

## LEGIONELLA POLICY

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| <b>Approved On</b>      | <b>November 2023</b> |
| <b>Next Review Date</b> | <b>November 2026</b> |

## 1. Introduction

- 1.1 The aim of the Legionella Policy is to ensure the effective inspection, maintenance and management of all water systems within premises controlled by WSHA.
- 1.2 The procedures detailed within this section have been written to ensure all reasonable steps have been taken to comply with The Control of Substances Hazardous to Health Regulations 2002 (as amended), The Water Supply (Water Fittings) (Scotland) Byelaws 2014 and all other relevant legislation.

## 2 Definitions

**Legionella** - *“a potentially dangerous type of bacteria when inhaled with water vapour. Bacterium grows best in warm, nutrient rich water.”*

**Legionella Risk Assessment** – *“a specific risk assessment carried out to determine the risk level of Legionella Assessment proliferation, and exposure from a specific water system.”*

**Log Book** – *“a record book provided to record all local checks and tests carried out, as specified by legionella risk assessment.”*

**Legionnaires’ disease** - *“a potentially fatal form of pneumonia caused by the legionella bacteria.”*

## 3 References

- BS 8580-1:2019
- HSG220 (Second edition) Health and safety in care homes
- HSG274 Legionnaires Disease – Technical Guidance (in 3 Parts) (2013)
- L8 (fourth edition) Approved Code of Practice The control of legionella bacteria in water systems (2013)
- INDG 458 Legionnaires Disease – A brief Guide for Duty Holders (2012)
- Public Health etc. (Scotland) Act 2008
- The Building (Scotland) Regulations 2004
- The Control of Substances Hazardous to Health Regulations 2002, as amended
- The Housing (Scotland) Act 2006
- The Management of Health and Safety at Work Regulations 1999
- The Private Water Supply (Scotland) 2006
- The Water Supply (Water Fittings) (Scotland) Byelaws 2014
- The Water Supply (Water Quality) (Scotland) Regulations 2001

## 4 Legal Duties

- 4.1 WSHA has several specific legal duties which relate to water safety and, in particular, Legionella risk management. These include:
  - identifying and assessing sources of risk;
  - preparing a scheme for preventing or controlling the risk;
  - implementing and managing the scheme; and

- keeping records and checking what has been done is effective.

## **5 Legionella Information**

- 5.1 Legionella bacteria is common in natural water (such as rivers and ponds). However, legionella can grow in other water systems such as cooling towers, evaporative condensers, showers, spray apparatus and hot and cold-water systems.
- 5.2 Legionnaires' disease is a potentially fatal form of pneumonia caused by the inhalation of Legionella bacteria. This includes the most serious Legionnaires' diseases, as well as the similar but less serious conditions of Pontiac Fever and Lochgoilhead Fever. The bacteria are normally contained within fine water droplets (aerosol) that may be caused by operating a cooling tower, shower, spray apparatus, running a tap outlet or operating a humidifier.
- 5.3 Legionnaires' disease has the potential to affect anybody. However, those more susceptible are normally in the age range of 45 and above, smokers, heavy drinkers, or suffer from chronic respiratory or kidney disease or have impaired immune systems.
- 5.4 Legionella survive low temperatures and thrive at temperatures between 20-45 degrees Celsius if the conditions are right (e.g. if a supply of nutrients is present such as rust, sludge, scale and other bacteria).

## **6 WSHA's Approach**

- 6.1 WSHA will aim to minimise and control the risk from Legionnaires' disease and, to this end, will:
- Appoint a responsible person who will have a duty to put in place an action plan to minimise the risk of Legionella and to manage and monitor the necessary work systems and procedures;
  - Identify and assess sources of risk (e.g. where conditions are present that may encourage Legionella bacteria to multiply or where there is a means of creating and disseminating breathable droplets), and establish any items of non-compliance;
  - Assess the level of risk through a structured Legionella Risk Assessment programme, and aim to eliminate or reduce the risk to an acceptable level;
  - Arrange for routine inspection and maintenance of water systems, and where needed, a programme of disinfection; and
  - Retain records of maintenance, inspection and testing for a minimum of five years.

## **7 Risk Assessment**

- 7.1 We will arrange for a suitable and sufficient risk assessment programme to be carried out (and regularly reviewed) to identify and assess the risk of exposure to Legionella bacteria from all water systems across its property portfolio.
- 7.2 A Legionella risk assessment will be carried out even if there are no water tanks present to demonstrate that potential risks have been considered, eg
- Deadlegs or other high risk hardware in the plumbing system
  - High risk events such as the property becoming void
  - Any required cleaning and/or maintenance events (e.g. shower heads in an HMO)
- 7.3 We will use a competent external company with qualified Legionella Risk Assessors to carry out the risk assessment programme. The assessment company will not normally be associated with a water hygiene/control contracting company in an attempt to ensure independent recommendations are given by the Assessor. The Assessors and WSHA will determine an appropriate programme of risk assessing, which may involve the use of 'representative' assessments followed by an ongoing programme or rotation across different addresses.
- 7.4 All recommendations and remedial action will be recorded in a log book or portal. The recommendations should also highlight the management control actions that may be carried out in-house and those which would require an external contractor.
- 7.5 The risk assessment will be reviewed at regular intervals (at least every two years) or when it is believed that the original risk assessment is no longer valid (e.g. following a change in the building or water supply, or following an incident).

## **8 Water Fittings and System Requirements**

- 8.1 WSHA will ensure that all water fittings comply with relevant legislation and have the UKCA mark, British Standard kitemark or appropriate equivalent. The CE mark will still be recognised for most goods placed on the market before 31 December 2024. Specialist advice will be obtained in the selection of all water systems fixtures and fittings.
- 8.2 WSHA will ensure that all water fittings are suitable for the purpose intended.
- 8.3 Hot water shall be stored in tanks at a temperature of at least 60 degrees Celsius.

- 8.4 Water pipes shall be as short and direct as possible and pipes and tanks will be effectively insulated. Tanks will be protected against contamination and materials used which do not encourage Legionella growth.
- 8.5 Hot water shall reach taps at temperatures greater than 50 degrees Celsius within one minute of running.
- 8.6 Cold water shall be stored at a temperature of less than 20°C. Cold water shall reach taps at temperatures less than 20°C within 2 minutes of running.
- 8.7 All little used outlets shall be routinely flushed through.
- 8.8 Where water is used or stored for consumption in any devices, e.g. water coolers, tea urns, drinks machines etc., an effective system of regular cleaning and disinfecting shall be introduced, in accordance with manufacturer's instructions.

## **9 Disinfection**

- 9.1 Water services will be disinfected when any of the following situations occur:
- If a routine inspection or risk assessment shows it necessary to do so;
  - After any prolonged shutdown of a month or longer (a risk assessment may indicate the need for cleaning after a period of less than one month, especially in summer where temperatures have been high);
  - If the system or part of it has been substantially altered or entered for maintenance purposes in a manner that may lead to contamination;
  - Following an outbreak or suspected outbreak of Legionnaires' disease or any other water borne infection/disease.

## **10 Void Property Actions**

- 10.1 It is recognised that all void properties have the potential to exhibit increased risk of Legionella due to the possibility of stagnant water remaining undisturbed within pipework for prolonged periods.
- 11 As part of our Minimum Lettable Standard and to mitigate any increased potential risk associated with void properties, our contractor who carries out void repair and maintenance works will carry out and record the following:
- Thoroughly flush all taps;
  - Clean and disinfect, or replace, all shower heads;
  - Inspect and report on water storage tank, where present.
- 11.1 All Special Lets becoming void will be assessed individually and on their own merits.

## **12 Contractors**

- 12.1 A competent external contractor will be appointed to carry out legionella preventative monitoring and water hygiene services. As a minimum requirement, contractors are required to be a registered member of the Legionella Control Association (LCA) or the Water Management Society (WMSoc). Contracted works may include legionella sampling, tank inspections, water sampling, (for all bacteria) and other associated services, as identified in the Legionella Risk Assessment programme.

## **13 Notification Requirements**

- 13.1 If it is suspected or confirmed that a tenant, employee or visitor has contracted Legionnaires' disease, WSHA will report the incident to the HSE under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR).

## **14 Tenant Responsibilities**

- 14.1 Tenants will be provided with information on good water management and Legionella control through tenancy agreements and/or by means of information leaflets.
- 14.2 Tenants are advised to clean shower heads, descale and disinfect them at least every two months.
- 14.3 For showers that are only occasionally used, tenants are advised to flush the shower through by running the water for at least 2 minutes once a week.
- 14.4 Where a property is left vacant for any time (e.g. when on holiday), tenants are advised to flush both hot and cold water systems by running all outlets for at least 2 minutes.
- 14.5 Tenants should inform WSHA immediately if there are problems, debris or discoloration in the water.

## **15 Review**

- 15.1 WSHA will review its methodology for managing Legionella every three years or sooner if required by Statutory or best practice requirements.