

# **Legionella Management Policy**

## **Purpose**

As owners and managers of property we have a duty of care to ensure that customers, visitors, and colleagues can use our buildings and facilities safely. This extends to ensuring that customers, visitors, and colleagues are safe from risks associated with Legionella bacteria and other contaminants.

## **Legal Obligations**

We will comply with our duties for repairs and maintenance as set out in the Landlord and Tenant Act 1985 and the Housing Acts 1985 and 1988 (as amended). In addition, we will comply with:

- Health and Safety legislation, including the Management of Health and Safety at Work regulations 1999 and the Workplace (Health, Safety & Welfare) Regulations 1992 (as amended)
- Control of Substances Hazardous to Health Regulations 2002 (COSHH) and Reporting of Injuries, Diseases and Dangerous Occurrences regulations 1995 (RIDDOR)
- The Water Supply (Water fittings) Regulations 1999 and the Notification of Cooling Towers and Evaporative Condensers Regulations 1992
- The HSE's Approved Code of Practice and Guidance L8 (ACOP) "Legionnaires' disease: the control of legionella bacteria in water systems"
- Part G Building Regulations
- HTM 04-01 The Control of Legionella Hygiene "Safe" hot water system, cold and drinking systems.
- HTM 2027 Hot and cold-water supply storage and mains service

We will also require our appointed contractors to be competent and abide by relevant legislation and technical guidance including the Specification and Guidance by the Building Services Research and information Association (BSRIA).

## **Orwell's Commitment**

Orwell is committed to minimising the risks associated with legionella bacteria. In accordance with the requirements of the Approved Code of Practice we will:

- Identify and assess the risks.
- Prevent or control the risk where possible.
- Appoint responsible people to manage the risks.
- Keep thorough records.

We will act differently according to whether the installation is in an individual property, communal areas/facilities of general needs or supported housing and whether the water systems in the property include a storage tank or not. The different provisions for each situation are set out in the Legionella Procedures.

Where relevant we will comply with the Cooling Towers and Evaporative Condensers Regulations 1992 and notify the relevant Local Authority of the correct proforma of any notifiable devices, including cooling towers and evaporative condensers.

Although ultimate responsibility for ensuring safety from legionellosis rests with the landlord, where we have properties managed by managing agents, we may require them as part of the contract to be responsible for risk assessing and implementing the legionella management plan for their properties. Any failures to do so will be treated as a breach of contract. Up to date records must be presented as part of the annual self-certification. We will satisfy ourselves that the managing agent is using Responsible and Competent Contractors.

Orwell will ensure risk assessments are carried out on all supported and sheltered housing schemes together with all communal areas/facilities.

Risk assessments will be reviewed at least every two-years and when significant changes to the use of the building or its water systems take place.

On new developments, refurbishments and when carrying out planned improvements, we will design out risks where possible, for example by installing a combination boiler instead of a storage tank system. In larger developments where we install communal systems with an element of renewable energy, we will defer to the manufacturers, suppliers, and installers of the equipment to include the appropriate safeguards in their systems.

In general needs stock it is impractical for the landlord to carry out regular checks to ensure safety from legionellosis. We will communicate the importance of carrying out such checks with our customers.

In supported and sheltered housing schemes, we will implement regular checks and maintenance in line with the Approved Code of Practice to ensure systems are correctly used and maintained through regular documented inspection and cleansing routines. This includes:

- Recording tank temperatures
- Quarterly de-scaling or replacing of shower heads and taps, and general cleaning of systems
- Annual inspection of water services
- Monthly checking of water temperatures
- Identifying and replacing faulty TMV valves during monthly checks
- Replacing unsuitable fittings as required.

# **Responsibilities**

## **Lines of Responsibility**

Orwell Housing's duty to maintain and implement the Legionella Servicing Policy falls under the remit of the Compliance and Planned Works Manager. The Compliance and Planned Works Manager is the named responsible manager and will implement the control measures as detailed in this document reporting to the Property Manager who will cascade all information to the responsible person and duty holder.

## **Duty Holder**

The Duty Holder has a responsibility to support this policy by ensuring the allocation of resources including an adequate budget, suitable and sufficient equipment, staff, time, and training.

In particular they will:

- Ensure that resources are made available to allow the actions and measures detailed in this policy and any associated procedures to be effectively delivered.
- They will discharge their responsibilities for the delivery of services in line with policy and procedures to the Assistant Director of Property Services, Head of Property and the Compliance and Planned Works Manager, however, will retain an oversight on progress/performance.
- Eliminate Risk wherever possible.
- Appoint appropriate 'Responsible Persons' to oversee, control and coordinate the control of the risk.

**The Duty Holder is:** Chief Executive.

## **The Responsible Person**

The Responsible Person has been given their authority by the Duty Holder. The position carries with it the authority to put into effect such measures as are required to control the risk and ensure statutory and regulatory regulations implemented are followed both as a matter of routine and in the event of a crisis.

The Responsible Person will work closely with the Head of Property and Responsible Manager (Compliance & Planned Works Manager) to seek assurances that regulatory obligations and policy measures are being adhered to, and services delivered. They will check monthly reports compiled for board members to ensure compliance with statutory and contractual obligations.

The Responsible Person also has a responsibility to ensure records are kept confirming that this policy has been implemented. The Responsible Person has the overriding authority for the control of Legionella to ensure that all Orwell Housing Association sites meet the requirements of Legislation and this policy. The Responsible Person is required to ensure that nominated OHA staff are trained and competent to carry out the prescribed task on their behalf and to ensure that the Responsible Person tasks and requirements are duly met.

**The Responsible Person is:** Assistant Director of Property Services.

## **Responsible Manager**

The Responsible Manager has been given their authority by the “Responsible Person” to act on their behalf to oversee the day-to-day management of Legionella control for Orwell Housing Association. This person has responsibility for overseeing and coordinating the Legionella Policy and Procedure. This position carries with it the authority to put into effect such measures as are required to control the risk of legionellosis, both as a matter of routine and in the event of a crisis. The Responsible Manager also has a responsibility to ensure records are kept confirming that this policy has been implemented.

They have the responsibility for day-to-day management including ensuring that the scheme of precautions to control the risk of legionellosis is implemented fully by competent persons, whether directly employed by Orwell Housing Association, contracted, or subcontracted.

### **In particular they will:**

- Regularly review this policy and ensure its objectives are achieved.
- Prepare compliance performance reporting to the Assistant Director of Property & Construction, Head of Property, Chief Executive, and the Board as required and not less than monthly.
- They will ensure that any compliance and/or building safety issues are brought to the attention of the Assistant Director of Property & Construction and provide regular updates on service delivery.
- They will also work closely with the Housing Services Manager on requests to take forced measures to gain access/make safe. They will maintain an oversight of those properties and seek assurances from the Housing Services Manager that appropriate action is being taken to support effected Customers.
- Oversee the control and management of legionellosis on behalf of the Duty Holder.
- They will act as the organisation’s lead for legionella, ensuring that OHA continues to work in line with the most up to date regulations and industry guidance.
- The performance of the legionella servicing contractor will be managed by the responsible manager, supported by a suite of internal metrics and KPI dashboards. Monthly Operational Meetings are held with Contractors within which performance is discussed and documented, with procedures in place to take more formal action to address performance issues if required.
- They will effectively manage the performance of the service delivery contractors, including their ongoing competence, and proactively monitor service delivery against targets.
- Ensure that legionellosis risk assessments are carried out on behalf of the Duty Holder.
- Eliminate risk wherever reasonably practicable.
- Control risk where elimination is not reasonably practicable, by devising and implementing a scheme of precautions.
- Arrange maintenance, monitoring and management of the precautions controlling the risk, including reviewing the risk assessment if there has been any material change and at intervals not exceeding two years.

**The Responsible Manager is:** the Compliance & Planned Works Manager.

## **Compliance & Servicing Team Leader**

The Compliance & Servicing Team Leader will be responsible for the day-to-day operational delivery of all legionellae related testing and management.

### **In particular they will:**

- Effectively manage the performance of the service delivery contractors, including their ongoing competence, and proactively monitor service delivery against targets.
- Be responsible for monitoring the quality of work undertaken by the contractor and ensuring all servicing certification is received and verified.
- Ensure the Compliance Team maintain a register of all Legionella businesses and engineers carrying out works for OHA. This will include the specific qualifications of the engineers and the expiration date. Processes will be in place to ensure that the register is kept up to date, e.g., new engineers are added, and that evidenced is obtained of renewed qualifications.
- Carry out on an annual basis a full property reconciliation will be carried out. This will reconcile the information within CX against Asprey Asset Management System to ensure all applicable building and properties remain captured in the relevant servicing schedule.
- Perform with integrity the given tasks that they have been trained to perform.
- Maintain records as required.
- Inform the Responsible Manager of any problems, discrepancies, or anomalies.
- Attend regular training events to maintain the required level of competency to perform their given tasks.

### **Operators**

May be designated site staff and/or contractors with designated duties.

Operators have responsibility for the safe operation of plant, equipment, and facilities, implementing the scheme of precautions and doing so using safe working practices.

### **In particular they will:**

- Perform with integrity the given tasks that they have been trained to perform.
- Maintain records as required.
- Inform the Responsible Manager of any problems, discrepancies, or anomalies.
- Attend regular training events to maintain the required level of competency to perform their given tasks.

### **Water Treatment Service Provider**

The Water Treatment Service Provider (contractor) has responsibility for the supply of water treatment chemicals, information on their application, an analytical service and such advice and support as may be necessary to ensure safe and effective water treatment.

The Water Treatment Service Provider also has responsibility for carrying out routine cleaning and disinfection of relevant plant, equipment, and facilities, or accepting that this has been carried out satisfactorily by others.

The Water Treatment Service Provider may also be requested to carry out routine tasks such as temperature recording or flushing of little used outlets. They will record these findings and submit them to the Operational Lead to maintain the records for Orwell Housing Association.

## **Policy Monitoring and Review**

The Assistant Director of Property Services has overall responsibility for taking all reasonable steps to ensure that this policy is complied with.

The policy will be formally reviewed and updated every three years by the Responsible Manager, or sooner if deemed appropriate, or by reasonable request. Any subsequent amendments brought about by a review will be submitted to Orwell Housing Association's Board.