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Policy:	Legionella Policy
Legal Requirements:	Health and Safety at Work etc Act 1974 (HSW Act) The Control of Substances Hazardous to Health Regulations 2002 (COSHH) Guidance: The Health and Safety Executive (HSE) Legionnaires' Disease - Approved Code of Practice and guidance on regulations (ACOP)
Regulatory Standards:	The Scottish Housing Regulator has set out Regulatory Standards for all Registered Social Landlords (RSLs) to ensure that RSLs deliver good outcomes and services for its tenants and service users through good governance and financial management. This policy evidences that the following Regulatory Standards are being met: Standard 1. The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users. Standard 2. The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities. Standard 4. The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose. Standard 5. The RSL conducts its affairs with honesty and integrity.
Notifiable Events Guidance:	In compiling this policy, consideration has been given to the Notifiable Events Guidance issued by the Scottish Housing Regulator and the impact of that guidance on the policy.
Equality and Diversity:	The Association is committed to Equal Opportunities and will endeavour to ensure that all services are carried out in an undiscriminating manner in line with the Association's Equality and Diversity Policy. In particular, the Association will not discriminate on the grounds of age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender, gender reassignment or sexual orientation.
Human Rights:	In compiling this policy, consideration has been given to "The Right to Adequate Housing" (Fact Sheet No. 21/Rev.1) published by the Office of the United Nations High Commissioner for Human Rights and the impact of that guidance on the policy. In particular, the Association is satisfied that this policy promotes the key aspects of the right to adequate housing – that it contains freedoms; entitlements; provides more than four walls and a roof; and protects against forced evictions.
Complaints:	Although the Association is committed to providing high levels of service, we accept that there may be occasions where customers may not be satisfied with the service they have received. The Association values all complaints and uses this information to improve the services that it provides. The Association's Complaints Policy describes our complaints handling procedure and how to make a complaint.



<p>General Data Protection Regulation (GDPR):</p>	<p>The Association will treat all customers' personal data in line with its obligations under the current data protection regulations and our Privacy Policy. Information regarding how data will be used and the basis for processing data is provided in the Association's Fair Processing Notice.</p>
<p>Policy Author:</p>	<p>Kevin Freeman</p>
<p>Policy Review:</p>	<p>In order to ensure that any change in circumstances is accommodated this policy will be subject to review every two years in the month of November.</p>
<p>Policy Approval:</p>	<p>This policy was last reviewed / approved by the Management Committee of Yoker Housing Association Limited at its meeting held on Thursday the 7th of December 2023.</p>



Statement of Policy Aims and Principles

The purpose of this policy is to set out guidelines to enable Yoker Housing Association (“the Association”) to be assured that we comply with our legal duties in relation to the assessment and management of the risk of legionella. These duties include identifying and assessing sources of risk, preparing a scheme to prevent or control risk, implementing, managing and monitoring precautions, keeping records of precautions and appointing a manager to be responsible for others.

Legionnaires’ Disease

The Association has a duty of care as a landlord and employer to ensure that our tenants, residents, staff and visitors are protected from the risk of contracting Legionnaires’ disease from water supplies for which we are responsible.

Legionellosis is a collective term for diseases caused by legionella bacteria including the most serious legionnaires’ disease, as well as the similar but less serious conditions of Pontiac fever and Lochgoilhead fever. Legionnaires’ disease is a potentially fatal form of pneumonia and everyone is susceptible to infection. The risk increases with age, but some people are at higher risk, e.g. people over 45, smokers and heavy drinkers, people suffering from chronic respiratory or kidney disease, diabetes, lung and heart disease or anyone with an impaired immune system. The bacterium Legionella pneumophila and related bacteria are common in natural water sources such as rivers, lakes and reservoirs, but usually in low numbers. They may also be found in purpose-built water systems, such as cooling towers, evaporative condensers, hot and cold water systems and spa pools. If conditions are favourable, the bacteria may multiply, increasing the risks of legionnaires’ disease, and it is therefore important to control the risks by introducing appropriate measures. (Source: HSE Approved Code of Practice and guidance on regulations, 2013)

Outbreaks of the illness occur from exposure to legionella growing in purpose-built systems where water is maintained at a temperature high enough to encourage growth, e.g. cooling towers, evaporative condensers, hot and cold water systems and spa pools used in all sorts of premises (work and domestic). (Source: HSE Approved Code of Practice and guidance on regulations, 2013)

Legionnaires’ disease is normally contracted by inhaling small droplets of water (aerosols), suspended in the air, containing the bacteria. Certain conditions increase the risk from legionella if: (a) the water temperature in all or some parts of the system may be between 20–45 °C, which is suitable for growth; (b) it is possible for water droplets to be produced and if so, they can be dispersed; (c) water is stored and/or re-circulated; (d) there are deposits that can support bacterial growth, such as rust, sludge, scale, organic matter and biofilms. It is important to control the risks by introducing measures which do not allow proliferation of the organisms in the water systems and reduce, so far as is reasonably practicable, exposure to water droplets and aerosol. This will reduce the possibility of creating conditions in which the risk from exposure to legionella bacteria is increased. (Source: HSE Approved Code of Practice and guidance on regulations, 2013)

Health and Safety Law

Employers

Employers have a duty to ensure the health, safety and welfare of employees so far as is reasonably practicable. Employers must ensure that non-employees who may be affected by work activities are not exposed to risks to their health and safety. There is also a duty on the employer to ensure that the premises, plant and machinery do not endanger people using them. Employers must:

- Identify and assess sources of risk.
- Manage any risks.
- Prevent or control any risks.
- Keep and maintain the correct records.
- Carry out any other duties you may have.

Landlords

Section 3(2) of the HSW Act makes provision for relevant health and safety legislation to apply to landlords to ensure a duty of care is shown to their tenants with regard to their health and safety.

The COSHH Regulations provide a framework of actions to control the risk from a range of hazardous substances, including biological agents (e.g. Legionella) to identify and assess the risk, and implement any necessary measures to control any risk.



Workplace Risk of Exposure to Legionella Bacteria

There is a reasonably foreseeable risk of exposure to legionella bacteria in:

- Cooling systems with cooling towers, evaporative condensers or dry/wet cooling systems;
- Hot and cold water systems;
- Spa pools;
- Other plant and systems containing water that can create and increase the risk from legionella during operation or when being maintained.

All systems require a risk assessment, however not all systems will require elaborate control measures. A simple risk assessment may show that the risks are low and being properly managed to comply with the law. In such cases, the Association may not need to take further action, but it is important to review our assessment regularly in case of any changes in our system, and specifically if there is reason to suspect it is no longer valid.

Risk Assessment of Office Premises

In carrying out the risk assessment of our office premises, the Association must consider our water systems, the equipment associated with the system such as pumps, heat exchangers, showers etc, and its constituent parts. We must identify whether they are likely to create a risk from exposure to legionella, and whether:

- The water temperature in all or some parts of the system is between 20–45 °C
- Water is stored or re-circulated as part of your system
- There are sources of nutrients such as rust, sludge, scale, organic matter and biofilms
- The conditions are likely to encourage bacteria to multiply
- It is possible for water droplets to be produced and, if so, whether they can be dispersed over a wide area, e.g. showers and aerosols from cooling towers
- It is likely that any of our employees, visitors etc are more susceptible to infection due to age, illness, a weakened immune system etc and whether they could be exposed to any contaminated water droplets

Conclusion of Risk Assessment

The Association's office premises hold no store of water. Our heating and hot water is provided by highly efficient gas combination boilers which were installed in 2019. All cold water serving the premises comes direct from the main. There is no attic tank. Showerheads are cleaned daily.

We conclude that there is no reasonably foreseeable risk and that the risks are low and are being properly managed to comply with the law. We conclude that we need not take any further action at this stage, but that these existing controls must be maintained, and the assessment reviewed regularly in case anything changes in our water system or in the use of our office premises.

Monitoring and Controlling the Risk

We will review this policy and risk assessment at regular intervals of two years and/or if new information or if any change to legislation related to the control of legionella bacteria is issued.



Tenant Risk of Exposure to Legionella Bacteria (source HSE)

5 The practical and proportionate application of health and safety law to landlords of domestic rental properties is that whilst there is a duty to assess the risk from exposure to Legionella to ensure the safety of their tenants, this does not require an in-depth, detailed assessment.

10 The risks from hot and cold water systems in most residential settings are generally considered to be low owing to regular water usage and turnover. A typical 'low risk' example may be found in a small building (e.g. housing unit) with small domestic-type water systems, where daily water usage is inevitable and sufficient to turn over the entire system; where cold water is directly from a wholesome mains supply (no stored water tanks); where hot water is fed from instantaneous heaters or low volume water heaters (supplying outlets at 50 °C); and where the only outlets are toilets and wash hand basins.

15 A simple assessment may show that there are no real risks and are being properly managed and no further action is needed. It is important to review the assessment in case anything changes in the system.

Implementing simple, proportionate and appropriate control measures will ensure the risk remains low. For most domestic hot and cold water systems, temperature is the most reliable way of ensuring the risk of exposure to Legionella bacteria is minimised i.e. keep the hot water hot, cold water cold and keep it moving.

20 Other simple control measures to help control the risk of exposure to Legionella include:

- Flushing out the system prior to letting the property;
- Avoiding debris getting into the system (e.g. ensure the cold water tanks, where fitted, have a tight fitting lid);
- Setting control parameters (e.g. setting the temperature of the hot water cylinder (calorifier) to ensure water is stored at 60°C); and
- Make sure any redundant pipework identified is removed.

30 The risk is further lowered where instantaneous water heaters (for example combi boilers and electric showers) are installed because there is no water storage.

Low Risk Systems

35 The HSE guidance on the control of legionella bacteria in hot and cold water systems identifies the following as examples of low-risk situations:

- In a small building with people especially 'at risk' from legionella bacteria;
- Where daily water usage is inevitable and sufficient to turn over the entire system;
- Where cold water comes directly from a wholesome mains supply (no stored water tanks);
- Where hot water is fed from instantaneous heaters or low storage volume water heaters (supplying outlets at 50 °C); and
- Where the only outlets are toilets and hand washbasins (no showers).

45 During the financial year 2019 / 2020 the Association employed a contractor to complete an inspection of all properties in order to identify and assess the source of any risks in respect to Legionnaires' disease. As part of this risk assessment the Association identified twenty tenement properties and three non-tenement properties in which attic tanks were in situ and in use.

50 The Association drained and disconnected the attic tanks serving twenty-two of the properties identified. All cold water serving these properties now comes directly from the mains and all heating and hot water is provided through highly efficient boilers. Within the one remaining property at 2023 Dumbarton Road, an owner occupier opted not to participate in the programme. All other properties within this close have been disconnected from the attic tank and receive cold water supply directly from the mains. The testing and cleaning of the attic tank is now the sole responsibility of the owner occupier.



Monitoring and Controlling the Risk

- 5 The Association's tenanted properties and office premises do not contain water storage tanks with all cold water supplies being served from the mains. The heating and hot water to all properties is provided by either gas combination boilers or mains fed electrical heating systems.
- 10 Both electric and thermostatic showers have been installed across the Association's stock. To protect residents from the risk of contracting Legionnaires' disease, all showerheads are cleaned and disinfected when properties become void.
- 15 It can be concluded that the risks relating to Legionella are low at this time and are being properly managed to comply with the law. It can also be concluded that no further action is required at this stage, but these existing controls must be maintained, and the assessment reviewed regularly as a precaution against any changes in the nature of the Association's water supply systems.
- 15 The risk assessment is reviewed either every two years or in response to a change to the Association's water supply system or change to legislation or practices relating to the control of legionella bacteria.