Forgewood
Housing Co-operative Ltd

Legionella Policy

POLICY IMPLEMENTATION CHECKLIST	
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Approved by Director:	15 JANUARY 2025
Effective From:	22 JANUARY 2025
Date of Next Review:	JANUARY 2030
Diversity compliant:	YES
Equality Impact Assessment:	LOW
Data Protection compliant:	YES
Health & Safety compliant:	YES
Procedure implemented:	YES
SDM system changes made:	N/A
Training Completed:	
Posted on Sharepoint:	
Posted on website:	

Content

1. Vision

Forgewood Housing Co-operative (FHC) as a social landlord acknowledges it legal and moral obligations in reducing the potential risk of legionella. The aim of this policy is to provide a robust legionella framework which can be implemented to secure the safety and wellbeing of GPHC tenants, staff and visitors.

2. Governance

Forgewood is a community controlled Registered Social Landlord and is managed by a group of local people who are elected onto the Management Committee. We may co-opt other people onto the Management Committee from time to time where we feel we need specialist support. Their role is to make sure that the Co-operative is well run, meets the needs of the local area and is responsive to what is important to local people.

The Management Committee appoints senior staff, agrees all the Co-operative's policies and takes all the key decisions. The Director and the senior team support the Committee in these responsibilities.

3. Policy Aims

The overall aim of the policy is to set how the Co-operative will meet its statutory duties in relation to the management of Legionella.

The document sets out the key policy objectives, control measures and accountabilities for ensuring safety from infection from Legionella.

The Director retains overall accountability for the overall implementation of the policy and is the responsible person. The Maintenance Officer is responsible for the implementation and delivery of the policy.

4. Scottish Housing Charter

The Scottish Government's Social Housing Charter came into force in April 2012. The Charter sets out the standards and outcomes that Registered Social Landlords should achieve.

Outcome 1: Equalities

- Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services

Outcome 4: Quality of Housing

- Tenant's homes as a minimum meet the Scottish Housing Quality Standard (SHQS) when they are allocated are always cleaned and tidy and in a good state of repairs**;** and review the relevant Energy Efficiency and Zero Emissions Heat Standard.

Outcome 5: Repairs, Maintenance and Improvements

- Tenant's homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done.

Outcome 13: Value for Money

- Tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.

5. Legislation

The following legislation is relevant to this policy:

- The Health and Safety at Work Act 1974
- The Control of Substances Hazardous to Health Regulations 2002
- The Management of Health and Safety at Work Regulations 1999
- Approved Code of Practice (ACOP) L8 Legionnaires disease: The Control of Legionella Bacteria in Water Systems. Approved Code of Practice
- HSG274 Part 2 - The control of legionella bacteria in hot and cold water systems and Part 3 - the control of legionella bacteria in other risk systems
- BS85801:2019- Water Quality –Risk Assessment for Legionella Control Code of Practice

6. The Policy

6.1 Information on Legionella

Legionella is a potentially fatal form of pneumonia, which can affect anybody, however it is known to principally affect persons who are termed ‘susceptible’ due to factors such as age, illness, immuno-suppression, smoking etc. Infection by legionella bacteria can prove fatal, and has been identified as a cause of death in a number of outbreaks, however if adequate control measures and preventative actions are taken the risks can be significantly reduced.

Legionella bacteria occur naturally and can be found in low levels in the natural water sources from where our water supplies are obtained i.e. reservoirs, rivers and lakes. The bacteria survive in a wide variety of environmental conditions, however research has identified that water temperatures between 20°C and 45°C are conducive to growth of the bacteria.

It is important to note that legionella outbreaks are generally associated with large premises where water storage is of large capacity and, in addition, the water is normally subject to some form of process, i.e. condensing towers, misting equipment, central air-conditioning systems, large air scrubbers etc.

In the context of the Co-operative’s operations it is important to note that there have been no known recorded cases of legionella outbreaks associated with domestic water systems.

6.2 Legislation

The purpose of this policy is to ensure that the Co-operative is compliant and meets its obligations under the following guidance and legislation:

- The Health and Safety at Work etc. Act 1974,
- The Control of Substances Hazardous to Health Regulations 2002,
- The Management of Health and Safety at Work Regulations 1999,
- Approved Code of Practice (ACOP) L8 – Legionnaires Disease: The Control of Legionella Bacteria in Water Systems. Approved Code of practice and
- HSG274 Part 2 - The control of legionella bacteria in hot and cold water systems and Part 3 – The control of legionella bacteria in other risk systems.
- BS8580:2019 – Water Quality – Risk Assessments for legionella Control – Code of Practice

The Co-operative recognises the need to protect its employees and others from the potential effects of legionella bacteria by:

(i) complying with the above health and safety legislation,
(ii) implementing standards not less than those described in the ACOP,
(iii) appointing a person or persons, to take managerial responsibility for implementing and monitoring any legionella control systems,
(iv) the provision of information, instruction and training for employees and
(v) where appropriate, ensuring that health surveillance is carried out.

6.3 Risk Control

The Approved Code of Practice & Guidance document L8 requires employers, and persons in control of premises, to control the risks associated with legionella in order to protect employees and others who may be affected by their operational activities.

It is therefore important that the Co-operative develops, implements and monitors suitable management systems in order to risk assess possible sources where legionella bacteria may grow, based on relevant and recorded statistical evidence, and where reasonably practicable to provide appropriate control measures to reduce the risk of harm resulting from such sources.

The Co-operative will use the legionella risk assessments to determine programmes for routine inspection and testing of water systems, including, where required a programme of modification to any deficient systems and equipment,

Ensure that dwellings left vacant for extended periods of time have a suitable drain down or flushing regime is put in place to prevent potential build-up of risk conditions.

Maintain records of risk assessments, maintenance, inspection and testing and retain such records for a minimum of five years

Keep all relevant staff adequately trained in practices and procedures in respect to the control of legionella.

The Co-operative may engage suitably competent and qualified Consultants/Contractors and or suitably qualified maintenance staff to determine the appropriate control measures required for premises under its control.

Competency Checks will include:

(i) Experience of undertaking Risk Assessments in accordance with ACOP L8,
(ii) Qualifications of staff members,

(iii) Written Statement that the company comply with the Legionella Control Co-operative Code of Conduct.
(iv) Accreditation to ISO 9001: Quality Management Systems.

6.4 Risk Assessment

A Risk Assessment process will be undertaken by competent and suitably qualified staff members or Consultants/Contractors acting on behalf of the Co-operative to identify and determine where reasonable and practicable where conditions may be present that encourage legionella bacteria to proliferate and multiply.

The Risk Assessment process will be used to identify premises controlled by the Coop where:

(i) Due to the nature of the water systems installed in the premises there is a likelihood that the risks associated with legionella bacteria may be increased, giving rise to potential exposure to building occupants, or other building users.

(ii) The occupants of the premises can be identified as a recognised 'at risk' group as described in the ACOP, (e.g. elderly, immunosuppressed, ill-health, smokers).

It should be noted that 'at risk' groups can only be identified where this is reasonably practicable and it is not considered possible, or appropriate, for the Co-operative to seek detailed medical information from tenants.

6.5 Legionella Management Plan.

The Co-operative's Legionella Management Plan (LMP) outlines the approach the organisation aims to take to assess the risks associated with legionella is attached as Appendix 1 to this document.

The outcomes from legionella risk assessments will be used to identify programmes of routine inspection, monitoring, testing and treatment of water installations. Recommendations provided by Consultant(s)/Contractor(s) engaged by the Co-operative must be reasonable, practicable and cost effective, taking into account the level of risk, exposure group and resources available.

Any monitoring and treatment regime(s) implemented by the Co-operative will be subject to regular reporting, dependent on testing and treatment intervals, by the responsible Contractor. These reports will be reviewed by the Maintenance Officer on a six monthly basis to assess the effectiveness of the regime.

The Assets Section in conjunction with the appointed Consultants/Contractors may review and revise the frequency of any testing and treatment regimes where this is considered appropriate. Any changes must be clearly documented and the LMP updated accordingly.

The policy shall be implemented through the issue of a Legionella Management Plan and all relevant staff, consultants and contractors are responsible for following the requirements of the plan as set out in Appendix 1.

6.6 Emergency Response.

In the event of legionella bacteria being identified through active or reactive monitoring, the following process will be followed:

- The relevant Consultant/Contractor will inform the Assets Section immediately by telephone identifying the site, location and remedial action to be taken and then follow this with email confirmation.
- The Assets Section will arrange for the immediate isolation of any specific services as per the Consultant/Contractors instructions. This will mean physically isolating and preventing access where necessary, e.g. a shower room.
- The Assets Section will then arrange for the specified remedial works to be completed as soon as is practical by an approved contractor. Ensuring that the contractor is provided with written confirmation that the system is contaminated and they will need to take suitable precautions to ensure their employees and others who may be affected are not exposed to harm.
- The relevant contractor to provide a risk assessment and method statement detailing how they will protect their employees, and others who may be affected, from the risk of exposure before commencing work.
- On completion of any remedial work, a further water sample should be taken. Thereafter a sample should be taken for the following three months.

7. Complaints

We have a separate complaints policy and procedure. Leaflets and copies of the complaints procedure are available from the Co-operative's office and on our website. We also provide information on how our customers can make a complaint to the Scottish Public Services Ombudsman, Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS , telephone 0800 377 7300 or 0131 225 5300 and how to contact the Scottish Housing Regulator.

The Ombudsman will not normally deal with complaints unless customers have followed the Co-operative's complaints' procedure.

8. General Data Protection Regulation (GDPR)

The Co-operative will process information and data contained within the application in accordance with its policies and procedures relating to the General Data Protection Regulations.

Information regarding how data will be used and the basis for processing data is provided in the Co-operative's Fair Processing Notice.

9. Freedom of Information

The Co-operative is subject to FOI and all enquiries with respect to Legionella will be handled strictly in line with FOI and confidentiality policies.

10. Equality and Diversity

The Co-operative is committed to promoting an environment of respect, understanding, encouraging diversity and eliminating discrimination by providing equality of opportunity for all.

We will endeavour to ensure a fair and equal service to everyone and that all services are carried out in an undiscriminating manner in line with the Co-operative's Equality and Diversity Policy.

In particular, we will not discriminate on the grounds of age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender reassignment, sex and sexual orientation.

We will ensure that everyone has equal access to information and services to meet specific need. Upon request we will make available documents in a range of alternative formats/languages.

11. Policy Review

The policy will be reviewed every five years, or sooner, in response to a change in legislation or circumstance.

APPENDIX 1. LEGIONELLA MANAGEMENT PLAN – updated

AREA	RISK PRIORITY	REASON FOR RISK PRIORITY	ISSUES TAKING FORWARD	ACTION TO BE CONSIDERED	CURRENT POSITION	FURTHER ACTIONS TO BE TAKE FORWARD
PHASE 1					Maintenance Team / Contractor will be carrying out surveys of all communal tanks.	
PHASE 2						
Cold water storage tanks.	4	A large percentage of the stock is tenemental therefore some tenants including potentially vulnerable individuals may be exposed to risk via communal cold water storage systems. Although it is considered unlikely due to the daily water throughput and resultant limited likelihood of stagnation within tanks to be a limited risk, we have no information on the condition of our tanks in relation to linkages, insulation and enclosure.	Issues timescale and cost related i.e. in relation to identification, inspection, remedial action and then potential ongoing inspection regime. Statistical evidence would indicate that the risk associated with domestic premises is minimal.	Internal desktop analysis across contracts to identify properties with cold water storage facilities. Risk Assessment to be undertaken to determine any further action required.	Maintenance Team / Contractor will be carry out Tank Inspections any work identified will be programmed.	If any further work required in the future. The potential level of risk associated with cold water storage tanks in domestic properties owned by the Co-operative is low

AREA	RISK PRIORITY	REASON FOR RISK PRIORITY	ISSUES TAKING FORWARD	ACTION TO BE CONSIDERED	CURRENT POSITION	FURTHER ACTIONS TO BE TAKE FORWARD
Voids	5	Potential for stagnation to occur, particularly in long-term voids.	Resources internally i.e. who will carry out regular flushing of systems etc. Ensuring that void contractor removes or caps dead legs. Access & access for inspection regime.	Ensure that in void contract where heating and hot water systems are replaced the contractor removes or caps deadlegs. Risk Assessment to be undertaken to determine any further action required.	Maintenance Team manage the technical management of voids.	Maintenance Team to ensure that void contract states that where heating and hot water systems are to be replaced the contractor removes or caps deadlegs.
PHASE 3						
Showers	6	Potential for risk if showers not used regularly. Potential also that these may be the more vulnerable groups.	Being able to identify where showers have been installed due to poor record keeping in the past. This requires to be resourced. Also, access & access for inspection regime will be a factor.	Identify (where practical) all showers owned and maintained by the Co-operative by checking records and Stage 3 information over last 3-5 years. Risk Assessment to be undertaken to determine any further action required.	All stage 3 adaptions over the last 5 years to be checked and reviewed.	The level of risk is not considered practicable and reasonable to warrant the allocation of the resources required to determine whether each individual tenant where a Stage 3 adaptation has been carried out could be considered to more susceptible to legionella infection than a tenant in a non-adapted property.

AREA	RISK PRIORITY	REASON FOR RISK PRIORITY	ISSUES TAKING FORWARD	ACTION TO BE CONSIDERED	CURRENT POSITION	FURTHER ACTIONS TO BE TAKE FORWARD
Other housing /hot water storage	7	Potential for hot water storage systems to be operating below 40 degrees.	Identifying all hot water storage systems on a contract-by-contract basis. Resources to be assessed against level of risk. Statistical evidence would indicate that the risk associated with domestic premises is minimal.	Internal desktop analysis across contracts to identify properties with hot water storage facilities. Risk Assessment to be undertaken to determine any further action required.	The Co-operative has hot water storage facilities in all of its electric heated properties. A decision has to be made on how we approach the tenemental properties where cold water storage tanks are still live. This would involve significant resources, taking on board that access to individual flats is required to ascertain if it is being fed by the CWS tank. We will also have to take into account that owner occupier involvement will play a part in this complex issue.	Risk assessments to be reviewed and remedial works carried out thereafter.

AREA	RISK PRIORITY	REASON FOR RISK PRIORITY	ISSUES TAKING FORWARD	ACTION TO BE CONSIDERED	CURRENT POSITION	FURTHER ACTIONS TO BE TAKE FORWARD
Deadlegs	8	Potential for stagnation to occur.	Unable to identify all deadlegs without extensive invasive inspections, which is cost and resource prohibitive.	Ensure that in all future contracts where heating and hot water systems are replaced the contractor removes or caps deadlegs.	Not taken forward to date. Will be included within future planned programmes or where identified through repairs or void works.	This will be included within future planned programmes or where identified a clause will be included in the specifications noting that each installation will be required to comply with the HSE Approved Code of Practice & L8 Guidance