BERRY BROOK HOMES

LODDON HOMES

LEGIONELLA POLICY – PROPERTY MANAGEMENT

1. Policy

Under certain conditions and left uncontrolled, the Legionella bacteria in man-made water systems can multiply and cause illness to individuals who inhale contaminated water droplets. Whilst it is widely recognised that the risks from hot and cold water systems in most residential settings are generally considered to be low owing to regular water usage and turnover, Loddon Homes Ltd and Berry Brook Homes Ltd, herein referred to as the Local Housing Companies (LHC), fully recognise the importance of controlling any potential risks from Legionella in their properties in order to prevent the possibility of Legionnaires' disease being contracted.

The purpose of this policy is to reference the legal duties placed on LHC as landlords and outline the arrangements in place for ensuring that the risks from exposure to Legionella in premises are assessed to ensure the health and safety of tenants.

To ensure that this policy is adhered to the following guidance acts to underpin the policy:

- Health & Safety at Work etc., Act 1974, Sections 2, 3 and 4 (HSW)
- The Management of Health and Safety at Work Regulations 1992
- Control of Substances Hazardous to Health Regulations 2002, Regulation 6 (COSHH)
- The Control of Legionella bacteria in water systems L8 (4th edition 2013) – Approved Code of Practice & Guidance
- HSG274 Legionella Technical Guidance:
    - Part 1: The control of legionella bacteria in evaporative cooling systems
    - Part 2: The control of legionella bacteria in hot and cold water systems
    - Part 3: The control of legionella bacteria in other risk systems
- The Public Health (Infectious Diseases) Regulations 1988
- The Water Supply (Water Fittings) Regulations 1999
- The Water Supply (Water Quality) Regulations 2000

2. The legal framework

The Control of Substances Hazardous to Health (COSHH) Regulations 2002 provide a framework of actions designed to control the risk from a range of hazardous substances, including that of biological agents of which Legionella is classified.

The Health and Safety Executive's (HSE) Approved Code of Practice 'Legionnaires' disease – the control of Legionella bacteria in water systems' is key to the effective management of Legionella risks. It provides advice and guidance to duty holders including employers, those in control of premises such as landlords and those with health and safety responsibilities for others to assist them in complying with their legal duties in relation to Legionella.

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) require employers and other responsible persons, such as someone who has control of work premises, to report to the enforcing authority certain injuries and diseases that arise out of or in connection with work; this would include cases of Legionnaires' disease where that has been notified by a doctor.

3. Responsibilities

In discharging its duties, LHC has formally appointed its joint managing agent/maintenance contractor as the companies' 'responsible person' and 'competent person' in respect of Legionella control and management within its properties. LHC properties are under full management by this professional agent who will fulfil the necessary tasks and take on the day-to-day responsibility for managing the control of any identified risk from Legionella bacteria in a safe and technically competent manner.

The LHC Operations Manager is accountable for the implementation of this policy in respect of liaising with the companies' managing agent/maintenance contractor to ensure that compliance with the legal requirements relating to Legionella is secured in line with the HSE's Approved Code of Practice 'Legionnaires' disease – the control of Legionella bacteria in water systems' and the separate publication 'Legionnaires' disease - technical guidance'.

4. The risks

Legionella bacteria are widespread in natural water sources such as rivers, lakes and reservoirs, but usually in low numbers. The bacteria may also be found in purpose-built water systems such as cooling towers, evaporative condensers, hot and cold water systems and spa pools. If conditions are favourable in these systems, the bacteria may multiply, increasing the risks of Legionnaires' disease. It is, therefore, important for the risks to be actively controlled by introducing proportionate and appropriate measures.

Outbreaks of the illness occur from exposure to Legionella growing in purpose-built systems where water is maintained at a temperature high enough to encourage growth. The following conditions can increase the risk from Legionella:

- The water temperature in all or some parts of the system may be within a range which is suitable for Legionella growth, i.e. between 20 – 45°C.
- It is possible for water droplets to be produced and if so, those water droplets are capable of being dispersed.
- Water is stored and/or re-circulated.
- There are deposits that can support bacterial growth such as rust, sludge, scale, organic matter and biofilms.

Legionnaires' disease is normally contracted by inhaling small droplets of water (aerosols) suspended in the air which contain the bacteria and are dispersed over a wide area, for example, via a shower.

Whilst everyone is susceptible to infection should they be exposed to any Legionella contaminated small water droplets, some groups of people are at higher risk; these include:

- People over 45 years of age.
- Smokers and heavy drinkers.
- People suffering from chronic respiratory or kidney disease.
- Any person with an impaired immune system.

The symptoms of Legionnaires' disease are similar to that of flu and, amongst others, include high temperature, feverishness, chills, headaches and signs of mental confusion. Not known to spread from person to person, Legionnaires' disease is treated by antibiotics.

5. Key requirements - general

To comply with their legal duties, duty holders are required to carry out a risk assessment to identify the possible risks. In this respect, a water system includes all plant/equipment and components associated with that system, for example, all associated pipework, pumps, feed tanks, valves, showers, heat exchangers, softeners, chillers etc.

The purpose of the assessment is to enable a decision on (a) the risk to health, i.e. whether the potential for harm to health from exposure is reasonably foreseeable unless adequate precautionary measures are taken; and (b) the necessary measures to prevent or adequately control the risk from exposure to Legionella bacteria.

The assessment should identify and assess sources of risk. This includes checking whether conditions will encourage Legionella bacteria to multiply, for example:

- If the water temperature in all or some parts of the system is between 20 – 45°C.
- If water is stored or re-circulated as part of the system.
- There are sources of nutrients such as rust, sludge, scale, organic matter and biofilms.
- If there is a means of creating and disseminating breathable droplets, such as the aerosol created by showers etc.
- If there are 'at risk' employees, residents, visitors etc who may be susceptible to infection due to age, illness, a weakened immune system etc, and whether they could be exposed to any contaminated water droplets.

Where appropriate, a written scheme for preventing or controlling the risk should be prepared; precautions should be implemented, managed and monitored. A competent person with sufficient authority and knowledge of the installation should be appointed to help take the measures needed to comply with the law. Records of the precautions and results should be kept.

Where domestic properties are concerned, implementing simple, proportionate and appropriate control measures help to ensure the risk remains low. For most domestic hot and cold water systems, temperature is the most reliable way of ensuring the risk of exposure to Legionella bacteria is minimised, i.e. keep hot water hot, cold water cold and keep it moving. The risk is

further lowered where instantaneous water heaters, for example, combi boilers and electric showers, are installed because there is no water storage.

Other examples of control measures include the following:

- Flushing out the system prior to letting a property.
- Disinfecting water systems, cleaning shower heads etc.
- Avoiding debris getting into the system, for example, ensuring that cold water tanks (where fitted) have a tight fitting lid.
- Setting control parameters, for example, setting the temperature of the hot water cylinder (calorifier) to ensure water is stored at 60°C.
- The removal of any pipework that is identified as redundant.

6. Arrangements for the management of Legionella

The companies' appointed managing agent/maintenance contractor in line with legal requirements and guidance, and in accordance with the following arrangements will undertake the management and control of Legionella in LHC premises:

- To assess the risk from exposure to Legionella in LHC properties, taking into account any 'at risk' persons who may be susceptible to infection. An in-depth, detailed assessment may not be required in every case. Where it is relevant and straightforward to do so, a simple assessment would be sufficient to show that there are no real risks as they are being properly managed and that no further action is needed.
- To record the significant findings from that Legionella risk assessment.
- To prepare a written control scheme with details of its implementation.
- Give details of the state of operation of the system, i.e. in use/not in use.
- For periods of non-occupancy, to implement a suitable flushing regime or other measures, such as draining the system, should a property remain vacant for a long period.
- To record results of any monitoring inspection, system flush through, test or check carried out, along with the date.
- To review Legionella risk assessments periodically in case anything changes in the system.
- All records to be retained for a minimum period of five years.
- Where relevant, to liaise with care service providers as necessary.
- To provide tenants with relevant safety information on taking up occupancy, issuing reminders periodically.
- To provide the LHC Operations Manager with a water safety summary report on a six monthly basis which should identify and include:

- Management responsibilities, including the name of the competent person and a description of the system.
- Conditions present, which will encourage bacteria to multiply, for example, is the water temperature in the range of 20°C to 45°C?
- Possible risks where water droplets will be produced and, if so, could they be dispersed over a wide area? For example, in shower facilities.
- The Likelihood that anyone particularly susceptible will come into contact with the contaminated water droplets, for example, people with impaired immune systems?
- The competence and training of key personnel e.g. Caretaker or Site Controller.
- The means of preventing the risk or controls in place to control risks.
- The monitoring, inspection and maintenance procedures.
- Records of the monitoring results and inspection and checks carried out.
- Arrangements to review the risk assessment regularly, particularly when there is reason to suspect it is no longer valid.

Other hazards that could be created by the management of legionella so consideration should be given to other health and safety hazards that could be created as the direct result of managing legionella. For example:

- The chemicals required to treat water systems may require a COSHH risk assessment.
- Access to water systems may require work at height or work in confined spaces etc; these types of activities and their associated hazards should be taken into account within the general risk assessment process.

7. Scalding risks

Raising water temperature to reduce the risk of Legionella has the potential to increase the risk of burns and scalding.

A thermostatic mixing valve (TMV) reduces the water temperature at the outlets to prevent scalding. As such, TMVs are a particularly important mechanism to prevent scalding in health and social care settings where, for a number of reasons, there are increased water temperatures.

In relevant LHC premises, the companies' appointed managing agent/maintenance contractor will consider the risk of scalding to vulnerable people with access to showers or baths and, where significant, TMVs Type 3 will be fitted. Where electric showers are provided and where appropriate, the installation of 'healthcare standard' showers would be another consideration.

In a care setting the potential scalding risk should be assessed and controlled by the service provider in the context of the vulnerability of those being cared for in that establishment. This would include carrying out (and recording) routine water outlet temperature monitoring using a thermometer to confirm the water system is under control and to provide additional reassurance. LHC's appointed managing agent/maintenance contractor is able to advise care

service providers on the technical aspects of how this can be achieved and the action to be taken should there be any concerns about water temperature.

8. Other Water Systems

Precautions will be considered where necessary wherever water conditions are likely to support the growth of bacteria and there is a means of dispersing droplets, for example, commercial spa baths and humidifiers.

9. Information for tenants

Whilst the risk of Legionella is very low, steps can be taken by tenants to help avoid it.

LHC's managing agent will issue tenants with notices on taking up occupancy (along with periodic reminders thereafter), advising them about these risks and how to combat them; this information will include:

- Keeping their water cistern covered, insulated, clean and free from debris.
- Ensuring pipework is insulated.
- Running showers or water taps continuously for at least 5 minutes when moving in or returning after a long break.
- Running showers or any taps that are used less than once a week for several minutes to clear any water that has been sitting in the pipe.
- Not adjusting the temperature setting of the calorifier.
- Should the water in the property not be heating properly as it should or any other problems with the system arise, to report this without delay to LHC's managing agent/maintenance contractor.

10. Action in the event of a suspected or confirmed case of Legionnaires' disease

As soon as an outbreak is suspected, the Local Authorities Environmental Health Team will be contacted and advice sought specifying the action to be taken in response to an outbreak and what should happen next.

Following an investigation, where there is reasonable evidence to suggest that a work-related exposure was the likely cause of the disease, the Operations Manager in consultation with the Managing Director will make a notification to the HSE under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).

11. Monitoring

LHC's appointed managing agent/maintenance contractor will submit water safety data to the Operations Manager on a quarterly basis for the purpose of assurance monitoring. The

compliance report will list, by housing units, Legionella risk assessments giving completion dates and planned review dates, along with confirmation of void and tenant communications.

The LHC Operations Manager will present a water safety summary report to the LHC Boards twice yearly.

12. Policy review

This policy will be reviewed in line with any regulatory or legislative changes or by the scheduled review date as per the information provided in document control, whichever is sooner.

DOCUMENT CONTROL

Issue date	Approval date	Planned review date	Actual review date
April 2017	January 2018	June 2018	April 2019
		August 2020	August 2020
	December 2020	August 2021	