



# Legionella Safety Policy

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## **1. POLICY SUMMARY**

- 1.1. This policy covers the Legionella Safety management to all properties and communal areas owned and/or managed by EPIC Housing.
- 1.2. The policy sets out the obligations of EPIC Housing and the rights and obligations of its customers.
- 1.3. Installations in individual properties, as well as communal areas, are covered by this policy. Safety checks in leasehold or shared-ownership properties are not our responsibility and are therefore not covered by this policy.

## **2. APPLICABILITY**

- 2.1. This policy applies to:
  - All employees of EPIC Housing, regardless of employment status or contractual condition.
  - Board of Directors.
  - All tenants and occupants of property owned by EPIC Housing as detailed in the policy.

## **3. INTRODUCTION**

- 3.1. This Policy sets out EPIC Housing's approach and responsibilities in insuring compliance with the relevant legislation and regulatory guidance on the installation, inspection, repairs, testing and certification of Legionella assessments in buildings that we own. This includes undertaking Legionella periodic safety inspections, the maintenance, and any associated works where required.
- 3.2. This approach will ensure EPIC Housing provides the safety of all water supply and installations, owned, or managed by us. EPIC Housing accepts its responsibilities as a landlord to promote the health and safety of its tenants, and to ensure that all water installations it has provided are maintained so that they remain safe, effective, and efficient.
- 3.3. This Policy sets out the measures EPIC Housing has put in place to assess the risks posed by Legionella bacteria and the control systems established to mitigate or eradicate these risks as far as is reasonably possible.

## **4. CONTEXT**

- 4.1. The principal legislation applicable for this policy is:
  - BS8580: 2010 – Water Quality – Risk Assessments for Legionella Control – Code of Practice.
  - BS 6700:2006 – Specification for Design, Installation, Testing and Maintenance of Services Supplying Water for Domestic Use Within Buildings and their curtilages.
- 4.2. The principle Approved Code of Practice (ACop) applicable to this policy is:
  - ACOP-L8 – The Control of Legionella Bacteria in Water Systems – Approved Code of Practice and Guidance 2013.

4.3. This policy also operates within the context of the following legislation:

- Health and Safety at Work Act, 1974
- The Management of Health and Safety at Work Regulations 1999 (as amended)
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Control of Substances Hazardous to Health Regulations 2002
- The Public Health (Infectious Diseases) Regulations 1988
- Workplace (Health, Safety & Welfare) Regulations
- Control of Substances Hazardous to Health Regulations (COSHH)
- Regulatory Framework for Social Housing in England
- The Landlord and Tenant Act 1985
- Housing Act 2004
- Water Supply (water quality) Regulations 2016
- Water Supply (water fittings) Regulations 1999

4.4. This policy considers the regulatory expectations as outlined within the Regulatory Framework for Social Housing in England.

4.5. This Policy sets out the strategic arrangements for the assessment, elimination, and control of water systems where legionella may flourish in all managed and maintained domestic and non-domestic buildings. The following buildings are deemed to be non-domestic premises:

- Offices and Administrative buildings.
- Common parts of multi-let buildings.

## 5. STATEMENT OF INTENT

5.1. EPIC Housing is required to meet all regulatory landlord responsibilities including, but not limited to, the following:

- Compliance with Health and Safety Executive (HSE) Approved Code of Practice document – The control of legionella bacteria in water systems (ACOP L8) and HSG/274.
- An appointed ‘responsible Person’ to identify and assess risks from Legionella bacteria in EPIC-owned and controlled buildings.
- Carrying out a comprehensive risk assessment in conjunction with suitably qualified contractors for applicable buildings.
- Having established a baseline position of equipment and services that pose a reasonably foreseeable risk of proliferation of Legionella bacteria, the Responsible Person will devise a control scheme to manage and mitigate any risks identified including appropriate testing regimes, treatment methods and general design and installation considerations.

- EPIC Housing will co-operate fully with any emergency planning contingencies and investigations by Local Authorities and Health and Safety Executives in the areas of its operation, in the unlikely event of any major Legionella outbreak in or affecting buildings it owns and controls.
  - Relevant employees will be trained and have a basic awareness of Legionella safety and be informed of its risk.
  - Tenants will be given suitable information about Legionella safety in the home and hazards in general, and where relevant, locations in their property where Legionella may form if not monitored or maintained.
  - Ensure that all Legionella supply and installations provided by the landlord are maintained in a safe condition.
- 5.2. EPIC Housing will carry out measures to reduce the risk of Legionella in void properties due to stagnant water systems and implement the following to reduce risks:
- Water systems in all long-term void properties over 90 days are drained, cleaned and disinfected as a standard procedure.
  - Where a void has been left empty for longer than 5 days past contractor completion, the housing officers will be required to complete a full water flush of the system (hot and cold) to all outlets within the property before customer visitation takes place. This must be recorded back to the assets team.
  - Surveyors will identify and arrange for risk elimination in all void properties to include removing redundant pipes, cleaning of shower heads and flexible hoses as standard.
  - We will carry out checks to identify pipework 'dead-legs' and remove them within void properties or where we are carrying out planned investment works.
- 5.3. When assessing water systems in EPIC properties and buildings that are likely to pose a risk from the proliferation of Legionella bacteria, the risk assessment will focus on the following:
- The source of the system supply water, for example, whether from a mains supply or not.
  - Possible sources of contamination of the water supply.
  - The normal operating conditions of the equipment or system.
  - Operating conditions such as breakdowns.
- 5.4. Where tenants refuse us or our contractor's access to undertake our legal obligations in conducting periodic safety inspections, services, tests or where a possible fault is reported or suspected, we will take appropriate action. This includes the utilisation of robust legal proceedings.

- 5.5. All alterations or works to a property must ensure that they do not make the existing water supply more susceptible to potential Legionella issues.
- 5.6. To ensure we provide the above, EPIC Housing will follow their Legionella Safety procedure and have measures in place to monitor and provide:
- Review Legionella risk assessments every two years, or more frequently, where a water system is likely to undergo change and is therefore a higher risk.
  - Written schemes of control will be in place for all properties risk assessed as requiring controls to manage the risk of Legionella exposure.
  - Ensure that all operatives undertaking Legionella assessments, monitoring or works to the supply and water installation owned by us are suitably qualified and experienced. We will check qualifications and registrations annually.
  - Where tenants refuse us or our contractor access to undertake our legal obligations, we will utilise robust legal proceedings.
  - Review all assessments and monitoring reports to ensure that they are completed correctly and that any follow up work is completed withing target dates as set out in the Repairs Policy.
  - Performance indicators in respect of the percentage of properties with a valid Legionella Assessment and the stage that properties without a valid certificate have reached.
- 5.7. In relation to our service offering, EPIC Housing will:
- Respond to emergencies within two hours, in accordance with our Repairs Policy.
  - Offer to provide both written and verbal instruction on Legionella safety advice to all new tenants on request.
  - Audit the service on a cyclical basis in line with the internal audit program approved by the Board or a delegated Committee.
  - Arrange appointments with tenants, providing a minimum of 7 days' notice.
  - Offer appointments outside of office hours where required.
  - Leave calling cards in cases of missed appointments.

## **6. RESPONSIBILITIES**

The roles and responsibilities for key stakeholders across EPIC are detailed below:

### **6.1. The Board**

- Reviews reports and/or performance indicators to assure itself that the measures detailed in this policy are met.
- Monitors and reviews compliance.
- Ensures legal requirements are met.
- Approves changes to the Legionella Safety Policy.

### **6.2. The Chief Executive (Duty Holder)**

- Ensures that resources are made available to allow for the appropriate management of this policy.
- Is accountable for the proper implementation of this policy.
- Ensures that their responsibilities as the duty holder under the policy is managed to ensure full compliance.

### **6.3. Executive Team**

- Ensures that operational activities are compliant.
- Ensures that statutory duties are discharged and meets monthly to review progress and review operational risk to the policy.
- Amends the Legionella Safety Policy to Board for approval.
- Approves changes to the Legionella Safety Procedure.
- Ensures landlord compliance and relevant monitoring within this policy.
- Sets out audit requirements to ensure this policy is compliant.

### **6.4. Head of Asset Management and Building Safety**

- Is the responsible person for Legionella Safety.
- Will work closely with the operational Compliance team to implement this policy.
- Ensures that legal obligations and policy measures are being adhered to and in line with budget.
- Ensures that comprehensive Legionella Safety Policy and Procedural documents are in place to ensure safe working practices across all sections of the company.
- Takes responsibility for compliance with this Policy.
- Implements a policy review.
- Ensures that financial accounting expenditure relating to Legionella issues are monitored and included in future budget forecasts.
- Auditing the scheme as instructed by the executive team and/or board.
- Is responsible for the overall implementation and regular review of this policy, ensuring its objectives are achieved.

- Leads on the writing, implementation, monitoring and review of the Legionella safety policy and associated policies and procedures.
- Is responsible for the compliance and performance indicator reporting to the Executive Team, Board, and the Chief Executive.
- Ensures that any compliance and/or H&S-related issues are brought to the attention of the Chief Executive and provides regular updates on service delivery against budget.
- Ensures that the staff resources required to achieve the safe management of water are in place and will make appropriate recommendations to the senior management team to ensure that this is the case.
- Develops and implements operational procedures to deliver the policy objectives.
- Embeds the policy through staff training, learning and development.
- Monitors the overall effectiveness of the policy in terms of cost, quality and time.

#### **6.5. All employees and External Stakeholders**

- Are responsible for ensuring an understanding and adherence to this policy.
- Report any issue that requires repairs or maintenance whilst visiting any EPIC Housing property.

#### **6.6. Tenants**

- The tenancy agreements of all tenants of EPIC Housing allow access to all properties for the purpose of carrying out Legionella safety checks of installations.
- The tenant is responsible for immediately reporting any concerns with water quality or Legionella connected illness until they are checked by a suitably qualified competent person.

### **7. MANAGING LEGIONELLA SAFETY**

- 7.1. EPIC Housing does not employ direct labour to maintain and certify Legionella safety in-house, we rely on specialist contractors to deliver our service.
- 7.2. EPIC Housing has systems and procedures in place which ensure contractors involved in the Legionella process are trained and have the necessary skills and experience to specify, complete necessary works, manage and monitor service delivery.
- 7.3. EPIC Housing will ensure there is a good line of communication between us, the contractor, and our tenants regarding Legionella safety in our homes. We will effectively manage expectations for the completion of a repair and ensure tenants are kept up to date on the progress.

- 7.4. Specialist contractors will carry out periodic inspections and monitoring (including sampling and testing) of EPIC's water systems in accordance with the requirements of the Control Scheme and as below:
- Will work in close liaison with the Compliance Manager to administer control measures that mitigate the risks of Legionella bacteria and will supply EPIC with recommendations for any remedial works identified during periodic inspections.
  - Appointed contractors will produce their own audits of competence and supply EPIC with copies as requested to ensure compliance with the Legionella Control of Associations Recommended Code of Conduct.
- 7.5. EPIC Housing will comply directly and engage with contractors to ensure they comply with all relevant legislation in the delivery of our Legionella safety service.
- 7.6. EPIC will do all that is reasonably practicable to protect tenants, employees, visitors, and neighbours from health hazards arising from the risks associated with Legionella bacteria and other contaminants in our premises. We will comply with our duties for repairs and maintenance as set out in the Landlord and Tenant Act and the relevant Housing Acts.
- 7.7. In order that full compliance with statutory requirements, current legislation, standards, code of practice and published guidance is met, EPIC will carry out the following actions:
- Appoint a Duty Holder and Responsible Person to control any identified risk from Legionella bacteria.
  - Identify all water plant and systems which present a potential risk of exposure to Legionella bacteria.
  - Arrange for Legionella risk assessments to be undertaken of 'at risk' water systems and repeat every two years or when significant changes occur.
  - Ensure that the water hygiene programme is in place and considers any acquisitions or disposals.
  - Eliminate or reduce risks whenever reasonably practicable.
  - Establish and operate a system for recording and controlling risks from Legionella bacteria in our premises.
  - Monitor compliance with the control mechanisms and review the performance of the risk control measures.
  - Ensure that all programmed and refurbishment works take account of and adhere to this policy.
  - Ensure that systems are put in place to maintain coherent, up-to-date records for all water maintenance and monitoring, which are site specific.
  - Ensure that suitable specialists are appointed to implement preventative measures for elimination of Legionella and other waterborne bacteria/contamination to ensure compliance with all relevant legislation.



- 7.8. If the Legionella safety check reveals an unsafe situation, the contractor will determine the appropriate action to be taken and inform EPIC Housing within 24-hours, both verbally and in writing to the Head of Asset Management and Building Compliance.

## **8. SUPPORTING OUR TENANTS**

- 8.1. EPIC Housing will provide customers with advice and assistance. We recognise that some of our customers may need help when it comes to water safety in their home. We may, entirely at our discretion, provide a service in addition to the statutory and contractual responsibilities, to assist our customers who may need support to meet the conditions of their tenancy for Legionella Safety. Each request will be considered on a case-by-case basis.
- 8.2. EPIC Housing will provide general information for tenants, where necessary, regarding water safety at tenancy sign-up. Tenants will be advised to contact EPIC Housing to obtain guidance on any water-related issues.
- 8.3. EPIC Housing will provide appointments where possible to meet the tenant's need. Engaging and encouraging vulnerable tenants to maximise access, utilising out-of-hours appointments, and considering any other request on a case-by-case basis.

## **9. TRAINING**

- 9.1. EPIC Housing will ensure that staff who are accountable for the management of Legionella Safety receive the relevant information, instruction, and training to become competent in the positions they hold.
- 9.2. EPIC Housing will provide the necessary equipment to carry out their duties safely.
- 9.3. EPIC Housing will carry out its duties to our employees in the following way:
- At induction stage for new employees.
  - For all employees being exposed to new or increased risks because of being transferred or given a change of responsibilities.
  - Introduction of new work equipment or a change to equipment already in use.
  - The introduction of new technology.
  - The introduction of a new or revised system of work.
  - During refresher training.
  - Competent person working towards P901 awareness and management of Legionella in occupied premises.
- 9.4. Suitable and sufficient Legionella awareness training will be maintained for all relevant employees. Where there are specific tasks that staff are required to undertake, the training will be provided.
- 9.5. All training delivered will be recorded within EPIC's People HR system.

- 9.6. All staff with operational involvement with the delivery of this policy will need to have, and maintain, suitable and sufficient system training.
- 9.7. All training needs will be structured in such a way as to assess the resulting levels of competency at the point of delivery.
- 9.8. The Head of Asset Management and Building Compliance is responsible for the day-to-day operational delivery of water safety testing and maintenance and will be required to have a good working knowledge on the management of water safety in occupied buildings. They will also be expected to proactively maintain their Continued Professional Development to keep up to date and abreast of relevant industry and legislative changes and that of relevant team members who have day-to-day involvement in this area.

## **10. DATA VALIDATION**

EPIC Housing will:

- 10.1. Ensure we have accurate and up-to-date records of all Legionella Risk Assessments (LRAs) carried out to properties, including remedial actions and that copies of relevant certificates / reports are held electronically.
- 10.2. Ensure on completion of works, all updates are recorded by property and included in ongoing monitoring where required.
- 10.3. Review all Legionella reports and certificates received to ensure that they are completed correctly and that any follow-up work is completed, and records updated.
- 10.4. Responsible for ensuring appropriate records are kept for all measures associated with EPIC's management of Legionellosis, in accordance with the Health and Safety Executive Accepted Code of Practice.
- 10.5. Monitor performance monthly in relation to the percentage of properties with valid LRA.

## **11. EQUALITY AND DIVERSITY IMPLICATIONS**

- 11.1. We are committed to ensuring and promoting equality of opportunity for all. We are opposed to discrimination on any grounds, including race, religion, gender, marital status, sexual orientation, disability, age, or any unjustifiable criteria. We are committed to developing a culture that values people from all sections of society and the contribution which each individual can make. We will ensure our approach to accessing properties is considerate to people's individual needs. We also adhere to the Equality Act 2010.
- 11.2. EPIC Housing recognises that some people experience disadvantage due to their socio-economic circumstances and will strive to ensure no person or groups of persons is treated with injustice due to their personal circumstances.

- 11.3. EPIC Housing will also ensure that all services and actions are delivered within the context of current Human Rights legislation and will make sure the central principles of the Human Rights Act (1998) will be adhered to.
- 11.4. An Equality Impact Assessment (EIA) has been carried out on this policy.

## **12. MONITORING / REVIEW**

- 12.1. EPIC Housing will record and monitor a range of financial and performance indicators to assess and improve the performance of managing Legionella Safety in our homes. These will include:
- Government return performance indicators as defined in TSM.
  - EPIC Housing corporate performance indicators for Board and ET.
  - Contractual performance indicators.
- 12.2. EPIC Housing will use a variety of methods to engage with our customers regarding the quality of managing Legionella Safety and commit to using a listening and learning approach to continually improve the service we offer.
- 12.3. This policy will be reviewed annually. A review may be conducted earlier if there are significant changes to either legislation or EPIC's operating practices.

## **13. ASSOCIATED DOCUMENTS**

- Corporate Plan
- Asset Management strategy
- Repairs policy and procedure
- Damp and Mould policy & Procedure
- Disrepair procedure
- Customer Home Alterations policy
- Compensation policy
- Equality, Diversity, and Inclusion policy
- Violence and Aggression policy
- Safeguarding policy
- Data protection policy
- Health, Safety and Wellbeing Policy
- Tenancy Agreements
- Legionella Safety Procedure

### Version Control

Date of Review	Reviewer	Version Number	Changes	Date of Next Review	Approved By
Sep 2022	J Mitchell	1.0	New Policy	Sep 2023	Board
Dec 2023	J Mitchell	2.0	Format, reworded sections and Minor changes	Dec 2026	Board