

## Summary

Outlines our approach to manage our water systems to help reduce the risk from legionella and other bacteria.

Ensuring we meet our statutory and legislative obligations.

## Effective date

1 October 2024

## Review

We will review this Policy every 3 years or when there has been an update to legislative, regulatory, best practice or operational changes.

## Version

Version 1.1

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## 1 Scope

This policy covers:

- All council Housing Revenue Account (HRA) assets, including residential dwellings and sheltered schemes; other assets such as offices, garages community buildings and land where we have a repair and maintenance responsibility.

Any reference in this policy to, 'we', 'our' or 'us' refers to Portsmouth City Council, Local Authority Housing.

Any reference in this policy to 'tenant', 'customer' or 'resident' refers to Portsmouth City Council, Local Authority Housing tenant, leaseholder or shared owner.

## 2 Purpose

The purpose of this policy is to:

- Outline our approach to the management of water systems to help reduce the risk of residents being exposed to legionella and other bacteria
- Ensuring we meet our statutory and legislative obligations

## 3 Management of Legionella

Legionnaires' disease is a potentially fatal form of pneumonia. Everyone is susceptible to infection with some people being at a higher risk. Legionnaires' disease is contracted by inhaling small droplets of water (aerosols), suspended in the air, containing the bacteria.

The Chief Executive is the statutory Duty Holder, and the Responsible Person for Housing, Neighbourhood and Building Service is the Head of Compliance.

Specialist contractors who are members of the Legionella Control Association (LCA), will be appointed to carry out all legionella related inspections and works including:

- Carrying out legionella risk assessments (complete with schematics)
- Monitoring, flushing and cleaning (weekly, monthly etc.)
- Periodic sampling
- Remedial works and treatments
- Data collection and maintaining records

We will identify all water plant and systems which pose a potential risk of Legionella Bacteria exposure.

#### 4 Legionella risk assessment (LRA)

All buildings with communal water storage tanks, calorifiers and associated pipework shall have a current and compliant legionella risk assessment. Generally, no legionella risk assessments will be carried out to single residential properties with individual cold-water storage, hot water generation and associated pipe work unless there are exceptional circumstances.

Approved specialist legionella contractors who are registered with the Legionella Control Association (LCA) will carry out legionella risk assessments strictly in accordance with the requirements of Approved Code of Practice and Guidance L 8 and BS 8580:2019, these will include: -

- A site survey of the water system
- An asset register of all associated plant, pumps and other relevant items;
- Schematic diagram of the layout of the water system and associated plant
- A risk rating for the management and the systems
- A site-specific recommended monitoring, cleaning and inspection programme
- Required remedial actions to reduce and manage the risk

A timely provision for a review of legionella risk assessments will be at a maximum interval of two years, with additional reviews in the following circumstances:

- Significant changes in legislation and guidance
- Significant alterations to any water system(s)
- Significant changes in building population or use
- Failure of the control programme or a suspected case of legionella

#### 5 Removing and reducing risks

Wherever reasonably practical, we will remove the potential source of contamination. When legionella risk assessments identify required measures to remove or reduce risks they will be reviewed and carried out in a timely manner as responsive repairs or as part of a planned improvement programme as appropriate.

We will eliminate or minimise exposure risks where reasonably practical by the procurement of plant, equipment and systems which have been designed to prevent or minimise the risks of exposure to legionella bacteria.

New development schemes and major refurbishment projects will be subjected to a design review at the design stage as a desk top exercise examining, design drawings, specifications, employer's requirements, component manufacturer's guidance and the like, to confirm that the water installation proposals meet with current legionella regulations, Approved Code of Practice L 8 and best practice and to draw attention to any potential future maintenance issues.

## 6 Controlling risks

Where it is not reasonably practical to remove risks then a written scheme for controlling measures will be prepared by the specialist legionella contractor, reviewed, implemented and managed by the Water Hygiene Engineer.

The control regime will include as appropriate: -

- Good design – for avoidance of water stagnation including removal of pipework that is no longer in use or become isolated from the main flow, referenced as dead legs
- Good design - avoiding use of materials in the water system that may harbour and encourage growth of bacteria or other nutrients
- Temperature control, monitoring, inspection and flushing
- Correct and safe operation of equipment and plant including maintenance requirements and frequencies
- Testing of water quality as required

To ensure control measures implemented remain effective, the condition and performance of the system will be monitored; the frequency and extent of the routine monitoring will depend upon the operating characteristics of the system.

When legionella sampling is undertaken, the samples are to be analysed at a laboratory accredited by the United Kingdom Accreditation Service (UKAS) in accordance with the Approved Code of Practice L 8. The samples are to be taken in accordance with BS 7592.

Audits will be implemented as a further control to ensure that this policy, operating procedures and the services provided by the specialist legionella contractors are compliant.

We will ensure inspection and monitoring activities are undertaken including weekly flushing of infrequently used outlets at staffed sites and monthly temperature checks of calorifier flow and return, sentinel and communal outlets by a specialist contractor. There will be quarterly clean, descale and sterilise shower heads.

We consider the risks from hot and cold-water systems in most domestic properties with no shared water system to be low as they have regular water usage and turnover. However, in void properties we will conduct an inspection of the water storage and distribution system and resolve any issues prior to handover. We will flush all outlets weekly for at least five minutes and not more than seven days prior to occupation.

## 7 Record keeping

We will ensure that appropriate records are kept. All records will be securely held and legionella risk assessments and written schemes will be retained throughout

the period they remain current (maximum of two years) and for a minimum two years after that period.

The results of monitoring, inspections, tests, checks, temperatures and works undertaken, will be recorded and will be retained for at least five years.

## **8 Training for staff**

The Responsible Person, the Head of Compliance Officer, together with the Water Hygiene Manager and other relevant roles managing legionella will be provided with regular training so that they are properly updated on changes in legislation and best practice in the management and control of legionella in water services.

We will ensure suitable and sufficient training, including legionella awareness training, has been completed by staff identified. We will maintain records of all legionella training of both our staff and contractors' staff.

## **9 Water Hygiene Safety Panel**

The panel will be chaired by Head of Compliance and include appropriate Heads of Service from Buildings and Housing together with appropriate representation from the Water Hygiene Engineer and other directorates as appropriate. The panel will meet quarterly.

The panel will coordinate and communicate water safety across all Housing, Neighbourhood and Building teams to ensure risks are managed consistently and are appropriately resourced, complying with all legislation and providing appropriate information to residents, staff and contractors.

The panel will have oversight of the process, changes to the legislation and effectiveness of the Water Hygiene policy, updating and implementing changes as appropriate.

The panel will undertake the following:

- Review legionella risk assessments and water testing performance including any remedial actions
- Review training provided to staff
- Be informed of all water safety incidents, investigate and review any learning to inform any changes required to processes, policies or communication to residents

## 10 Your responsibility

You should regularly clean and disinfect showerheads as well as inform us if the hot water is not heating properly or there are any other problems with the water systems.

## 11 Your voice

We provide tenants a wide range of meaningful opportunities to influence and scrutinise the Landlord Strategies, policies and services including the Resident Consortium together with repairs and maintenance focus groups.

If you would like to be included in future resident engagement focus groups and would like to know how to get involved, please contact us for more information:

You can contact our team by:

- Email: [housing.engagement@portsmouthcc.gov.uk](mailto:housing.engagement@portsmouthcc.gov.uk)
- Phone: 02392 834835
- Website: <https://www.portsmouth.gov.uk/.../resident-engagement/>

## 12 What have we done to make sure this Policy is fair?

We completed an Integrated Impact Assessment (IIA) to consider the positive and negative impacts this Policy may have on people with protected characteristics under the Equality Act 2010. This Policy should have direct and positive equality and diversity impacts.

## 13 Regulation and legislation

We recognise the vast amount of legislation, and we will continue to monitor relevant legal guidance. The list below reflects some of the existing legal framework and relevant publications:

- Health and Safety at Work etc. Act, 1974
- The Management of Health and Safety at Work Regulations 1999
- The Control of Substances Hazardous to Health Regulations 2002
- L8 - 'Legionnaires' disease: The control of legionella bacteria in water systems' (4th edition 2013)

## 14 Related documents

This policy should be read in conjunction with:

- Local Authority Housing Landlord Policies, Strategies and Reports - [Housing policies, strategies and privacy notices - Portsmouth City Council](#)
- Tenancy Agreement / Leasehold Agreement

- Asset Management Strategy

## 15 How to feedback

If you have any questions around the policy or would like to know more about its application, please contact the relevant service in the first instance.

You can get this policy in large print, Braille, audio or in another language by contacting your Housing Office.

### Compliments:

To help us provide the best service we can. We would like to hear customer views on the services that they use. If the customer is pleased with a member of staff or service, please let us know.

- Telephone: 02392 606383
- Email address: [HNBLandlordComplaints@portsmouthcc.gov.uk](mailto:HNBLandlordComplaints@portsmouthcc.gov.uk)

### Complaints:

If a customer is unhappy, they can refer to our LAH (Local Authority Housing) Landlord Complaints Policy.

- Online complaint form at [Make a housing complaint - Portsmouth City Council](#)
- Telephone: 02392 606383
- Email address: [HNBLandlordComplaints@portsmouthcc.gov.uk](mailto:HNBLandlordComplaints@portsmouthcc.gov.uk)
- [Landlord-Complaints-Policy-accessible.pdf \(portsmouth.gov.uk\)](#)

### Housing Ombudsman Service

If a customer is unhappy, they can contact the Housing Ombudsman Service for advice and guidance at any time.

- Online complaint form at [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)
- Telephone 0300 111 3000
- [Housing Ombudsman's Complaint Handling Code](#)