

<b>Meeting:</b>	Operations Committee
<b>Date:</b>	6 February 2025
<b>Subject of Report:</b>	Legionella Management Policy
<b>Agenda Item:</b>	6.1
<b>Action Required:</b>	For Committee to approve
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<b>Purpose of the Report</b>
This policy and procedure is to ensure Nehemiah Housing, its employees and schemes are compliant with what we do prevent legionella within our portable water systems
<b>Background Narrative and Context (including Equality, Diversity, and Inclusion Assessment)</b>
This policy has undergone an equality impact assessment.
<b>Recommendations &amp; Decision Required</b>
For the Committee to approve.
<b>Links to Nehemiah's Strategic Objectives</b>
<ul style="list-style-type: none"> <li>• Deliver excellent customer services with respect</li> <li>• Investing in our Homes</li> </ul>
<b>Key Risks and/or Financial Implications</b>
<u>Key Risks</u> Ensuring all our homes are compliant.
<u>Financial Implications</u> Effective management of our repairs and maintenance stock and taking account of any H&S issues is essential in achieving key aspects of our KPI and is fundamental in maintaining our financial ability.
<b>Assurance Levels (1st Line Defence – Department, 2nd Line of Defence – Oversight and 3rd Line Defence - Independent Assurance)</b>
First and second line of defence provided, with 3rd line applied in line with internal audit strategy in their review of our processes and systems against specific policies periodically.
<b>Cost Implications (including use of cash, time, and other resources, where will funds come from? Including VFM Considerations)</b>
All relevant costs are fully budgeted.
<b>Parties Consulted Prior to Meeting (inc. Officers, Committees and/or Legal Advice)</b>
None
<b>Appendices (list)</b>

**POLICY DOCUMENT CONTROL**

<b>Commentary</b>	<b>Policy Review</b>
<b>Document Title</b>	<b>LEGIONELLA MANAGEMENT POLICY</b>
<b>Description</b>	The purpose of this policy and procedure is to ensure Nehemiah Housing and its employees and schemes are compliant with the statutory requirements and guidance documents
<b>Location of document Link</b>	"I:\Committee Papers\Operations\Operations 2024\Operations 06.02.2025\Legionella Management Policy.docx"
<b>Published/Definitive Version No.</b>	3
<b>Adoption Date</b>	August 2019
<b>Review Date</b>	February 2025
<b>Next Review Due</b>	February 2027
<b>Author Name, job title and contact details</b>	Mike Idowu, Property Services Manager <a href="mailto:Michael.idowu@nehemiah.co.uk">Michael.idowu@nehemiah.co.uk</a>
<b>Consultation with (i.e., Exec, committee)</b>	Kevin Fearon
<b>Reviewing Committee Prior to Board</b>	Operations Committee
<b>Approving Body</b>	The Operations Committee
<b>Approval Date</b>	February 2024
<b>Readership/Audience</b>	All Staff working for and on behalf of Nehemiah HA
<b>Information/Governance Classification (Restricted/unrestricted Access)</b>	Unrestricted

Policy No.	KF59
Policy Title	Legionella Management Policy
Review date	January 2025
Date of next review	January 2027
Department	Property Services

# LEGIONELLA MANAGEMENT POLICY

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## **1. Legionella Management Policy**

### Policy Statement

The aim of this document is to define a policy for the control and management of legionella bacteria in water systems within the dwellings and office buildings owned and managed by Nehemiah Housing Association.

The policy will inform the Legionella Management Operational Procedure.

### Scope

- 1.1 When visiting, working or living in and around Nehemiah premises it is essential that the risk of exposure to legionella bacteria is minimised and strictly managed and controlled.
- 1.2 Meets the requirements of the HSC the Control of Legionella Bacteria in Water Systems; Approved Code of Practice and Guidance L8
- 1.3 This policy is also intended to ensure that the Nehemiah Housing Association meets requirements made under the Health and Safety at Work etc. Act 1974. This imposes a  
  
'Duty of Care' on Nehemiah in relation to its customers, employees, consultants and contractors.
- 1.4 This document is to be read in conjunction with the NEHEMIAH Legionella Operational Management Procedure.

## **2. Discovery of Legionella Bacteria**

In the event of the discovery of legionella bacteria within a water system, follow the guidelines as set out in the Operational Procedure Document.

This policy is intended to ensure that the Nehemiah Housing Association.

## **3. Management Responsibilities**

- 3.1 Statutory requirements
  - 3.1.1 It is the overall responsibility of management to ensure that the NEHEMIAH premises comply with all Health and Safety statutes.
  - 3.1.2 NEHEMIAH has a duty under the Health and Safety at Work Act to ensure, as far as practicable, the health and safety and welfare of its employees, residents and visitors to its premises
  - 3.1.3 NEHEMIAH has duties under the Health & Safety Commission Approved Code of Practice & Guidance L8 2001 to effectively manage Legionella within its owned or managed premises.

3.1.4 It is the overall responsibility of management to ensure that the Group's premises comply with the Control of Substances Hazardous to Health Regulations (C.O.S.H.H.) pertaining to the work being carried out, substances used and substances discovered.

3.2 The Control of Legionella Bacteria in Water Systems: Approved Code of Practice & Guidance: L8

3.2.1 The principal statutory requirements for the control and management of legionella bacteria is the Health & Safety Commission Approved Code of Practice and Guidance L8. The purpose of the regulation is to manage the risk from legionella to employees, residents and visitors to the Group's premises and they require duty-holders to:

- Identify and assess the risks of legionella bacteria in water systems
- Devise a scheme for eliminating or controlling the risk
- Manage the risk, selection and training of competent personnel
- Keep up to date records (electronically and log books on site)
- Manufacturers, suppliers' installers and users to address their responsibilities

3.2.2 The above requirements will be met by the following actions:

- Inspection of water storage tanks (Annually)
- Visual inspection of the hot water calorifiers (Annually)
- Visual checks of temperatures and settings of calorifiers (Monthly)
- Temperatures of hot and cold water outlets at Sentinel taps (Monthly)
- Legionella water Blow down (Annually)
- Cleaning and disinfection of shower heads (Quarterly)
- Flushing of infrequently used outlets (Weekly)
- Checking other outlets on a rotational basis over a 12 month period recording temperature in a log book.

3.2.3 Information from the register should be easily available to all interested parties.

3.3 Management of Health and Safety at Work Regulations 1999 etc

The Health and Safety at Work Regulations 1999 stipulate the need to carry out a suitable and sufficient assessment of the risks for all work activities, for the purpose of deciding what measures are necessary for safety.

3.4 Reporting of injuries or dangerous occurrences

All employees and contractors of the NEHEMIAH are bound by the reporting requirements covered by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985 (RIDDOR).

### 3.5 Health and Safety Executive Guidance

The Health and Safety Executive produces the following guidance notes and other publications to give supplementary information/clarification:

- Controlling Legionella in Nursing & Residential Care Homes
- The Control of Legionellosis including Legionnaires Disease

### 3.6 Legionella Management Team

3.6.1 The Operations Director will establish a Legionella Management Team to have responsibility for all aspects of legionella management, surveying, awareness and control.

3.6.2 The Operations Director is charged with the responsibility and duty to effectively control the risk from legionella bacteria and its products within all of the Group's premises water systems.

The Legionella Management Team comprises:

- Operations Director
- Property Services Manager
- Sheltered Scheme Managers
- Legionella contractor
- Housing officer

### 3.7 Managerial authority and responsibility

3.7.1 The Legionella Management Team has day-to-day responsibility for the management of the risk of exposure to legionella bacteria. It will clearly define:

- A safety policy detailing safe systems of work procedures
- How the policy will be managed, implemented, monitored, and reviewed.

3.7.2 All the Legionella Management Team personnel will be made fully aware of their safety responsibilities. They will be given information and instruction to properly understand and carry out their duties in a safe manner in accordance with the Group's policies, procedures and legislation.

3.7.3 The Legionella Management Team shall be responsible for organising site surveys/ risk assessments as detailed in the Legionella Management Operational Procedure document.

## **4. Management Policy**

### **4.1 Management Action**

4.1.1 NEHEMIAH Group policy is to have an effective, robust and efficient system for the management of legionella.

4.1.2 Management will ensure that persons at all levels charged with a responsibility will be competent to undertake the task.

4.1.3 Management will provide immediate funding for emergency remedial work; other non-emergency works will be funded as detailed in the Legionella Management Operational Procedure.

### **4.2 Legionella Surveys/ Risk Assessments**

4.2.1 Approved external contractors are responsible for carrying out risk assessments as instructed by NEHEMIAH

4.2.2 Risk Assessments are to be carried out on all Sheltered Schemes, Supported properties, Offices owned or managed by NEHEMIAH

4.2.3 Risk Assessment results will determine the required remedial Bylaw 30 or chlorination work required. This work will be prioritised by the 'responsible person'.

### **4.3 Legionella/ Water Treatment Contractors**

4.3.1 Only those legionella/ water treatment contractors registered with and licensed by the HSE, and approved by the Board, will be permitted to carry out work on NEHEMIAH properties.

### **4.4 Programme Works, Projects and Development Projects**

4.4.1 The Legionella Management Team is to be informed of any refurbishment or any other works where disturbance to the fabric of the building is likely. For example, bathroom replacement works in sheltered schemes.

### **4.5 Training**

4.5.1 Training regarding legionella awareness and surveying will be completed following a training needs analysis produced by the Legionella Team and the Group Compliance Manager. Training will be cascaded from the Legionella Management Team through to individual Sheltered Scheme Managers and Carers

## **5 General Provisions**

### **5.1 Scope and application of the policy**

5.1.1 This policy shall be applied to the management of the control of legionella bacteria in water systems and is under the ownership and control of the management of NEHEMIAH.



## 5.2 Other safety rules, related documents and procedures

5.2.1 In addition to the application of this policy, other rules, policies and procedures issued by management or by other authorities shall be complied with in accordance with management instructions.

5.2.2 Where employees are required to work in areas not owned or controlled by NEHEMIAH, this policy and its operational procedure will be used as a guide to safe working where there is a risk of exposure to legionella.

## 5.3 Information and Instruction

5.3.1 Arrangements shall be made to ensure;

That all employees are adequately informed and instructed regarding the identification, management and risk from exposure to legionella.

All tenants/residents are adequately informed and instructed regarding the identification, management and risk from exposure to legionella.

## 5.4 Variation of this policy

No variation to this Policy or to the Legionella Management Operational Procedure will be allowed except following changes in Legislation, Good Practice Guides or other statutory documentation. This policy is subject to annual review.

## **Legionella Management Operational Procedure**

### **Purpose of document**

This document sets out procedures to control, manage, and minimise the risk of legionella bacteria in water systems within the premises owned or managed NEHEMIAH. The procedures will be determined by the NEHEMIAH Legionella Management Policy.

#### 1.0 Definitions

#### 1.1 Legionella Management Responsibilities

The management of legionella within Group's dwellings and premises lies within the Operations Department, which in turns sits within the Operations Directorate.

#### 1.2 Training Matrix

A Training Matrix will describe and formulate the training needs required by a team or an individual. It will examine the tasks undertaken and describe the training required.

#### 1.3 Legionella/ Legionnaires Disease

- 1.3.1 Legionnaires disease is a form of pneumonia that principally affects those members of the general population who are susceptible due to age, illness, immunosuppression drugs, smoking, etc., and may be fatal. Legionella can also cause less serious illnesses, which are not fatal or permanently debilitating but which can affect all peoples.

Legionella pneumonia, the bacterium responsible for Legionnaires disease, is widespread in natural sources of water and causes no problem. However the bacterium may enter man-made systems or water services and under ideal growth conditions, and where there is a means of aerosol formation and a susceptible population, an outbreak may take place.

#### 1.4 Legionella Management Team

- 1.4.1 The Legionella Management Team is charged with the responsibility and duty to effectively control the risk from legionella bacteria in its water systems.

The Legionella Management Team comprises:

- Operations Director
- Property Services Manager
- Legionella Administrator (external contractor)
- Sheltered Scheme Managers
- Housing officer (if cover schemes)

1.4.2 The Operations Director duties and responsibilities include:

- Implementation and the continuing review of this procedure.
- Ensuring adequate finance is secured for the delivery of this service.
- Ensuring that all staff within the team are kept fully informed of developments in legislation and good practices relating to the management of legionella;
- Ensuring competent staff are employed in delivering the procedure
- Ensuring that the 'Duty of Care' to our tenants, employees and contractors is robust.
- Ensure via appointed staff responsibility for the day to day delivery of the process and continuing audit.

1.4.3 The Property Services Managers duties and responsibilities include:

- Approved contractors are available to undertake surveys/ risk assessments upon request/demand.
- To ensure surveys are undertaken as and when this procedure dictates.
- That the Legionella register is kept up to date with additional or extra surveys as dictated by this procedure.
- Organising a practical prioritised programme of chlorination/ Bylaw 30 works. Those areas offering the greatest risk will be treated first. Any new discoveries will either be added to the schedule or treated separately.
- Ensuring all programmed and development refurbishment works fall in line with this procedure.
- Ensuring that the procedure is followed during programme works.

Carrying out training needs

- Assembling and reviewing a licensed panel of suitable contractors and analytical laboratories.
- Maintaining the Asset Database and Legionella Register
- Ensuring that the Asset Database is regularly updating the in-house management system.
- Administration of the Asset Database and Asset Registry

1.4.6 Contractor Plumber/ Heating Engineer

- Carry out quarterly/ six monthly checks as detailed in Section 1.9 - Monthly Regimes

- To update site log book with information gathered during quarterly/ six monthly checks
- To note any remedial works required to the domestic water system. And to bring these to the attention of the responsible person.
- To attend training updates as and when required.

#### 1.4.7 Sheltered Scheme Managers

- Carry out weekly/ monthly checks as detailed in Section 1.9 – Monthly Regimes
- To update site log book with information gathered in weekly/ monthly checks.
- To bring to the attention of the responsible person any anomalies with regards water temperatures during checks
- To attend training events as and when required.

### 1.5 Legionella Risk Assessment

1.5.1 A risk assessment shall be undertaken of all water storage tanks, calorifiers and associated pipework which are susceptible to colonisation by Legionella. The risk assessment shall follow the procedure L8 (2000) and the Approved Code of Practice for the prevention of Legionella. It should take into account the following:

- Temperature of stored water, eg, tanks, calorifiers, water heaters with header tanks etc.
- Construction and dimensions of water storage tanks, calorifiers etc.
- Internal condition of water storage tanks and calorifiers (if possible)
- If tanks are Bylaw 30 compliant, eg, screened overflows, insulation, lids
- Configuration of pipework to prevent water stagnation
- Deadlegs in the pipework distribution system
- Condition of showers and showerheads
- Water temperatures at hot and cold outlets after specified running times
- Are drinking water labels installed to incoming mains
- Susceptible occupants, eg, elderly, healthcare etc
- Microbiological samples (TVC)

- 1.5.5 At present the properties that shall be included in this policy/ procedure include sheltered schemes, supported housing properties and offices owned or managed by NEHEMIAH
- 1.5.6 Access to these properties shall be organised in a professional manner by arranging appointments with managerial staff at the allotted sites
- 1.5.7 Total Viable Cell Counts (Dip Slides) shall be taken during each risk assessment. If and when Legionella water samples are required, the contractor shall obtain 2no. one litre water samples in a sterile container, one from the hot water distribution system and one from the cold water distribution system. The samples to be sent away to an independent UKAS accredited laboratory for analysis within 48 hours.
- 1.5.8 On completion the risk assessment should include identification and evaluation of potential sources of risk and the particular means by which exposure to legionella bacteria is to be prevented. Or if prevention is not reasonably practical, the particular means by which the risk from exposure to legionella bacteria is to be controlled.
- 1.5.9 Under guidance from the Approved Code of Practice (L8) it is important that the risk assessment is reviewed at least every two years and updated continually.

## 1.6 **Risk Assessment Results/ Remedial Works**

- 1.6.4 The completed risk assessment will make recommendations as to remedial works required to the domestic water system in order to comply with the Approved Code of Practice. Examples of remedial works can include:
- Replacement tanks required
  - Sterilisation/ Chlorination of system required
  - Bylaw 30 works to be carried out, including:
  - Insulation to pipework/ tanks
  - Indicator labels to pipework
  - Ball valve moved to opposite side of tank to allow crossflow of water
  - Rodent screens to overflow pipes
  - Lid vents to be fitted
- 1.6.5 These recommendations are prioritised as high, medium or low with associated time scales as to when the work should be completed. These time scales are:
- High Priority - Work to be carried out immediately. (Where this is not possible, regular disinfection and temperature monitoring regime to be adopted until period of rectification)

Medium Priority - Within three months

Low Priority - Within twelve months

1.6.3 The purpose of this work prioritisation is to indicate to the building owner and the Responsible Person an approximate time scale for monitoring, maintaining and executing remedial works to the domestic water system

## 1.7 **Chlorination/ Sterilisation Work Practices**

1.7.1 Water services shall be chlorinated/ sterilised for any of the following reasons:

- New installations before being taken into use to remove contamination which may have occurred during construction
- If a routine inspection shows it necessary
- If the system or part of it has been substantially altered for maintenance purposes in a manner that may lead to contamination.
- Following an outbreak or suspected outbreak of legionellosis or any other water borne infection/ disease.

1.7.2 All chlorination work shall be carried out in accordance with BS6700

1.7.3 All chlorination certificates should be added into the on-site log book within 28 days of test being taken, with photocopies being forwarded to the responsible person

## 1.8 **Site Log Book/ Record Keeping**

1.8.4 On completion of the risk assessment, a site log book shall be formatted and delivered to site in a location to be agreed on with the Sheltered/ Supported Manager.

1.8.5 The site log book will contain the following information:

- Full site address
- Name of site contact (Managerial)
- Name of risk assessor and the company name
- Name of responsible person for NEHEMIAH
- Date of assessment
- Schematic drawing of water storage tanks and associated pipework
- Photographic evidence of any pipework defects, condition of water tanks, calorifiers
- Details of microbiological sample results
- Detail of operation, relevant to controlling the risk
- Controls to be implemented complete with schedule

1.8.3 A copy of the risk assessment shall be given to the Property Services Manager to be put on file.

**1.9 Monitoring**

1.9.4 Monitoring shall be carried out as prescribed by HSC L8 (2000)

1.9.5 On completion of the risk assessment a monitoring regime will be formatted and inserted in the site log book. All results from the monitoring regime shall be inserted into the site log book.

1.9.6 Sites shall have personnel who have been instructed, trained and who are competent to carry out the weekly, monthly and quarterly monitoring regimes in-house.

1.9.7 Water sampling and tasks requiring engineering skills shall be done by an approved contractor

1.9.8 The table overleaf indicates the monitoring regimes in place. Suitable training and equipment will be provided to ensure the works are carried out correctly and satisfactory.

## MONITORING REGIME TIMESCALES

<b>SERVICE</b>	<b>TASK</b>	<b>FREQUENCY</b>	<b>CARRIED OUT BY</b>
<b>HOT WATER SERVICE</b>	Blowdown annually – no samples taken from hot water calorifiers, in order to note condition of drain water	Annually	Water Treatment Contractor
	Check temperatures in flow and return at calorifier	Monthly	Scheme Manager
	Check water temperature up to one minute to see if it has reached 50C in the sentinel taps	Monthly	Scheme Manager
<b>COLD WATER SERVICE</b>	Visually inspect cold water storage tanks and carry out remedial work where necessary. Check representative taps for temperature below 20C on a rotational basis	Annually	Water Treatment Contractor
	Check tank water temperature remote from ball valve and mains temperature at ball valve. Note maximum temperatures recorded by fixed max/ min thermometers where fitted	Annually after change in legislation	Contractor Plumber/ Heating Engineer
	Check that temperature is below 20C after running taps for up to two minutes in the sentinel taps	Monthly	Scheme Manager
<b>SHOWER HEADS</b>	Dismantle, clean and de-scale shower heads and hoses	Quarterly	Contractor Plumber/ Heating Engineer
<b>LITTLE USED OUTLETS</b>	Flush through and purge to drain, or purge to drain immediately before use without release of aerosols	Weekly	Scheme Manager
<b>COMPLETE SYSTEMS</b>	Physically clean and disinfect all cold water storage tanks, calorifiers and associated hot and cold water services	Annually only if annual inspection deems it necessary	Water Treatment Contractor



## **1.10 Monitoring Escalation**

1.10.1 During monthly testing of water temperatures by Scheme Managers, if temperatures are not in line with set parameters then this is to be reported to relevant call centre in the first instance.

1.10.2 A plumber/ heating engineer should attend as an emergency job to ascertain the problem and carry out remedial works.

1.10.3 If works required are above and beyond that of a Contractor operative then the Property Services Department to be informed. Property Services will then ascertain competitive quotes for remedial works.

1.10.4 After completion of remedial works, by external contractor, temperatures to be re-taken by Sheltered Manager and recorded in log book

1.10.5 Any other remedial works identified during quarterly, six monthly or annual inspections will fall into the time categories detailed in section 1.6.5

## **1.11 Specialist Legionella/ Water Treatment Companies**

1.11.1 Only specialist legionella/ water treatment contractors registered with and licensed by the Health and Safety Executive (HSE), and approved by Board will be permitted to complete works on the Housing stock.

## **1.12 Auditing**

1.12.1 It is essential that the 'responsible person' shall carry out continuing auditing of all log book on sites and the monitoring of all risk assessments being carried out.

1.12.2 After all risk assessments have been completed and the monitoring programme is established, the records shall be continually updated in accordance with the programme for the individual site and all information shall be kept in an accessible for auditing.

1.12.3 The risk assessment / log book will be reviewed once every two years.

## 2.0 **Safe System of Work**

2.1 It is the duty of all those involved in the management of legionella, or those whose normal work pattern may lead to exposure to legionella, to comply with the Legionella Management Policy, Legionella Management Operational Procedure, current legislation and other applicable rules and regulations. Failure to comply may lead to disciplinary action.

## 3.0 **Communication Regime**

3.1. The Property Services Manager is responsible for co-ordinating all surveys/ risk assessments

3.2 Several different departments may request legionella information. It is essential that each of the following Operation Director's and Senior Manager's follow the request procedure.

3.3 Scheme Manager's must ensure that all requests from sheltered/ supported tenants/residents who have concern regarding legionella in their scheme are forwarded to the Property Services Manager.

## 4.0 **Training**

4.1 Responsibility for Legionella training rests with the Property Services Manager who will ensure:

4.2 The completion of a Training Needs Analysis/ Matrix is essential. The training will be delivered to all relevant Sheltered Scheme Managers and other relevant parties within six months of the adoption of this Operational Procedure and will be subject to an annual review.

- All those who potentially may have day-to-day contact with legionella will be fully trained to external industry standards;
- Those with management duties or those who are likely to be exposed to legionella are kept fully informed of new developments;
- Training in all aspects of legionella management is cascaded to all levels of staff including Managers, Officers, and other applicable staff. The training will be given in the form of presentations and 'Tool Box Talks';

## 5.0 Funding

5.1 Funding will be made available as follows:

- Discovery of legionella bacteria, requiring emergency cleaning and making safe. The work to be immediately procured, with authorisation to place orders as follows:
- Property Services Manager up to their approved limit;
- Operation Directors for all other expenditure.

## 6.0 Sources of information

The Control of Legionella Bacteria in Water Systems: Approved Code of Practice & Guidance: L8 HSE Guidance - Controlling Legionella in Nursing & Residential Care Homes HSE Guidance - The Control of Legionellosis including Legionnaires Disease HMSO Publication - Health and Safety at Work etc Regulations 1999.

## 7.0 Was a full Equality Impact Assessment (EIA) required? Yes

7.1 When was EIA conducted and by who?

The EIA conducted by Head of Governance and Company Secretary on 28 January 2023.

### Version History

Version	Date	Author	Reason
Version 1	08/2019	Property Services Manager	New policy presented for adoption
Version 2	02/2023	Property Services Manager	Presented for cyclical review – changing monitoring regime timescales and risk assessments
Version 3	02/2025	Property Services Manager	Presented for cyclical review