

1.0 SCOPE

- 1.1 This Policy has been developed to ensure that Scottish Borders Housing Association (SBHA) fully complies with the requirements of current *Control of Legionella Bacteria in Water Systems - Approved Code of Practice and guidance*. SBHA is responsible for the safe delivery of domestic hot and cold-water supplies to its tenants and other users of its properties. As such SBHA will only install appropriately approved plant and equipment and will, at all stages, ensure that the use of stored water is minimised or reduced.

2.0 INTRODUCTION

- 2.1 The purpose of this Policy is to provide a comprehensive set of instructions to SBHA staff, tenants and sub-contractors regarding the management and control of Legionella and other water borne bacteria in all SBHA properties, buildings and offices.
- 2.2 Legionnaires' disease is a potentially fatal form of pneumonia which can affect anybody, but which principally affects those who are susceptible because of age, lifestyle, illness or immune suppression. Legionella bacteria are common and can be found naturally in environmental ground water sources such as rivers, lakes and reservoirs, usually in low numbers.
- 2.3 Legionella can survive under a wide variety of environmental conditions and have been found in water at temperatures between 6°C and 60°C. Water temperatures in the range 20°C to 45°C seem to favour growth. The organisms do not appear to multiply below 20°C and will not survive above 60°C. The organisms may, however, remain dormant in cool water temperatures and multiply only when water temperatures reach a suitable level. Temperatures may also influence virulence; Legionella bacteria held at 37°C have greater virulence than the same Legionella bacteria kept at a temperature below 25°C.
- 2.4 Bacteria also require a supply of nutrients to multiply. Sources include commonly encountered organisms within water systems, such as algae, amoebae and other bacteria. The presence of sediment, sludge, scale and other materials within the system together with biofilms play an important role in harbouring and providing favourable conditions in which bacteria may grow. A biofilm is a thin layer of micro-organisms which forms a slime on surfaces which are in contact with water. Sludge, scale and biofilms can protect bacteria from temperatures and concentrations of biocides that would otherwise kill or inhibit these organisms if they were freely suspended in water.

3.0 LEGISLATION & LEGAL REQUIREMENTS

- 3.1 This policy is based on the following legislation and will be amended in line with any changes:
- Health & Safety at Work etc. Act 1974
 - Control of Substances Hazardous to Health Regulations 2002 (as amended)
 - Management of Health and Safety at Work Regulations 1999 (as amended)
 - Water (Scotland) Act 1980
- 3.2 In accordance with legislation and as a landlord (and/or person in control of premises/responsible person) and an employer, SBHA must adhere to:
- Identify and assess source of risk
 - Prepare a course of action for preventing and controlling the risk.

- Implement and manage any identified courses of action by appointing person/s to have management responsibility (also known as the 'responsible person');
- Keep records and check the effectiveness of past actions completed.
- Domestic properties are normally low risk where reasonable practicable measures are followed, where SBHA manage systems and tenants manage day-to-day usage. SBHA obligations extend into the homes only where SBHA controls the system as per Acop L8. Carry out risk assessment on a representative proportion of the premises, on the basis of similar design, size, age and water supply, with the entire premises eventually assessed on a rolling programme of work; and random sampling to be undertaken to ensure the risk profile is managed.

4.0 ROLES AND RESPONSIBILITIES

- 4.1 SBHA, as the owner of the properties, is considered to be a Duty Holder under the Approved Code of Practice (ACoP) and Guidance (L8) and the Chief Executive is responsible for undertaking or delegating the duties under this Guidance. These roles are delegated in accordance with the organogram (**Appendix 1**) and as per the full break down of roles and responsibilities detailed in the Written Scheme of Control (Water Safety Plan).
- 4.2 Each person who occupies a position of responsibility in the organogram must undergo the training as advised and sign to show that they understand the role and responsibilities assigned to them.
- 4.3 SBHA will ensure effective co-operation and co-ordination with contractors and other employers undertaking work on water systems, in accordance with Regulation 11 of the Management of Health and Safety at Work Regulations 1999.

5.0 MANAGING THE RISK

- 5.1 All water systems require a risk assessment, but not all systems require elaborate control measures. A simple risk assessment may show that there are no real risks from legionella, but if there are, appropriate measures will be implemented to control these risks. The law requires that simple, proportionate and practical actions be taken to manage, prevent or control the risk and periodically check that any control measures are effective.
- 5.2 For most residential settings, the risk assessment may show the risks are low, in which case no further action may be necessary, e.g. housing units with small domestic-type water systems where water turnover is high. If the assessment shows the risks are insignificant and are being properly managed to comply with the law, no further action may be required, but it is important to review the assessment periodically in case anything changes in the system.
- 5.3 Tenants will be advised, as part of an ongoing communication, if the hot water is not heating properly or if there are any other problems with the system that this is reported to us promptly, so that appropriate action can be taken and that they should regularly clean and disinfect showerheads within their properties.
- 5.4 Action identified to control the risk should be monitored at suitable intervals to ensure effectiveness. They must be reviewed at least every two years or more frequently if changes to the system are made or risks change. A detailed list of considerations is contained in part 2 of the ACOP and Guidance (L8).

5.5 SBHA will appoint a Responsible Person to manage all operational areas relating to Legionella. The Responsible Person will have sufficient knowledge and experience to appoint and manage specialist contractors in relation to Legionella.

5.6 All Records should be kept for a minimum of 5 Years.

5.7 The Legionella risk assessment will follow a planned programme cycle and be reviewed bi-Annually.

6.0 TRAINING

6.1 SBHA will ensure that all employees and contractors involved in water safety activities receive appropriate information, instruction, training, and supervision commensurate with their role and responsibilities at suitable intervals, and where roles, risks, or legislation change.

6.2 Responsible and Deputy Responsible Persons will have sufficient knowledge, experience, and training to understand the housing stock, manage water safety risks effectively, and appoint and oversee competent specialist contractors where required.

6.3 The Responsible Person should complete, as a minimum, Legionella Responsible Person Training. This person should be fully aware of the housing stock and all aspects of the Written Scheme of Control. This will be revisited on a bi-annual basis or when the legislation is updated

6.4 All SBHA plumbers must be trained in the correct drain down & start up procedures and in understanding how to reduce the risk in domestic properties to ensure the risk of Legionella is being adequately controlled. This may include attending Legionella Awareness Training; this will be revisited on a bi-annual basis.

7.0 RESPONSE TO AN OUTBREAK

7.1 In the event of an outbreak of Legionella, the “Responsible Person” will follow the emergency and or contingency plan that should include:

- Identification of the people who may have been exposed.
- Involvement of Public Health Authorities.
- Notifying the members of the Executive Team; and Notification of the Health and Safety Executive.

8.0 REPORTING

8.1 The Audit and Compliance Sub-Committee will receive quarterly updates on performance and water management is an area included within Tenant Safety Audits which are undertaken as per agreed internal audit plans. The outcome of the audits together with any improvement actions are reported to the Audit and Compliance Sub-Committee to provide assurance on compliance.

9.0 NOTIFIABLE EVENTS

9.1 A breach of this Policy or in the event of serious, significant or material incident relating to matters covered by the Policy, SBHA may be required to alert the Scottish Housing Regulator of the incident under Notifiable Events in accordance with the SHR’s guidance.

10.0 POLICY REVIEW

10.1 This Policy will be reviewed once every 3 years or sooner if there are any legislative changes, or if arrangements within the plan are no longer considered to be adequate.

SBHA Organogram

