



## **The Langstane Group**

### **Legionella Policy and Management Plan**

Leadership Team approval	10 January 2024
Performance Committee approval	5 March 2024
Implementation date	7 March 2024
Review date	March 2027
Version	Version 3

Version	Date of approval	Changes
Version 1	2 October 2017	First issue
Version 2	19 October 2020	Throughout the document, standardisation of the way Langstane is referred to and minor grammar and formatting changes. Changes to job titles and responsibilities following merger of Asset Management and Property Services.
		Section 7 – addition of properties with sprinkler systems to medium risk category
		Section 8 - change of frequency for reviewing legionella risk assessments for medium and high risk properties from every year to every two years (in accordance with HSE guidance)
Version 3	December 2023	<p>Complete review and reformat to suit up to date policy template.</p> <p>Aims and objectives changed to match requirements of legislation</p> <p>Scope of policy added</p> <p>Layout of policy changed so that each objective forms part of Section 4</p> <p>HSG274 – Technical Guidance added to 'relevant legislation and guidance' section</p> <p>Section 6 'Duty holders and competent persons' removed and replaced by Section 5 'Roles and Responsibilities'</p> <p>Option to drain down voids removed and replaced with option to leave water system charged but not used.</p> <p>Option to view property log book data through online portal added</p> <p>Section on record keeping updated to suit new housing management system</p> <p>Legionella outbreak confirmed as Notifiable Event</p>

## 1. Introduction

Langstane Housing Association is a Co-operative and Community Benefit Society, and a registered social landlord with charitable status.

The Langstane Group (Langstane) consists of Langstane Housing Association Limited and its wholly owned subsidiaries.

This policy applies to all members of the Langstane Group.

Legionellosis is the collective name given to the pneumonia like illnesses caused by the legionella bacteria and includes the more serious and well known Legionnaire's disease, but also the similar but less well known conditions of Pontiac fever and Lochgoilhead fever.

There are around 400 known cases of Legionnaires disease each year in the UK but experts believe the real figure may be much higher, as healthy people generally don't report the illness to their doctor.

People of any age may get Legionnaires disease, but the illness most often affects middle-aged and older persons, particularly those who smoke or have chronic lung disease and heavy drinkers. Also at increased risk are those with immune systems suppressed by diseases such as cancer, kidney failure requiring dialysis, diabetes or AIDs. Anyone taking medication that suppresses the immune system is also at increased risk.

All man-made hot and cold water systems are likely to provide an environment where legionella can grow. Where conditions are favourable (ie suitable growth temperature range, water droplets (aerosol) produced and dispersed, water stored and recirculated, some 'food' for the bacteria such as rust, sludge, scale, biofilm) then the bacteria may multiply, increasing the risk of exposure. The infection in humans is caused by breathing in contaminated air-borne water droplets – such as water sprays from shower heads – which contain the bacteria.

## 2. Aims and objectives of this policy

The objectives of this policy are to set out a clear approach to assessing, controlling and monitoring the risk of legionella within water systems which are under the control of Langstane Housing Association in accordance with the HSE's Approved Code of Practice. Langstane will:

- Identify and assess sources of risk
- If appropriate, prepare a written scheme for preventing or controlling the risk
- Implement, manage and monitor the control measures
- Keep records of the precautions
- Appoint competent person(s) with appropriate knowledge and authority to help take the measures needed to comply with the law
- Provide tenants with information and advice so that they can take further measures to reduce the risk from legionella

- Ensure employees are aware of the actions to be taken if there is an outbreak of legionella which may be linked to a Langstane property

### 3. Links to other strategic documents and policies

This policy should be read in conjunction with Langstane's:

- Asset Management Strategy
- Health & Safety Policy
- Responsive Repairs Policy
- Void Management Policy
- Planned & Cyclical Maintenance Policy
- Gas Safety & Servicing Policy

### 4. Policy

#### 4.1. Scope of Policy

This policy applies to any premise, domestic or non-domestic, that is owned, managed or leased by Langstane. This includes:

- Domestic properties – social rented and mid-market rented
- Lead tenancy properties
- Langstane's own offices
- Offices or commercial properties leased by Langstane to a third party
- Hostels / supported accommodation units
- Housing in Multiple Occupancy

#### 4.2. Relevant legislation and guidance

There is no legislation specific to Legionella, but the following do place specific duties on Langstane with regards to the control of Legionella:

**The Health and Safety at Work Act 1974** - As a landlord, Langstane has a duty under the Health and Safety at Work Act 1974 to ensure the health and safety of tenants by keeping properties safe and free from health hazards, including legionella.

**The Control of Substances Hazardous to Health Regulations 2002 (COSHH)** - Legionella pneumophila is classed as a biological agent by the Health and Safety Executive (HSE) and is listed as a Class 2 hazard under the COSHH Regulations 2002. Under these Regulations LHA has a statutory duty to:

- Identify and assess sources of risk
- If appropriate, prepare a written scheme for preventing or controlling the risk
- Implement, manage and monitor precautions
- Keep records of precautions
- Appoint a competent person with sufficient authority and knowledge of the installation to help take the measures needed to comply with the law.

**HSE Approved Code of Practice (ACOP) ‘The Control of Legionella bacteria in water systems’** - The HSE ACOP is not an Act of Parliament or Regulation but does have legal status. If there were to be an outbreak of legionella at a Langstane property, it would be essential for Langstane to show that it had followed the relevant provisions of the ACOP, or that it had complied with the law in some other way. The ACOP is intended to offer practical advice on how to comply with the law – the guidance is not compulsory but it does illustrate good practice and HSE inspectors seeking to secure compliance with the law may use this guidance as a point of reference.

**HSG274 – Technical guidance; Parts 1, 2 and 3** - This document supports the Approved Code of Practice and provides additional guidance on the operation and maintenance of:

Part 1 – evaporative cooling systems

Part 2 – Hot and cold water systems

Part 3 – other risk systems

Other relevant legislation includes:

- Management of Health and Safety at Work Regulations 1999
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Health and Safety (Consultation with Employees) Regulations 1996

#### **4.3. Identify and assess the sources of risk**

In accordance with the COSHH Regulations 2002, and good practice set out in the HSE ACOP, Langstane has a duty to assess the risk from exposure to legionella to ensure the health and safety of employees, tenants and anyone else who might be at risk. However, Langstane has around 2,900 domestic properties in ownership or management. Carrying out full risk assessments for every property would not be practical and a proportionate approach will be taken as set out below.

Initially, an in-house desktop assessment will be carried out for properties taking into account the nature of the water and heating facilities within the property, the client group using the property, the frequency of use of facilities and any other potential risk factors.

Information used as the basis for the desktop assessment is gathered from written or drawn information, such as stock condition surveys, void surveys or property drawings, or from employees knowledge of properties. Cloning will be used where it has not been possible to source drawings or access a property to carry out a survey.

Using this desktop method, properties will be grouped into archetypes:

**Low risk archetype** – An example of a low risk property might be general needs domestic premises, including houses, flats and maisonettes where the water systems are small-scale domestic type with high turnover, i.e. in daily use with cold water gravity-fed tank to a conventional copper storage cylinder, or mains water system with a combination boiler.

**Medium risk archetype** – Examples of medium risk properties might be shared premises (commercial, HMO or hostel accommodation for example) with cold water system fed via stored water and/or hot water via calorifiers with pumped distribution or mains water system, or domestic premises with some form of shared water storage.

**High risk archetype** – Examples of high risk properties might be healthcare or commercial properties with cooling towers or air conditioning systems

In addition to the above risk categories, Langstane has identified an increased level of risk associated with void properties where there is minimal turnover of water systems for extended periods of time.

#### **4.4. If appropriate, prepare a written scheme for preventing or controlling the risk**

For each risk category, a written scheme of control will be prepared to ensure the on-going safe control of the water systems.

**Low risk archetype** – where properties have been identified as low risk, the on-going control measures will include:

- Avoidance of debris entering water systems – systems with stored cold water to be checked to ensure tanks have tight fitting lids
- Control parameters for the system to be checked, for instance temperature settings for hot water tanks to be checked during gas service visit
- Redundant pipework identified and removed
- Advice provided to new tenants on maintaining safe water systems
- Advice provided to existing tenants via the Langstane website and periodically in tenant newsletter

For low risk properties, the in-house risk assessment will be reviewed where there is a significant change to the property (for instance the installation of a new heating system or a change in client group).

**Medium and high risk archetype** – a specialist water quality consultant will be appointed to carry out detailed, site specific risk assessments for all medium and high risk properties and to prepare site specific written schemes of control.

The site specific written schemes of control will include:

- Details of the water systems including up to date plans or schematics

- Details of who is responsible for managing the property and carrying out the maintenance work
- Details of the safe and correct operation of the relevant systems
- Details of what control methods and precautionary measures are to be taken, and by whom
- Details of the frequency and type of checks that are required, and who will undertake these

The written scheme will be incorporated into a site log book which is to be available electronically via an online portal and is to be kept up to date at all times. All persons with any duty under the written scheme, including staff and contractors, will have access to the log book records.

For medium and high risk properties, risk assessments will be reviewed by a specialist water consultant every two years or where there is a significant change to the property.

On occasions, a medium or high risk archetype property will be risk assessed by a specialist water consultant as low risk. The specialist risk assessment will supersede Langstane's archetype assessment.

**Void properties** – legionella bacteria will begin to multiply if left undisturbed in stagnant water for too long. This is a particular risk during the period following the completion of maintenance work but prior to the new tenant moving in (known as the 'ready to let' period). In void properties where the ready to let period will exceed one week Langstane will either:

Leave the water system charged and unused, and flush through prior to the new tenant moving in:

- Where a property may sit empty for longer periods of time, it will be acceptable to leave the water system filled with water without carrying out weekly flushes.
- Where this option is implemented, signage must be displayed immediately inside the entrance door to advise anyone entering the property that the water system must not be used.
- Prior to a new tenant moving into the property all outlets in the water system must be run through for at least two minutes, and hot water outlets should have time to reach their maximum temperature
- The date of the flush should be recorded on the relevant void record on the housing management system.

Where there is a potential of water use while the property is void, implement a flushing regime:

- All outlets in the empty property should be run weekly
- Outlets should be run for a minimum of two minutes

- A record sheet will be displayed in each property subject to a flushing regime (usually on the back of the entrance door) and will be updated with the date of each visit.
- Prior to the tenant moving in carry out a final flush, update the record sheet, remove from the property and file in the relevant void record on the housing management system

For all voids, the following actions will be taken during the void maintenance phase:

- If dead legs are identified in the plumbing system they will be removed wherever possible
- Cold water storage tanks will be checked to ensure lids are securely fitted. Missing or damaged lids will be replaced.
- Heating and water system controls will be checked to ensure they meet safe limits.
- Shower heads and hoses will be disinfected or replaced

#### **4.5. Implement, manage and monitor the control measures**

The Team Leader – Property Compliance will ensure that all routine measures detailed in the written schemes are implemented in accordance with the required time intervals and that accurate, complete and up to date records are kept, and copies are filed against the relevant record in the housing management system..

Specific controls for at risk properties will be detailed in the log book for that property along with a record of when measures were last carried out and are next due. Log book information is available via an online portal. Langstane will extract log book information annually and file a copy on the relevant record in the housing management system.

Controls may include any of the following measures to prevent the growth of legionella within the water system:

- Carrying out maintenance or remedial works
- Disinfection of the system
- Keeping water cisterns covered, insulated, clean and free from debris
- Ensuring water cannot stagnate anywhere in the system eg removing redundant pipe work, running taps / showers in unoccupied rooms
- Insulating pipework
- Maintaining the correct temperature at the hot water cylinder
- Advising personnel working on the system about the risks and how to minimise them
- Advising tenants about the risks, the control measures and precautions that can be taken to minimise them

In line with best practice legionella records will be retained for a minimum of five years.

#### **4.6. Keep records of the precautions**

Langstane will keep records of legionella precautions as follows:

- In the housing management system, each property will have a legionella record where all records will be filed. This record will clearly display the current desktop risk archetype (low, medium or high) for the property and the current specialist consultant risk assessment level and report for the property where applicable
- The written management plan for each property will be held within the legionella record.
- Evidence of control measures being implemented will be recorded in a number of ways:
  - Property log book information will be extracted annually from the contractors portal and a copy held against the relevant legionella record in the housing management system
  - One off measures such as fitting a new lid to a cold water tank will be carried out as repairs and recorded against the legionella record for the relevant property as a follow on action
  - Void regimes will be recorded against the relevant void phase record

#### **4.7. Appoint competent person(s) with appropriate knowledge and authority to help take the measures needed to comply with the law**

Langstane will ensure that any appointed specialist water quality consultants / contractors are competent to carry out their duties, which may include:

- Provision of detailed risk assessments and written schemes for the prevention and control of water borne infections including Legionella
- Plumbing and engineering works on air conditioning systems and hot / cold water systems
- Cleaning of water systems and chemical treatment of water supplies
- Bacterial and chemical water testing and analysis

Contractors / consultants must be on Langstane's approved contractors list and must be registered with the Legionella Control Association.

All employees involved in managing legionella will be provided with training and information to ensure they can carry out their role effectively. Training requirements for different roles are outlined at Section 5

**4.8. Provide tenants with information and advice so that they can take further measures to reduce the risk from legionella**

For risk levels to remain low in properties it is essential that tenants are aware of the regular turnover of water from outlets such as taps and shower heads. Risk levels will increase in properties that are left empty for long periods.

New tenants will be provided with a legionella awareness leaflet in their tenancy pack. The leaflet will be made available to existing tenants through Langstane's website and legionella advice will also be communicated through other forums such as the tenant newsletter.

Higher risk tenants (older tenants and those with existing medical conditions) who have to leave their properties for long periods of time (for instance to go in to hospital) will be advised to contact Langstane for advice on reducing the risk when they return to their home.

**4.9. Ensure employees are aware of the actions to be taken if there is an outbreak of legionella which may be linked to a Langstane property**

An outbreak of legionella is defined as two or more cases where the onset of illness is closely linked in time and where there is evidence of a common source of infection.

The investigation into an outbreak is led by the relevant Local Authority's nominated 'Proper Officer' (usually a Consultant in Public Health Medicine). The Proper Officer will declare the outbreak and invoke an Outbreak Committee with responsibility for protecting public health and preventing further infection.

The Health and Safety Executive may be involved in the investigation, with the aim of pursuing compliance with the health and safety legislation

In the event of there being an outbreak that is traced back to a water system under the control of Langstane, the Chief Executive and Director of Property should immediately be notified and will in turn notify the Scottish Housing Regulator in accordance with guidance on notifiable events.

Langstane will nominate a staff member to liaise with the Outbreak Committee and Health and Safety Executive as required. Langstane may request that their Health and Safety Advisor provide advice throughout the investigation.

No staff member other than the Chief Executive will make contact with the press or undertake any interviews in relation to the incident.

Following an outbreak, any improvement recommendations by involved parties (HSE, Outbreak Committee or Health & Safety Advisor) will be implemented as a priority.

## 5. Roles and Responsibilities

Title	Responsibilities	Training requirements
Board of Management	<ul style="list-style-type: none"> <li>Strategic overview and final responsibility for setting the direction of Langstane's Legionella Management</li> </ul>	
Chief Executive	<ul style="list-style-type: none"> <li>Overall responsibility for health and safety matters</li> </ul>	
Landlord Facilities Safety Group	<ul style="list-style-type: none"> <li>Monitoring and review of health and safety matters relating to properties</li> <li>Review of property related policies and procedures</li> <li>Instruct audits of property related safety areas to check compliance with policy</li> <li>Review incident investigation reports and make recommendations on improvements to procedure</li> </ul>	<p>Legionella Awareness training as a minimum</p> <p>Training on Langstane policy and procedures – refresher every 36 months</p>
Director of Property	<ul style="list-style-type: none"> <li>Duty holder for legionella management (with some duties carried out by in-house and external competent persons)</li> <li>Ensure the Legionella Policy is effectively managed, administered and reviewed</li> <li>Facilitate implementation of the Legionella Policy and procedures through provision of adequate resources and training</li> <li>Notify confirmed outbreaks of legionella to the Scottish Housing Regulator in accordance with Notifiable Events guidance</li> <li>Deliver training on Langstane Policy and Procedures as and when required</li> <li>Liaise with HR Manager to ensure external training requirements are met</li> <li>Provide an annual report on all property related health and safety matters, including legionella management</li> </ul>	<p>LCA 9010 Legionella 'Responsible Person &amp; Duty Holder' training – refresher every 24 months</p>
Property Manager	<ul style="list-style-type: none"> <li>Provide the Team Leader – Property Compliance with support and guidance as required to allow them to fulfil their role</li> </ul>	<p>Legionella Awareness Training – refresher every 24 months</p>

	<ul style="list-style-type: none"> <li>• Ensure requirements of this policy are implemented into day to day working practices</li> </ul>	Training on Langstane policy and procedures – refresher every 36 months
Team Leader - Property Compliance	<ul style="list-style-type: none"> <li>• Nominated to carry out certain 'competent person' tasks as described below:</li> <li>• Day to day management of legionella across Langstane properties</li> <li>• Ensure that all non-domestic premises have a desktop assessment in place that is reviewed every two years or as and when there are changes to the property</li> <li>• Ensure properties with a desktop assessment of 'medium' or 'high' risk are passed to a specialist consultant for a site specific assessment</li> <li>• Obtain written control plans for relevant sites from a specialist water consultant</li> <li>• Effectively monitor control plans to ensure they are being implemented, including liaising with Team Leader – Repairs and Voids to ensure legionella management is being undertaken in void properties</li> <li>• Ensure there is a system in place to check contractor competency and licensing for appointed contractors, and that documentation is regularly reviewed</li> <li>• Provide the Director of Property with performance information quarterly, and annually</li> </ul>	LCA 9010 Legionella 'Responsible Person & Duty Holder' training – refresher every 24 months
Property Compliance Assistant	<ul style="list-style-type: none"> <li>• Ensure that all legionella documentation is filed in the housing management system</li> <li>• Assist the Team Leader – Property Compliance with contractor paperwork and requesting updating documentation</li> </ul>	Legionella Awareness training - refresher every 24 months Training on Langstane policy and procedures - refresher every 36 months

<p>Team Leader – Repairs &amp; Voids</p>	<ul style="list-style-type: none"> <li>• Ensure that legionella management requirements are being implemented and recorded for void properties</li> </ul>	<p>Legionella Awareness training - refresher every 24 months</p> <p>Training on Langstane policy and procedures - refresher every 36 months</p> <p>Training on flushing water systems</p>
<p>Team Leader – Major Works</p>	<ul style="list-style-type: none"> <li>• Advise the Team Leader – Property Compliance of significant changes to properties such as change of heating system or changes impacting water services, to allow desktop risk to be re-assessed</li> </ul>	<p>Legionella Awareness training - refresher every 24 months</p> <p>Training on Langstane policy and procedures - refresher every 36 months</p>
<p>Property Surveyor</p>	<ul style="list-style-type: none"> <li>• Alert the Team Leader – Property Compliance to any legionella management issues identified during visits to properties including dead legs and missing tank lids</li> </ul>	<p>Legionella Awareness training - refresher every 24 months</p> <p>Training on Langstane policy and procedures - refresher every 36 months</p>
<p>Property Officers</p>	<ul style="list-style-type: none"> <li>• Ensure any legionella management works identified at void survey stage are instructed</li> <li>• Is appropriate, carry out a flushing regime while property is empty and ensure flushes are recorded</li> <li>• If appropriate, leave water system charged and unflushed but display signage in empty void to ensure no-one uses the water system until it is flushed through.</li> <li>• Provide allocations team with legionella information for inclusion in new tenant packs</li> </ul>	<p>Legionella Awareness training - refresher every 24 months</p> <p>Training on Langstane policy and procedures - refresher every 36 months</p> <p>Training on flushing water systems</p>

<p>Housing Officers (Allocations)</p>	<ul style="list-style-type: none"> <li>• Flush void property water systems prior to occupation by new tenants (prior to each viewing)</li> <li>• Ensure legionella leaflet is included in allocations pack for all new tenants</li> </ul>	<p>Legionella Awareness training - refresher every 24 months</p> <p>Training on Langstane policy and procedures - refresher every 36 months</p> <p>Training on flushing water systems</p>
<p>Direct Labour Organisation (DLO) Supervisor</p>	<ul style="list-style-type: none"> <li>• Provide training and information to operatives, including tool box talks</li> <li>• Pass on any legionella risk identified by the operatives to the Team Leader – Property Compliance</li> </ul>	<p>Legionella Awareness training - refresher every 24 months</p> <p>Training on Langstane policy and procedures - refresher every 36 months</p>
<p>Direct Labour Organisation (DLO) operatives</p>	<ul style="list-style-type: none"> <li>• Alert the Supervisor to any legionella management issues identified during visits to properties including dead legs and missing tank lids</li> </ul>	<p>Legionella Awareness training - refresher every 24 months</p> <p>Tool box talk by Supervisor as and when required</p> <p>Training on Langstane policy and procedures - refresher every 36 months</p>

## 6. Monitoring and review

This policy will be reviewed every three years or as and when changes to legislation or best practice guidance necessitate it.

The Director of Property, assisted by the Property Manager, will carry out periodic in-house audits of this policy and accompanying procedures to ensure they are being implemented.

## 7. Equality and diversity

The Langstane Group is committed to promoting equality and diversity across all areas of work. Discrimination or harassment of any kind is not tolerated.

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