

Policy title:	Water Hygiene (Legionella Control) Policy		
Scope:	Group - Wide		
Policy owner:	Executive Director, Property Services		
Approver:	Executive Team		
Date:	Sept 2020	Review Due Date:	Sept 2023

1. PURPOSE

1.1 The purpose of this policy is to set out how Aspire will manage, and control risks associated with legionella in properties where Aspire has a legal responsibility to comply with the Health and Safety at Work Act 1974, and associated legislation and approved codes of practice (ACOP) pertaining to Legionella.

2. INTRODUCTION

2.1 Legionnaires' disease is a lung infection you can catch if you breathe in tiny droplets of water containing bacteria that cause the infection. It is uncommon but can be very serious.

2.2 It is usually caught when the bacteria have got into the water supply.

2.3 Legionella bacteria can survive under a wide variety of environmental conditions but reproduce to high numbers in stagnant water at temperatures between 20 °C and 45 °C. The organisms will not survive above 60 °C and do not appear to multiply below 20 °C. They may however remain dormant.

2.4 Legionnaires disease is normally contracted by inhaling small droplets of water (aerosols), suspended in the air, containing the bacteria. The risk is increased where:

- a) Water temperatures are between 20 and 45 °C
- b) There are deposits that can support bacterial growth
- c) Aerosol can be produced and breathed in
- d) Employees, residents, visitors etc. are more susceptible to infection due to age, illness, a weakened immune system, and gender, with males being more susceptible than females

2.5 Water system design and operation, temperature control, treatment and monitoring of the water and recommended cleaning and disinfection procedures must be considered if the risk is to be minimized.

3. POLICY STATEMENT

3.1 Aspire is committed to ensuring the health, safety, and welfare of persons at its premises.

3.2 Aspire accepts that it is the legal Duty Holder for its premises, and has a responsibility to protect its customers, employees, and others from the risk of legionellosis. Aspire will provide resources, information, training, and supervision as is needed for this purpose.

3.3 The Government and Financial Viability Standard of the Regulator of Social Housing (RHS) states that Registered Providers, like Aspire, shall, 'adhere to all relevant law'

3.4 The RHS's Home Standard requires Registered Providers to meet all applicable statutory requirements for the health and safety of customers in their homes, including legionella control

3.5 Registered providers are subject to regulatory intervention and enforcement action if found have caused 'harm or potential harm that may be caused to tenants by a breach of standards' known as 'serious detriment'

3.6 In order to meet its statutory duty for legionella control, Aspire will follow the Health and Safety Executive's "L8 Approved Code of Practice and Guidance - 2013" (L8 ACOP). The recommended procedure of the L8 ACOP includes:

- Identifying and assessing the sources of risk
- Preparing a scheme (course of action) to prevent or control the risk
- Implementing, managing, and monitoring precautions
- Carrying out remedial works recommended by risk assessor
- Appointing a person to be managerially responsible, often referred to as the 'responsible person'
- Keeping and maintaining records of precautions
- Providing training for those with delegated responsibility

4. RELATED DOCUMENTS

4.1 LEGISLATION:

- Health and Safety at Work etc. Act 1974
- Control of Substances Hazardous to Health Regulations 2002
- Management of Health and Safety at Work Regulations 1999
- The Guidance to the Water Supply (Water Fittings) Regulations 1999
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- Housing Act 2004

4.2 APPROVED CODES OF PRACTICE AND GUIDANCE:

- L8 Approved Code of Practice (3rd Edition) (ACOP) The control of legionella bacteria in water systems - 2013
- Health & Safety in Care Homes – HSG 220
- HSG 274 Technical Guidance Part 2
- Health Technical Memorandum 04-01 Parts A-C, Safe water in healthcare premises

- BS 8580-1:2019 Water quality – Risk assessments for Legionella control – Approved code of practice (ACOP)
- BS8558: 2015 Guide to the design, installation, testing and maintenance of services supplying water for domestic use within buildings and their curtilages

4.3 INTERNAL:

- Aspire Business Continuity Plan
- Hazards & Risks – HSMS 03
- Competency, Training & Awareness – HSMS 05
- Document Control – HSMS 07
- Incidents & Emergencies – HSMS 10
- Incident Assessment – HSMS 11

5. SCOPE OF POLICY

5.1 This policy applies to all Aspire staff, partners, contractors & customers involved with the maintenance, installation & use water systems in Aspire owned properties

5.2 This policy applies to the following locations

- Enclosed schemes
- General needs
- Domestic rented properties
- Community living schemes
- Aspire offices
- Commercial leaseholders are responsible for water systems in their properties
- Shared ownership and leasehold properties that share a communal water system with rented properties

6. RESPONSIBILITIES

6.1 The responsibility for establishing a health & safety framework for the management of risks associated with legionella sits at Executive Level and is referenced in the Corporate Risk Map which is monitored by the Governance Team.

6.2 Under this policy, Aspire has appointed appropriate persons within the organisation to manage this area of risk with the support of appointed specialist contractors.

6.3 DUTY HOLDER FOR ASPIRE GROUP

Duty Holder	Position:	Group Chief Executive
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The Chief Executive has ultimate responsibility for health and safety across the Group and will nominate appropriately qualified and suitably experienced people to discharge those duties in relation to legionella control.

6.4 COMPLIANCE DELIVERY AND ASSURANCE

	Position:	Executive Director, Property Service	CORE ACTIVITY AREAS
	Responsibilities:	Overall responsibility for the implementation of this policy and to ensure that adequate resources are made available to enable the policy objectives to be met	
Responsible Person	Position: Head of Asset Management		<p>Implementing, managing, and monitoring Aspire's Legionella Policy and associated procedures</p> <p>Identifying and assessing the source of legionella and scalding risks</p> <p>Preparing a scheme (course of action) to prevent or control the risk</p> <p>Implementing, managing, and monitoring the precautions</p>
	Telephone: 01782 635200		
	Responsibilities:	To ensure that appropriately qualified and suitably experienced people are employed to implement this policy, that appropriate programmes of work are in place to discharge relevant duties, and to ensure compliance with legionella control regulations.	
Deputy Responsible Person	Position: Compliance Manager		<p>Keeping and maintaining records of precautions</p> <p>Providing training for those with a delegate responsibility</p> <p>Develop procedures and processes that will support the implementation of this policy</p> <p>Make this policy available to customers, staff, and partners on the Aspire website and on request.</p>
	Telephone: 01782 635200		
	Responsibilities:	To ensure that inspections and servicing, and the data arising from servicing programmes, are compliant with regulations and discharge legal and regulatory duties. Provide such information as required to evidence compliance through performance reporting	
Compliance Lead	Position: Asst Compliance Delivery Officer		<p>Ensuring that remedial action recommended by contractors is carried out</p> <p>Ensure that customers are aware of legionella risk controls in place and their responsibilities for ensuring a safe water system. e.g. not to adjust the temperature setting of the calorifier, to regularly clean showerheads and inform the landlord if the hot water is not heating properly or there are any other problems with the system so that appropriate action can be taken</p>
	Telephone: 01782 635200		
	Responsibilities:	Administer associated contracts, management of associated dashboards and first point of contact for legionella related queries.	
Appointed Specialist Contractor	Name:	SGS DMW (Risk Assessor)	
	Contact Details:	T - 01902 791565 E - matthew.collins@sgs.com	
	Responsibilities	Risk assessor	
	Name:	Total Environmental Compliance	

Contact Details:	T - 0151 257 9302 E - ABolger@tecompliance.co.uk	
Responsibilities:	Water Treatment Company	

7. ASPIRE'S LEGIONELLA CONTROL ACTIVITY SUMMARY

Please note that the below control scheme is a guide. An appropriate control scheme for each location will be determined by the risk assessor.

ACTIVITY	FREQUENCY	ACTIVITY OWNER
Risk assessment	As recommended by risk assessor (or when there's reason to suspect that current RA is no longer fit for purpose)	Appointed Risk Assessor
Base exchange softeners	Check salt levels Weekly, but depends on the size of the vessel and the rate of salt consumption Annual service and disinfect	Appointed Water Treatment Contractor
Checking flow temperatures of calorifiers and setting of calorifier temperatures	Monthly	Appointed Water Treatment Contractor
Checking of temperatures at cold and hot water sentinel outlets in communal areas (nearest and furthest to the water source)	Monthly	Appointed Water Treatment Contractor
Checking of temperatures at all non-sentinel hot & cold outlets at the scheme on a rotational basis ensuring 100% outlets are checked over a 12- month period	Monthly	Appointed Water Treatment Contractor
Communal showers and spray taps	Quarterly or as indicated by the rate of fouling or other risk factors, e.g. areas with high risk patients	Appointed Water Treatment Contractor
Descaling of communal outlets	Quarterly	Appointed Water Treatment Contractor
Expansion vessels	Monthly-Quarterly, as indicated by the risk assessment	Appointed M&E Contractor
Flushing infrequently used outlets	Weekly	Compliance Team
Flushing outlets in void properties	Weekly	Lettings & Development Teams
Inspection of water storage tanks	Six-monthly	Appointed Water Treatment Contractor
Internal inspection of the hot water calorifiers via access hatch	Annually	Appointed Water Treatment Contractor
Legionella water sampling	As per risk assessment	Appointed Water Treatment Contractor
Multiple use filters Backwash and regenerate as specified by the manufacturer	According to manufacturer's guidelines	Appointed Water Treatment Contractor
Remedial works	As recommended by contractor(s)	Compliance Team
Replacement of showers in void properties	At void stage	Void Team
Servicing TMVs	Annually or on a frequency defined by the risk assessment, considering any	Appointed Water Treatment Contractor

	manufacturer's recommendations and vulnerability of the resident population	
Water booster sets maintenance	Annually	Appointed Water Treatment Contractor

8. TRAINING

8.1 Aspire will promote awareness of the risks from legionella through training and induction of relevant staff. The training will be designed to fit the needs and roles of the employees being trained.

8.2 To ensure that appropriate and suitable training is provided to staff, Aspire will carry out training needs analysis where appropriate.

9. RECORD KEEPING

9.1 In order to demonstrate compliance with relevant Regulations and provide evidence to enforcing authorities it is Aspire's policy that notwithstanding legal requirements all records pertaining to legionella must be retained centrally for the period they are current and at least 2 years afterwards.

9.2 Aspire has a robust process in place for the management of any follow-up works required following the completion of routine maintenance inspections and the completion of inspections by the organisation's insurers.

9.3 A robust process is in place whereby recommendations made by the risk assessor are extracted from the risk assessments and logged on Aspire's risk management system and managed until completion with appropriate evidence being logged to close the actions.

10. INSURANCE

10.1 Aspire will ensure that parties carrying out work or surveys have appropriate insurance cover.

11. ACTION TO TAKE IF THERE IS AN OUTBREAK OF LEGIONELLOSIS

11.1 In England legionnaires' disease is notifiable under the Health Protection (Notifications) Regulations 2010. Under these regulations human diagnostic laboratories must notify Public Health England (PHE) of microbiologically confirmed cases of legionnaires' disease.

11.2 An outbreak is defined as two or more cases where the onset of illness is closely linked in time (weeks rather than months) and where there is epidemiological evidence of a common source of infection, with or without microbiological evidence. An incident/outbreak control team should always be convened to investigate outbreaks. It is the responsibility of the Proper Officer to declare

an outbreak. The Proper Officer, appointed by the Local Authority, is usually a Consultant in Communicable Diseases Control (CCDC) in England and Wales, or the Consultant in Public Health Medicine (CPHM) in Scotland. If there are suspected cases of the disease, medical practitioners must notify the Proper Officer in the relevant local authority.

11.3 In the event that Aspire are notified of a suspected or confirmed case(s) of Legionnaire’s Disease and it appears likely to be attributed to a water system within Aspire premises, the following action will be taken. Please note that some of the actions will happen simultaneously.

- i. Local Public Health (or similar) will have been notified by the doctor or hospital, they may attend site to investigate and/or provide advice.
- ii. All reports received of suspected or confirmed cases of Legionnaire’s disease, which are suspected or confirmed to be attributed to a water system within Aspire’s premises should be immediately escalated to the contacts listed.

TITLE	ROLE	CONTACT
Head of Asset Management	First point of contact	01782 635200
Compliance Manager	Second point of contact	01782 635200
Assistant Compliance Delivery Officer	Third point of contact	01782 635200

- iii. Following receipt of a notification a meeting will be held by the Legionella Working Group to discuss an action plan to manage the outbreak. The meeting will be chaired by the appointed Responsible person.

LEGIONELLA WORKING GROUP

TITLE	ROLE
Executive Director Property	Responsible Exec
Head of Asset Management	Responsible Person
Compliance Manager	Deputy Responsible Person
Health & Safety Business Partner	Health & Safety Advisor
Asst Compliance Delivery Officer	Contract Lead
Marketing and Communications Manager	Communications
Neighborhood/Wellbeing/Facilities/Achieve Training	Customer liaison
Business Continuity Group	Oversight
Appointed Contractor (SGS DMW)	Risk Assessor
Appoint Contractor (Total Environmental Compliance)	Water Treatment Company

- iv. All communications relating to an outbreak will be coordinated by the Responsible Person with the support of the working group.
- v. The responsible person will also be the point of contact for any external investigations that may be conducted. Aspire and our partners will cooperate fully with any investigations processes

- vi. Aspire's legionella outbreak action plan will be implemented which may include the summarized actions listed below. Many of these steps will occur simultaneously or in a sequence that varies during the course of an investigation and every outbreak investigation is unique and requires careful planning and periodic reassessments to determine the most appropriate response, with consideration given to staff, tenants, visitors and, members of the public

STEP 1 - Isolate the suspected or confirmed source. Aspire's Business Continuity Plan will be invoked if decanting people away from exposed area is required

STEP 2 - Notification of occupiers and key stakeholders of receipt of notification of an outbreak which is confirmed/suspected to be linked to an Aspire premise

STEP 3 - A review of risk assessment and control measures is carried out by risk assessor

STEP 4 - Remediation and sampling of water system by water treatment company

STEP 5 - Meeting of Aspire's Legionella Working Group chaired by the Responsible Person convened

STEP 6 - If outbreak is confirmed to be linked to Aspire premise, a full investigation will be carried out. Any actions recommended by the investigator will be implemented

STEP 7 - Investigator will decide when an outbreak is over

STEP 8 - An internal review lead by the Responsible Person will be carried out by Aspire to identify any lessons learnt. Actions from the lessons learnt will be implemented by Aspire