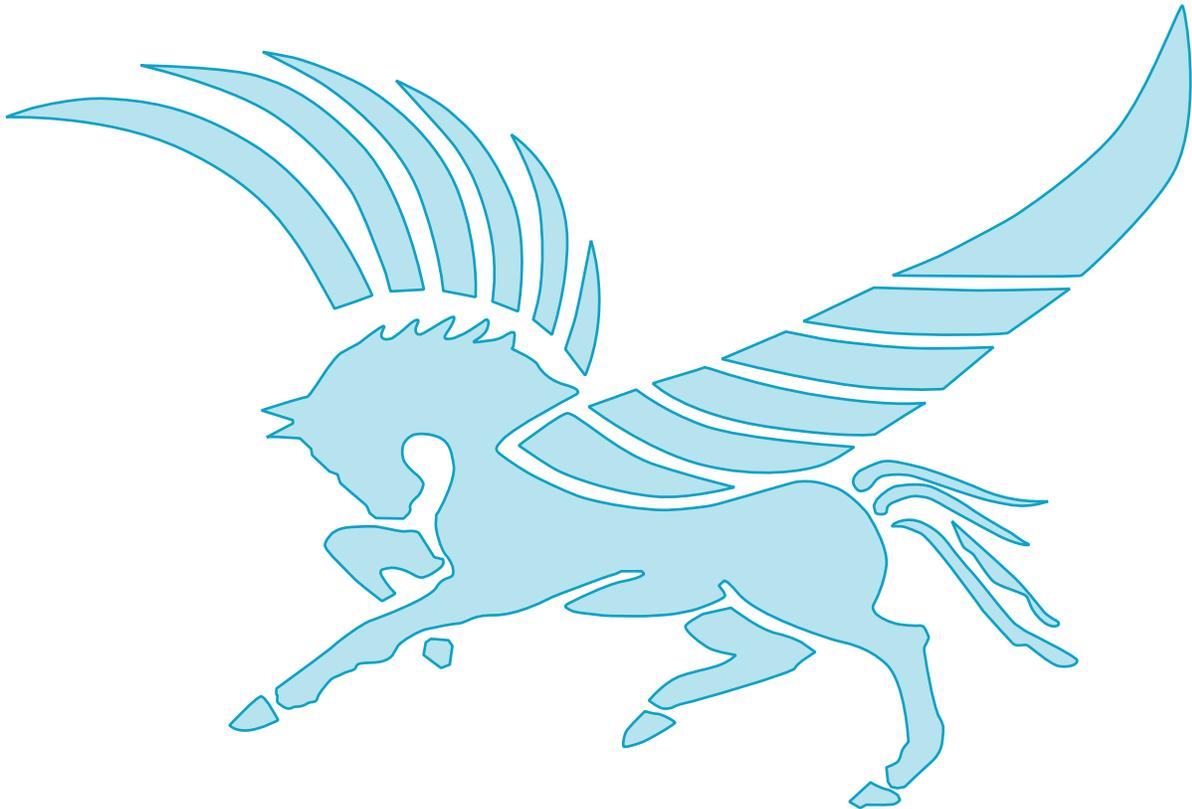


KINGSRIDGE CLEDDANS HOUSING ASSOCIATION

LEGIONELLA POLICY



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| Date of last Approval | February 2020 |
| Review Due | 21 February 2023 |
| APPROVED | 21 February 2023 |
| Next scheduled review date | 28 February 2026 |

1. INTRODUCTION

- 1.1 The Association has a duty of care as a Registered Social Landlord and Employer to ensure that our tenants/residents, visitors, and staff are protected from the risk of contracting Legionnaires disease from water supplies for which we are responsible.
- 1.2 The Policy sets out how the Association will manage Legionella in order to reduce the risk of exposure to tenants/residents and staff.

2. WHAT IS LEGIONAIRES DISEASE?

- 2.1 Legionnaires disease is a potentially fatal form of pneumonia, which can affect anyone, but those most at risk include those suffering from chronic respiratory or kidney disease, people whose immune system is impaired and those suffering from long term illness.
- 2.2 It is caused by the inhalation of small droplets of water from contaminated sources containing legionella bacteria.
- 2.3 Not everyone exposed to legionella bacteria becomes ill. Legionnaires disease is not contagious and cannot be contracted from drinking water.

3. THE LAW RELATING TO LEGIONELLA

- 3.1 The law is clear that as a landlord the Association have legal responsibilities to ensure the health and safety of our tenants by keeping the properties safe and free from health hazards.

- **Section 3(2) of the Health and Safety at Work Act 1974 (HSWA)** 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 general duties require under section 3(2) that "It shall be the duty of every self-employed person to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that he and other persons (not being his employees) who may be affected thereby are not thereby exposed to risks to their health or safety."

- Landlords, under **Section 53 of HSWA** are regarded as being self-employed and tenants fall into the class of "*other persons (not being his employees)*". If you rent out a property, you have legal responsibilities to ensure you conduct your undertaking in such a way that your tenant(s) are not exposed to health and safety risks.
- The **Control of Substances Hazardous to Health Regulations 2002 (COSHH)** provides 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. There has been no change to UK legislation.

- Since the **L8 Approved Code of Practice (3rd edition)** (ACOP) was published in 2001, there has been a requirement for landlords of both domestic and business premises to assess the risks from exposure to Legionella to their tenants.
- **L8 Approved Code of Practice** (ACOP) was revised and republished in November 2013 and retained the guidance on the requirements of HSWA and COSHH for employers AND those with responsibilities for the control of premises including landlords (L8 ACOP, paragraphs 1 and 2). It applies to the control of Legionella bacteria in any undertaking involving a work activity AND applies to premises controlled in connection with a trade, business or other undertaking where water is used or stored and there is a reasonably foreseeable risk of exposure to Legionella bacteria (L8 ACOP, paragraph 22).¹

4. WHERE IS LEGIONELLA FOUND?

- 4.1 All hot and cold water systems in residential properties can provide an environment where legionella can grow. The main areas of risk are where the bacteria can multiply and increase to dangerous levels and spread. Conditions perfect for bacterial growth are where water between 20c – 45c stagnates and where there is sludge, rust and scale present for the bacteria to feed and multiply.
- 4.2 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, where daily water usage is inevitable and sufficient to turn over the entire system.

5 RISK ASSESSMENT

- 5.1 The majority of our properties benefit from energy efficient combination boilers where hot and cold water is drawn directly from the mains supply. Daily water usage is sufficient to turn over the entire system and minimise the risk of legionella bacteria forming and multiplying.
- 5.2 We have cold water storage tanks in the loft spaces in tenement properties at 37 – 45 Lochgoil Avenue which have tight fitting lids to minimise the risk of water becoming contaminated. We also carry out annual testing of water samples from the tanks to check for legionella. This is also carried in our office and our 2 supported accommodation units.
- 5.3 When adaptation works are carried out in any properties, we install instantaneous electric showers which pose less of a risk as they are cold water fed and heat only small volumes of water during operation.

¹HSE <https://www.hse.gov.uk/legionnaires/legionella-landlords-responsibilities.htm>

- 5.4 Our plumbing contractor ensures that showers and taps in void properties are flushed out for 10 minutes prior to being re-let. Toilet(s) are also flushed with the lid down
- 5.5 Details of simple precautions that residents can take to minimise the risk of legionella is available on our website.
- 5.6 We are required by law to report any incidences of legionella to the Health and Safety Executive (HSE) in accordance with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).

6 POLICY REVIEW

- 6.1 This policy will be reviewed every 3 years unless amendment is required by a change in legislation.