

4.27 Water Management Policy

Schedule Information

Policy Category	Category 1 –All Ops Staff, Managers & Deputies, ELT - Urgent
	Category 2 – Housing
Directorate Lead	Housing & Estates
Committee	Quality & People
Policy Owner	Director of Housing & Estates
Lead Author	Compliance & Maintenance Manager
Summary of Policy Changes	Previous versions prior to 2016 are available on request. V4.0 - March 2023 – Full review, merging of two Policies and renaming of policy. V4.1 - January 2024 – Template update. V4.2 – January 2026 – Extension for policy review. V4.3 – May 2026- Expiry extension
Document Superseded	4.27 Water Management Policy V4.1
Consultation Process	PPWG, ELT, Q&P
Impact Assessment Completed	Organisational Policy that can be made available in languages other than English and can be made available in Easy Read
Statutory, Regulatory, Compliance Considered	Landlord and Tenant Act 1985 Management of Health and Safety at Work Regulations 1999 Control of Substances Hazardous to Health Regulations 2002 Approved Code of Practice: Legionnaires' disease: The control of Legionella bacteria in water systems (L8) Housing (Fitness for Human Habitation) Act 2018 Consumer Protection Act 1987 Consumer Rights Act 2015 Health and Safety at Work etc. Act 1974
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Storage & Version Control	Whilst this policy may be printed and shared, the electronic copy posted on the internal intranet is the controlled document.

Introduction

The purpose of this Policy is to provide a comprehensive set of instructions to St. Anne's Community Services Staff regarding the management and control of Legionella in all St. Anne's Community Services properties, buildings, and offices.

Legionella are bacteria that are common and can be found in environmental water sources such as lakes and rivers as well as cold and hot water systems (e.g., storage tanks, taps, showers, ventilation systems and pipe work etc.). Although Legionella presence is usually associated with large systems such as those in hospitals, schools etc., it can be found in smaller systems used in homes and in other residential accommodation.

Legionnaires' disease is a potentially fatal pneumonia caused by Legionella bacteria. It is normally contracted by inhaling viable Legionella bacteria in sufficient quantity, either in tiny droplets of water (aerosols, shower heads, taps fitted with spray nozzles) or in droplet nuclei (the particles left after the water has evaporated) from water contaminated with Legionella, deep into the lungs.

Legionella's behaviour at water temperature is:

Between 0°C - 20°C Legionella will remain dormant;

Between 20°C - 45°C Legionella will multiply;

Between 46°C - 70°C Legionella will not multiply and will die in time; and

Above 70°C – no viable Legionella.

Legionella also requires a source of nutrients to sustain the organism e.g., sludge, scale, rust, algae, or other organic matter.

Scope

This Policy has been developed to ensure that St. Anne's Community Services (St. Anne's) fully complies with the requirements of current *Control of Legionella Bacteria in Water Systems - Approved Code of Practice and guidance*. St. Anne's is responsible for the safe delivery of hot and cold water supplies to its staff, tenants, clients, contractors and other users of its properties.

A preventative maintenance schedule (Table 1) has been adopted by with the specific aim of reducing risks associated with exposure to Legionella Bacterium transmitted from water used for domestic purposes within its housing stock and properties under its control. This bacterium can pose significant health risks under certain circumstances to particular 'at-risk' groups.

This Policy applies to all properties that have stored hot or cold water and/or a Service Level Agreement in place.

For all other properties that St Anne's occupies or owns, an up to date risk assessment is required. This may be undertaken by St Anne's as the owner, a managing agent or the Landlord of the property.

Background

Information and resources about Legionnaires Disease can be found using the following link:

<https://www.hse.gov.uk/legionnaires/>

Legal Requirements

As an employer, someone in control of premises, or a landlord, St. Anne's must understand the health risks associated with legionella.

Duties under the Health and Safety at Work etc. Act 1974 (HSWA) extend to risks from legionella bacteria, which may arise from work activities. The Management of Health and Safety at Work Regulations (MHSWR) provide a broad framework for controlling health and safety at work. More specifically, the Control of Substances Hazardous to Health Regulations 2002 (COSHH) provide a framework of actions designed to assess, prevent or control the risk from bacteria like Legionella and take suitable precautions. The Approved Code of Practice: Legionnaires' disease: The control of Legionella bacteria in water systems (L8) contains practical guidance on how to manage and control the risks in your system.

Under the general Health and Safety Law, as a landlord (and/or person in control of premises/responsible person) and as an employer, St. Anne's must:

- Identify and assess source of risk;
- Prepare a course of action for preventing and controlling the risk;
- Implement and manage any identified courses of action by appointing person/s to have management responsibility (also known as the 'responsible person'); and
- Keep records and check the effectiveness of past actions completed.

Random sampling will also be undertaken to ensure the risk profile is managed.

Roles and Responsibilities

St. Anne's (Duty Holder) is a Housing Association. It is also considered to be a duty holder under the Approved Code of Practice (ACOP) and Guidance (L8) and the Chief Executive is responsible for undertaking or delegating the duties under this Guidance. These roles are delegated in accordance with the guidance as below:

- **Directors** are responsible, so far as is reasonably practicable, for ensuring the health, safety and welfare at work of all employees in their respective departments. In particular where they are responsible for staff or operatives who may be required to deal with Legionella they will:
 - Ensure that adequate resources are made available to enable suitable arrangements for the management of Legionella.

- Ensure appropriate training, information and instruction is provided for relevant staff and operatives in the form of training courses, seminars, information leaflets and booklets, and personal instruction as appropriate.
- Ensure that where specialist technical expertise in relation to Legionella is not available within the Department, suitable arrangements are in place to obtain any necessary information as required.
- **Compliance and Maintenance Manager** will be The Responsible Person and is responsible for ensuring to:
 - Ensure that risk assessments, of properties owned and or managed by St. Anne's, are undertaken and copies of all risk assessments (including those carried out by other Landlords) are obtained and recorded accordingly. Service Managers will be utilised in obtaining assessments from Landlords, where appropriate.
 - Ensure that suitable management procedures are implemented for the management of Legionella;
 - Liaise with external consultants to ensure that suitable management arrangements are in place for the monitoring of St. Anne's properties;
 - Liaise with the Housing Team to identify voids that require to be assessed and the programme of the Legionella checks on all St. Anne's Properties; and
 - Ensure all St. Anne's Operatives have carried out the required training for the role they are undertaking.
- **St. Anne's Employees** will be responsible for:
 - Complying with the Water Management Policy.

Managing the Risk

The Compliance and Maintenance Manager (The Responsible Person) will manage all of St. Anne's operational areas relating to Legionella. The Responsible Person will have sufficient knowledge and experience to appoint and manage specialist contractors in relation to Legionella.

The Responsible Person will ensure that the water treatment to St. Anne's buildings is carried out to a required standard, where work is carried out by a contractor or other third party.

As-fitted drawings or a schematic diagram showing the configuration of services shall be produced as well as a description of the water system indicating the normal operating parameters, maintenance schedules and actions to be taken should abnormal situations occur. Where there is a risk, the significant findings should be recorded, and employees informed.

Actions identified to control the risk should be monitored quarterly by St. Anne's Compliance and Maintenance Team, to ensure effectiveness. They must be reviewed at least every three years or more frequently if changes to the system are made or risks change. A detailed list of considerations is contained in part 2 of the ACOP and Guidance (L8).

All water systems require a risk assessment but not all systems require elaborate control measures. A *simple* risk assessment may show that there are no real risks from legionella, but if there are, appropriate measures will be implemented to control these risks. The law requires simple, proportionate and practical actions to be taken, including identifying and assessing

sources of risk, managing the risk, preventing or controlling the risk; and periodically checking that any control measures are effective. This will be checked every three years when carrying out a risk assessment.

For most residential settings, the risk assessment may show the risks are low, in which case no further action may be necessary e. g. housing units with small domestic-type water systems where water turnover is high. If the assessment shows the risks are insignificant and are being properly managed to comply with the law, no further action may be required, but it is important to review the assessment if anything changes in or to the system.

Staff and Tenants will be advised, as part of an ongoing communication, if the hot water is not heating properly or if there are any other problems with the system that this is reported to us immediately, so that appropriate action can be taken, and they should regularly clean and disinfect showerheads within their properties.

Record Keeping

All Records should be kept for a minimum of 5 Years.

Records are kept in an online portal (Collabit) and regularly downloaded to a folder within the Maintenance drive.

In order to provide an audit trail and compliance with the Law, the records should include:

- Details of risk assessment carried out.
- The written scheme or course of action.
- The names and responsibilities of the responsible persons under the scheme.
- Details of any installations.
- Details of any precautionary measures which have been carried out.
- Monitoring details (e.g., reports).
- The signature of the person/s carrying out various tasks or other forms of authentication.

Training

All St. Anne's Staff whose role involves them with Legionella will receive Legionella Awareness Training. This will be revisited on an annual basis.

The Responsible Person should have knowledge of the housing stock, experience working with housing stock and completed the Legionella Control – The Role of a Responsible Person course.

Response to an Outbreak

In the event of an outbreak of Legionella, The Responsible Person will follow the emergency and or contingency plan that should include:

- Identification of the people who may have been exposed.
- Involvement of Public Health Authorities.
- Notifying the members of the Executive Leadership Team.
- Notification of the Health and Safety Executive.

In addition, under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR), St. Anne's must report any cases of legionellosis in an employee who has worked on cooling towers or hot and cold water systems that are likely to be contaminated with legionella.

Water Temperatures

As well as the temperatures listed above, for Legionella, when water temperatures are in excess of 44°C, there is a high risk of burns and scalds to anyone with reduced sensitivity to temperature and / or anyone who cannot react appropriately, or quickly enough, to prevent injury and / or anyone who cannot communicate that the water is too hot for them.

As of April 2010, amendments to Document G of The Building Regulations 2000 declared that all new-build homes across England and Wales are obliged to fit a device, such as a Thermostatic Mixer Valve (TMV) to baths to limit the temperature of the water to 48 degrees (this also applies where a new bath is being installed). The amendments have been brought in to protect household users from the most serious scalding injuries.

It is essential that where any person is at risk from scalding during whole body immersion water temperatures do not exceed 44°C.

Precautions for Clients in need of extra support

Clients in need of extra support to wash will always be treated with dignity and respect. Where a client is deemed at risk of injury from water temperature because they cannot bathe without support, a full risk assessment will be carried out.

An individual Client Risk Assessment should be completed for each Client who needs it re the support they require with bathing and showering.

[See Policy 2.15 Client Water Temperature Risk Assessment and Checks Policy](#)

Thermostatic mixing valves and maintenance of equipment

Fitting of thermostatic mixing valves (Type 3)

The following applies to all residential and nursing homes and to supported living locations where there are Clients in need of extra support.

To prevent water temperatures greater than 44°C (showers should not exceed 41°C) being discharged from taps where there is potential for whole body immersion it is particularly important that thermostatic mixing valves (TMVs) are maintained to the standard recommended by the manufacturer. A documented maintenance schedule is organised by the Maintenance Department employing an external contractor. All properties with stored hot and cold water and TMVs are checked monthly by a contractor who send records of the checks completed to the Maintenance Department and/or enters them onto a web-based database.

Maintenance of equipment

An external provider is contracted to carry out equipment checks at all appropriate sites each year. This includes checking water temperatures on their visits. In between times, managers should ensure regular checking is carried out and any equipment failures are reported immediately to the Maintenance Department.

The contractor will clean and disinfect shower heads, and inspect cold water tanks, etc. as part of their responsibilities and will review local risk assessments at regular intervals.

Services with Clients who are not at risk

In areas where Clients are not assessed to be reliant on extra support (e.g., hostels, supported housing, training areas, offices), the object is to provide a near-domestic environment. Thorough risk assessments are still required, however, blending and temperature control devices are unlikely to be needed provided that there is an adequate supervision by staff who have received information and training on the risks of scalding and the safe procedures to be adopted.

Labelling hot water outlets with 'very hot water' signs will help to prevent inadvertent scalding.

Management Agreements, Service Level Agreements and Leases

- Where St Anne's is not the owner of the property or landlord and there is a maintenance responsibility with the landlord, any concerns should be raised with the landlord through standard agreed reporting processes and in accordance the relevant Management Agreement, Service Level Agreement or Lease.

Policy Review

The Water Management Policy will be reviewed every three years or more frequently where there has been a change in legislation, or if arrangements within the plan are no longer considered to be adequate, in order to assess:

- Effectiveness of the management plan.
- Overall progress made against the action plan.
- Suitability and maintenance of communications, instruction, training of personnel, employees and contractors.
- Suitability and success of monitoring mechanisms.
- Any updates as a result of legislation changes or incidents.
- Records of the review will be kept.

Table 1

PREVENTATIVE MAINTENANCE SCHEDULE

Item	By Whom	Action	Frequency	Implement
1.	External Contractor and Compliance and Maintenance Team	Check all hot and cold water supply pipes for dead legs and eliminate within any property. Check temperatures to hot and cold, water supplies to ensure they meet requirements to prevent active behaviour of Legionella (see Introduction above).	As required	July 2020
2.	Compliance and Maintenance Team	VOIDS exceeding two weeks where water systems have not been used – drain down tanks and distribution systems, de-sludge, flush through with fresh water and weak chlorine mix if required.	As required	July 2020
3.	Compliance and Maintenance Team	Remove shower head and wash in weak appropriate solution. St. Anne's Community Services to issue guidance to tenants of properties not on monitoring programme.	Annually	July 2020
4.	Compliance and Maintenance Team	Create a register to manage the risk	Annually	July 2020
5.	Compliance and Maintenance Team	Undertake risk assessments programme to control risks	3 year programme	October 2021