



Legionella Management Policy

Policy

1.0 Background

- 1.1** Legionnaires' disease is a potentially fatal form of pneumonia which can affect anybody, but which principally affects those who are susceptible because of age, illness, immuno-suppression, smoking, etc. It is caused by the bacterium legionella pneumophila and related bacteria. Legionella bacteria can also cause less serious illnesses which are not fatal or permanently debilitating, such as Pontiac Fever or Lochgoilhead Fever. The collective term used to cover the group of diseases caused by legionella bacteria is legionellosis.
- 1.2** Legionnaires' disease was first identified following a large outbreak of pneumonia among people who attended an American Legion Convention in Philadelphia in 1976. It is normally contracted by inhaling legionella bacterium, either in tiny droplets of water (aerosols) or in droplet nuclei (the particles left after water has evaporated) contaminated with legionella, deep into the lungs. Person-to-person spread of the disease has not been documented – it is not considered to be infectious in that respect
- 1.3** Legionella bacteria are commonly encountered in environmental sources. They may eventually colonise in manufactured water systems and be found in cooling tower systems, hot and cold water systems and other plant, which are used or store water. To reduce the possibility of creating conditions in which the risk from exposure to Legionella bacteria is increased, it is important to control the risk by introducing measures which:
- a) Do not allow proliferation of the organisms in the water system;
 - b) Reduce, so far as is reasonably practicable, exposure to water droplets and aerosol.
- 1.4** Legionella bacteria can survive under a wide variety of environmental conditions and have been found in water at temperatures between 6°C and 60°C. Water temperatures in the range 20°C and 45°C seem to favour growth, although the organisms do not appear to multiply below 20°C and will not survive over 60°C. They may, however, remain dormant in cool water and multiply only when temperatures reach a suitable level.
- 1.5** Temperature may also have an impact in that Legionella bacteria held at 37°C have greater virulence than the same Legionella bacteria kept at temperatures below 25°C.
- 1.6** Legionella bacteria also require a supply of nutrients to multiply. Sources can include for example, commonly encountered organisms within the water system itself such as algae, amoebae and other bacteria. The presence of sediment, sludge, scale and other materials

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within the system, together with bio films are also thought to play an important role in harbouring and providing favourable conditions in which the Legionella bacteria may grow.

- 1.7** A bio film is a thin layer of micro-organism which may form slime on the surfaces in contact with water. Such bio films, sludge and scale can protect Legionella bacteria from temperatures and concentrations of biocide that would otherwise kill or inhibit these organisms if they were freely suspended in the water.
- 1.8** Not everyone exposed will develop symptoms of the disease. Those that do not develop the “full blown” disease may only have a mild flu-like infection. Infection with the bacteria can be and is, however, fatal in about 12% of reported cases. However the figure of 12% rises in cases where the population are more susceptible or have other underlying diseases; these include
- People over 45 years of age;
 - Men (appear to be more susceptible to women);
 - Smokers;
 - Alcoholics;
 - Diabetics;
 - People with cancer, chronic respiratory or kidney disease.
- 1.9** As Irwell Valley Homes (IVH) owns and manages a number of properties with communal water systems, a maintenance schedule outlining the arrangements for reducing risks is required.
- 1.10** IVH will appoint an approved competent contractor, who is a member of the Legionella Control Association (LCA), to carry out all routine visits to maintain water systems in line with the ACoP L8 and chlorinate water tanks, where necessary.

2.0 Introduction

- 2.1** This document brings IVH’s existing Safe Working Practices and Policy on control of Legionella bacteria in water systems into line with the requirements of the Control of Substances Hazardous to Health Regulations 2002.
- 2.2** In order to prevent unnecessary exposure to Legionella bacteria, IVH has produced this policy to protect tenants residing in IVH’s properties, persons occupying premises for the normal operation of their day to day activities, and those engaged in works of maintenance, repair and refurbishment.
- 2.3** This policy only covers the premises IVH owns, manages, controls or is responsible for.
- 2.4** This policy is based on a balanced approach that is deliverable and meets legal requirements.

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- 2.5 Within this Policy, we aim to not only meet our legal obligations, but also to incorporate best practice.
- 2.6 Whilst this policy is a standalone document, it must be read in conjunction with the Control of Legionella Management Plan.
- 2.7 IVH will ensure that all buildings which require a risk assessment are assessed, and that as far as is reasonably practicable, sufficient resources are made available.
- 2.8 All previous policy documents on the control of Legionella are now replaced by this document. All colleagues involved with maintenance or the provision of water systems, supervising such work, or issuing contracts for work, should fully familiarise themselves with the contents of this document.

3.0 Aims & Objectives

- 3.1 IVH treats the health and safety of tenants, staff, contractors and other users of its buildings with paramount importance. In meeting its health and safety duties, IVH will ensure that the risk of exposure to legionella bacteria is minimised as far as is reasonably practicable.
- 3.2 This Policy sets out IVH's responsibilities to comply with the relevant legislation and associated regulatory guidance associated with the Control of Legionella.
- 3.3 The purpose of this policy and its supporting documents is to:
 - Set out in a clear and precise manner IVH's policy on reducing the risk of legionella within all of its buildings;
 - Ensure there is an adequate and effective control of water systems throughout IVH's premises in order to minimise the risk of Legionnaire's Disease;
 - Ensure all relevant personnel are adequately trained in practices and procedures with respect to the control of legionella;
 - The policy has been developed to support IVH's employees in reducing this risk;
 - Provide clear lines of responsibilities for the control of Legionella in water systems;
 - Ensure the Control of Legionella Management Plan supports the delivery of this policy;
 - Provide a commitment to customers who are affected by water safety to communicate and raise awareness regarding key issues.

4.0 Scope

- 4.1 IVH acknowledges that legionella is a potential cause of ill health, and even death, in buildings and is committed to reducing the level of risk, to staff, tenants and visitors to a minimum.
- 4.2 Under general health and safety law it is necessary to consider the risk from legionella that may affect IVH tenants, employees, members of the public, or, any other persons using the buildings that IVH own and to ensure that all suitable precautions are taken.

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- 4.3 Day to day management of the risks posed resulting from the risk assessments, follow up on remedial work resulting from the risk assessments and the management of associated consultants appointed by IVH will be managed by the Compliance Manager in conjunction with relevant members of other teams as appropriate.
- 4.4 The policy relates to offices, general needs homes, supported housing, sheltered housing, extra care schemes, shops & commercial premises where relevant, other rented properties owned by IVH, communal areas, other rented properties managed by third parties unless other third parties are explicitly specified for statutory responsibility in the lease or management agreement
- 4.5 Where properties are managed on behalf of external property owners' statutory responsibility will be detailed in the terms of the management agreement.

Responsibility

5.0 Implementation and Monitoring

- 5.1 The Chief Executive is responsible for the effective implementation of this policy. To help comply with the legal requirements, the Duty Holder has identified a Competent Person who will be responsible for that management.
- 5.2 A competent person is someone with the necessary skills, knowledge and experience to manage health and safety, including the control measures.
- 5.3 The Competent Person is the Compliance Manager.
- 5.4 The Executive Director Growth, Development and Assets will monitor the application of the policy and ensure that it is consistently applied, provide advice for managers and all colleagues and will be responsible for administering, monitoring and reviewing the operation of the policy.
- 5.5 Managers are responsible for ensuring that colleagues, contractors, casual workers and other non-permanent colleagues working in the company are aware of the terms of the policy.
- 5.6 All colleagues are responsible for ensuring adherence to the policy and for reporting breaches of the policy to the Compliance Manager or the Head of Compliance, who will in turn report to the Health & Safety Manager. This includes any RIDDOR reportable incidents.
- 5.7 To comply with their legal duties, IVH's Duty Holder, in conjunction with the Competent Person, the Compliance Manager will take all reasonable steps and:
 - Ensure the Association has the necessary resources, skills, training and authority to ensure that the control of legionella is managed effectively;
 - Work towards 100% Compliance with relevant legislation;
 - Identify and assess sources of the risk of legionella bacteria in water systems;

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- Prepare procedures for preventing or controlling the risk;
- Implement, manage and monitor precautions;
- Keep up to date records of the precautions;
- Appoint a person to take managerial responsibility;
- Undertake risk assessments and reviews within the inspection programme timescales by persons who are competent, experienced and have been correctly trained to carry out these duties;
- Ensure that staff undertaking key roles within the delivery and management of the control of legionella will have access to training and support applicable to their roles;
- Prepare reports for Boards and Committees;
- Ensure that contractors used for the prevention of legionella are competent. Only those contractors registered with and licensed by the Legionella Control Association will be permitted to carry out work in IVH Properties.

5.8 All parties, staff and contractors are required to co-operate as far as is necessary to allow the Duty Holder to comply with the above requirements.

Performance Indicators/Targets/Standards

6.0 Review

6.1 This policy will be reviewed every two years – or more frequently if legislation changes.

6.2 It will be updated to reflect:

- Operational and Legislative Changes;
- Lessons learnt from experience;
- Feedback from employees.

6.3 Performance against compliance will be monitored by the Board.

Current Legislation

7.0 Legislation

7.1 In order to control the risk, this policy has been produced in accordance with the following:-

- ACOP L8 – The Control of Legionella Bacteria in Water Systems;
- HSG 274 – Part 2: The Control of Legionella Bacteria in Hot and Cold Water Systems;
- The Notification of Cooling Towers and Evaporative Condensers Regulations 1992;
- The Health & Safety at Work (HASW) Act 1974;
- The Management of the Health & Safety at Work Regulations 1999;

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- Workplace (Health, Safety and Welfare) Regulations 1992;
- Landlord and Tenant Act 1985;
- Control of Substances Hazardous to Health Regulations 2002 (COSHH);
- Construction (Design & Management) Regulations 2015;
- Regulator of Social Housing's Homes standard.

7.2 IVH does not accept responsibility for other plant and systems containing water which is likely to exceed 20°C and which may release a spray or aerosol during operation or maintenance unless they have been duly authorised by IVH.

7.3 Installation of spa baths, humidifiers, sprinkler taps, shower units installed by residents or their agents are the sole responsibility of the resident.

7.4 IVH must ensure that customers, residents, employees and visitors to all our premises, both individual homes and offices remain safe from the effects of legionella bacteria.

7.5 Failure to comply with the requirements may result in:-

- Prosecution by the Health & Safety Executive under the Health & Safety at Work Act 1974;
- Prosecution under Corporate Manslaughter and Corporate Homicide Act 2007;
- Serious detriment judgement from the Regulator of Social Housing, potentially resulting in a Governance Downgrade – possibly leading to a loss of confidence by stakeholders in IVH;
- Damage to the reputation of IVH.

Equality, Diversity and Inclusion Implications

8.1 IVH is committed to treating people with honesty, dignity & respect. This applies to colleagues, customers and committee members; all of whom undertake not to discriminate directly or indirectly or victimise because of race, gender, gender reassignment, disability, sexual orientation, age, marriage and civil partnership and religion or belief.

8.2 When implementing this policy and procedures we will ensure that we comply with The Equality Act (2010).

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- 9.1 IVH Control of Legionella Management Plan
- 9.2 Further information on Legionella & Legionnaires Disease can be found using this link:
<http://www.hse.gov.uk/legionnaires/>

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