:

- Identifying and assessing sources of risk
- Preparing a scheme for preventing or controlling the risk
- Implementing and managing the scheme
- Keeping records for a minimum of five years and checking what has been done is effective

#### 4.2 Individual roles and responsibilities:

**The Management Committee** in approving this policy acknowledges that it accepts full responsibility for its implementation. Day-to-day responsibility for the operation of this policy is delegated to the Chief Executive. The Head of Operations, with

assistance from operational staff and agents has a responsibility for implementation of procedures regarding control of legionella bacteria within FHC premises.

**The Chief Executive must:**

- Monitor the implementation and effectiveness of the Legionella Safety Policy through procuring regular internal audit reports on behalf of the Management Committee
- Ensure that an awareness of legionella safety is promoted throughout the organisation.
- Ensure that FHC employees have the tools and resources necessary to encourage and develop safe working practices and attitudes towards legionella safety and to deliver appropriate training when a need is identified.
- Ensure that all staff who have a role in ensuring the Legionella Safety Policy is implemented are aware of their responsibilities and the requirements set out in the policy.

**The Head of Operations must:**

- Ensure that the requirements of the policy are communicated to all relevant staff and tenants and reinforce such communication on a regular basis via FHC website, tenant newsletter and social media.
- Ensure that all appropriate staff receive adequate legionella safety awareness training and are encouraged to develop and promote safe working practices and attitudes towards legionella safety.
- Ensure a competent external company qualified as a Legionella Risk Assessor is appointed to carry out a monthly inspections at the office premises and ensure that all recommendations are actioned and recorded in the log book.
- Obtain assurance that all persons or contractors carrying out Legionella Risk Assessments are trained and competent to do so and are members of a recognised body such as the Legionella Control Association.
- Ensure that a suitably competent agent is appointed to review the Risk Assessment and control measures d at least every 2 years. Reviews of the assessment are to be documented and filed with the original Risk Assessment and comply with ACOP L8.
- Keep up to date with current and proposed legionella safety legislation, related regulatory and good practice requirements.
- Check for accurate completion, filing and storing of all Legionella Safety Records for a minimum of 5 years following the validity of the Risk Assessment.

**The Housing Manager must:**

- Ensure as part of our Letting standard and to mitigate any potential risk associated with void properties that our staff and/or contractors who carry out void repairs and maintenance works carry our and record the following:

Thoroughly flush all taps

clean and disinfect, or replace all shower heads

inspection and report on water storage tank, where present

Ensure that tenants are provided with information on good water management and Legionella control through various methods including at time of allocation, social media, newsletter and the FHC Website. This will include advice on cleaning shower heads regularly and flushing the shower by running water for a least two minutes where showers are used only occasionally.

**The Maintenance Officer must:**

Take responsibility for appointment and direction of contractors, and oversight of routine implementation of above tasks as delegated by the Head of Operations and Housing Manager.

**5.0 ACTIONS TO BE TAKEN IN THE EVENT OF AN OUTBREAK**

- 5.1 An outbreak of legionella is defined as two or more cases where the onset of illness is closely linked in time and where there is evidence of a common source of infection.
- 5.2 The investigation into an outbreak is led by the relevant Local Authority's nominated Proper Officer, usually a Consultant in Public Health Medicine. The Proper Officer will declare the outbreak and invoke an Outbreak Committee with responsibility for protecting public health and preventing further inspection.
- 5.3 If it is suspected or confirm that a tenant, employee or visitor has contracted Legionnaires' disease FHC will report the incident under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR).
- 5.4 The Health & Safety Executive may be involved in the investigation, with the aim of pursuing compliance with the health and safety legislation.
- 5.4 In the event of there being an outbreak that is traced back to a water system under the control of FHC, the Chief Executive must be notified who will in turn notify the Chair of the Management Committee. The Head of Operations and Head of Governance should also immediately be notified and will implement Business Continuity arrangements as required and notify the Scottish Housing Regulator in accordance with guidance on notifiable events.
- 5.5 FHC will nominate a staff member to liaise with the Outbreak Committee and Health and Safety Executive as required.
- 5.6 No staff member other than the Chief Executive, Head of Governance or Head of Operations will make contact with the press or undertake any interviews in relation to the incident.

## **6.0 CONTRACTORS**

- 6.1 FHC will only engage Contractors which are registered with an appropriate body such as Legionella Control Association and able to demonstrate competence in legionella safety, experience in this work and that no enforcement / legal action has been taken against them regarding non-compliance.

## **7.0 MONITORING AND REPORTING**

- 7.1 The risks and implications of neglecting legionella and water hygiene safety responsibilities can have fatal consequences. The following areas will therefore be subject to close monitoring:

- Risk management
- Compliance with policy requirements and procedures

These will be monitored by the Head of Operations reporting to the Chief Executive. If any significant issues of concern arise or any matter which demonstrates a serious failure of internal controls, the Chief Executive will report such matters to the Management Committee.

- 7.2 The Maintenance Officer will monitor all preventative checks and logs undertaken by contractors on a monthly basis.
- 7.3 The Legionella Safety Policy and Procedures will be subject to review through our Internal Audit Process in which we aim to achieve Strong Assurance.

## **8 COMPLAINTS**

- 8.1 Complaints and positive feedback are sources of information which help us to improve our services. We use a complaints handling procedure (CHP) developed by the Scottish Public Services Ombudsman (SPSO) and the Scottish Housing Regulator.
- 8.2 The CHP allows for most complaints to be resolved by front line staff within a five-day limit (first stage), or if the complaint is complex, a detailed investigation will be made by a manager within a 20-day limit (second stage). At the end of the second stage our response will be made by the Chief Executive. If the tenant remains dissatisfied, he/ she may then refer the matter to the SPSO.

## **9.0 POLICY AVAILABILITY**

- 9.1 This policy will be made available to all staff members within the "Policies" folder and to tenants by being published on the website and promoted on social media.

## **10.0 POLICY REVIEW**

- 10.1 FHC undertakes to review this policy regularly, at least every three years, or sooner if required by statutory or regulatory requirements.

