

Legionella Policy and Procedures

Linthouse Housing Association	
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Section 1: Introduction

1.1 Legionella Policy Statement

- 1.1.1 Linthouse Housing Association recognises it has a duty under the Health and Safety at Work etc. Act 1974, as supported by associated legislation, to ensure, so far as is reasonably practicable, the health, safety and welfare of its employees, tenants, contractors, the general public and others who may be affected by its undertakings.
- 1.1.2 It is also recognised that the management of Legionella related risk falls within the organisation's general responsibilities set out in point 1.1.1, above.
- 1.1.3 To this end, Linthouse Housing Association, will comply with the Legionella management duties defined and implied in the Control of Substances Hazardous to Health (COSHH) Regulations 2002, as amended, The control of legionella bacteria in water systems, Approved Code of Practice and Guidance (L8) and Scottish Water Bylaws 2004.
- 1.1.4 To achieve legal compliance and best practice in terms of Legionella Risk Control, this Policy Statement will be supported by the organisation's Legionella Policy and Procedures, which define roles and responsibilities and operational procedures relating specifically to Legionella risk management.
- 1.1.5 Procedures have been developed to allow a systematic approach in assessing the risks while developing controls to eliminate those risks identified or to control them so far as is reasonably practicable. Emergency procedures have been designed to provide a controlled sequence of actions required by those persons identified with responsibilities, aimed at containing any suspected outbreak, preventing its spread, providing health monitoring and rectifying systems (see section 8.3). The maintenance of records identifying all relevant water systems together with schematics, routine inspections and tests, maintenance, faults, repairs and test certification is also documented.
- 1.1.6 The organisation will make available all reasonable resources to implement the policy and to reduce Legionella risk to an acceptable level.
- 1.1.7 The organisation will make available all reasonable resources to adequately assess Legionella related risks and to implement and maintain any inspection, testing and monitoring programmes identified by the assessment process.
- 1.1.8 The policy will be communicated to all employees and appropriate contractors, with relevant employees being provided with suitable and sufficient information, instruction and training to adequately discharge their roles and responsibilities.

1.2 Scope

1.2.1 The organisation operates a Health & Safety Management System, which comprises a broad range of documented policies, procedures and arrangements for the effective control of risks to the health, safety and welfare of employees and others who may be affected by the organisation's undertakings.

1.2.2 This document forms part of the overall Management System and sets out the organisation's specific arrangements for the management of Legionella.

1.2.3 The Legionella policy and procedures have been designed to ensure adequate risk management in the following principal types of premises operated/owned by the organisation:

1. Commercial premises & Special Lets (e.g. HMO's)
2. Domestic housing stock (including mixed tenure)

1.3 Equality and Diversity

1.3.1 Equality and diversity reflect the core values of LHA and we strive to ensure that they are embedded throughout all of our services, policies and decision making. We are committed to promoting an inclusive and diverse culture that treats every individual with dignity, respect and fairness. We will actively challenge discrimination and empower people to succeed.

1.3.2 If you require further information, please refer to our Equality and Diversity Policy.

1.4 Our Mission

1.4.1 The Legionella Policy forms part of our mission to:

“Deliver high quality and cost-effective housing services designed to meet the needs of existing and future customers. To work in partnership with others to create thriving communities that people want to live and work in.”

1.5 Our Vision and Values

1.5.1 Our vision is the creation and sustainment of lasting, unique, vibrant homes in stable, popular and ambitious urban communities. Our vision is underpinned by four core values which we apply to all areas of our business. These are to be:

- i. Customer Driven**
- ii. Honest**
- iii. Accountable**
- iv. Transparent**

1.6 Our Organisational Culture

1.6.1 Our **C.H.A.T** values as outlined, form the foundation of our **Listen, Hear, Act (L.H.A)** customer excellence and organisational culture programme. All staff receive training at induction on customer service standards and the organisational culture we promote. This includes reference to our Equality and Diversity Policy and a requirement to treat colleagues, tenants, contractors, service users and any other stakeholders with dignity and respect.

1.6.2 The organisational culture we promote is based on finding solutions to suit customer needs regardless of individual differences.

- 1. Listen** - We are committed to listening to those we do business with, be that our customers, staff, stakeholders, regulators or funders, to ensure that our responses are reflective of what people are saying to us.
- 2. Hear** - Once we listen and understand the need/demand/offer that is presented, we will ensure that we fully understand what is being said.
- 3. Act** - Whilst we will think about what we do, we want to be known for acting swiftly to deliver solutions and for always keeping our promises.

Section 2: The Legal Framework

2.1 Health and Safety at Work Etc. Act 1974: General Duty on Employers

2.1.1 The Health and Safety at Work Etc. Act 1974 imposes a general duty on employers to ensure the health, safety and welfare of their employees at work, so far as reasonably practical. This statutory duty is also applicable to others who may be affected by the employer's undertakings (i.e. work activity), such as contractors, tenants, neighbours, visitors and members of the wider general public.

2.2 Management of Health and Safety at Work Regulations 1999: Risk Assessments

2.2.1 The Management of Health and Safety at Work Regulations 1999 reinforce the Health and Safety at Work Etc. Act 1974 and expand the general duties contained in the latter. Regulation 3 of the Management of Health and Safety at Work Regulations 1999 places a duty on employers to undertake general risk assessments in order to protect persons who may be affected by their work activities.

2.2.2 Employers must undertake an assessment of all risks to health and safety arising from their work activity. The aim of such assessments is to establish an effective system of preventative and protective measures. Regulation 5 also imposes a statutory duty on employers to make arrangements to cover the effective planning, organisation, control, monitoring and review of health and safety.

2.3 Other Applicable Legislation

2.3.1 The key pieces of legislation in Scotland, regarding compliance with the Legionella related duties, are defined and implied in the Control of Substances Hazardous to Health Regulations 2002, as amended, The control of legionella bacteria in water systems, Approved Code of Practice and Guidance (L8) and Scottish Water Bylaws 2004.

The Association is committed to ensuring that Legionella standards and practices comply with the current outcomes set by the Scottish Social Housing Regulator:

“Registered Social Landlords must meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes and comply with the Healthy, Safe and Secure elements of the Scottish Housing Quality Standard.”

2.4 Housing (Scotland) Act 1987 (Tolerable Standard)

2.4.1 The Association recognises its duty to provide quality housing that meets the required Tolerable Standard, as part of the Scottish Housing Quality Standard (SHQS), specifically Element 4: Wholesome Water Supply.

Section 3: Definitions & References

3.1 Background

3.1.1 Up to 5000 people in the UK suffer from Legionellosis, of which 600 die each year¹. Legionellosis is any disease caused by exposure to Legionella bacteria. The two main illnesses are;

- Legionnaires disease – potentially fatal
- Pontiac Fever – an upper respiratory illness, less severe than Legionnaires disease

3.2 The agent that causes this disease is a bacterium called Legionella Pneumophila. The diseases are mainly contracted through the inhalation of an aerosol or droplet which contains the Legionella bacterium. A second (but very rare) route is that of liquid entering the lungs via the trachea or windpipe with the Legionella bacterium present; however, there have only ever been 28 confirmed deaths of this method in the world.

3.3 Groups of people at higher risk of contracting the diseases include people over the age of 50, males, smokers and/or heavy drinkers and people who are immunosuppressed or chronically ill. Despite males being more susceptible, fatality rates between male and female are even.

3.4 Legionella bacteria are common in natural watercourses such as rivers and ponds. Since Legionella are widespread in the environment, they may contaminate and grow in other water systems such as hot and cold-water services. They survive in low temperatures and thrive at temperatures between 20-45°C if the conditions are right, e.g. if a supply of nutrients is present such as rust, sludge, scale, algae and other bacteria. They are killed by high temperatures.

3.5 Certain conditions increase the risk of Legionella multiplying within water systems, including;

- a suitable temperature for growth, 20 to 45°C;
- a source of nutrients for the organism, e.g. sludge, scale, rust, algae, and other organic material;
- and, a way of creating and spreading breathable droplets, e.g. the aerosol produced by a water spray (e.g. showers).

¹ Source, Institution of Occupational Safety and Health (IOSH)

3.6 Most people exposed to Legionella do not become ill, and Legionnaires' disease does not spread from person to person. Some key points of the disease include:

- Incubation period; 2 – 10 days
- Disease can be diagnosed (although it can be difficult) by;
- severe pneumonia, dry cough, diarrhoea, vomiting, breathing difficulty, high fever, chills
- headache, some become confused/delirious
- Fatality rate about 12%
- The disease can be treated effectively by antibiotics

3.7 In developing this policy and procedures, cognisance was taken of the legislative requirements and good practice set out in the following documents:

- Health and Safety at Work Act etc. 1974;
- Management of Health and Safety at Work Regulations 1999;
- Control of Substances Hazardous to Health Regulations 2002;
- L8 Legionnaires' Disease - The control of Legionella bacteria in water systems, Approved Code of Practice and Guidance;
- IAC27(rev2) Legionnaires' Disease – A Guide for Employers.

Section 4: Duty to Manage the Risk

- 4.1 Linthouse Housing Association will consider the risks from Legionella that may affect its employees, tenants, contractors and members of the public, and take suitable precautions to remove/reduce those risks. As an employer or a person in control of the premises (e.g. a landlord), we will:
- identify and assess sources of risk;
 - prepare a scheme (or course of action) for preventing or controlling the risk;
 - implement and manage the scheme – appointing a person to be managerially responsible, sometimes referred to as the ‘responsible person’;
 - keep records and check that what has been done is effective.
- 4.2 The organisation has appointed a ‘responsible person’ to take responsibility for managing the control scheme that has been put in place. The ‘responsible person’ is ‘competent’ – that is, they have sufficient knowledge and experience to enable them to manage and control the scheme effectively.
- 4.3 Where the organisation employs contractors to carry out water treatment or other work, it is still the responsibility of the organisation to ensure that the works are carried out to the required standards. A minimum of a 10% post inspection check will be carried out, by the Asset Team, for Legionella remedial works, in addition to photographic/written evidence that the work has been carried out satisfactorily.
- 4.4 The significant findings of risk assessments, together with the control scheme, monitoring arrangements and the results of inspections and monitoring will be recorded. The results of routine monitoring will be kept for a minimum of five years.
- 4.5 Anyone who is involved in the supply of water systems and their components (e.g. designers, manufacturers, water treatment companies and suppliers) must ensure that such equipment is designed and made in such a way that it is safe to use and that it can be easily cleaned and maintained. They should provide information on what risks might be present and how the system can be operated and maintained safely.

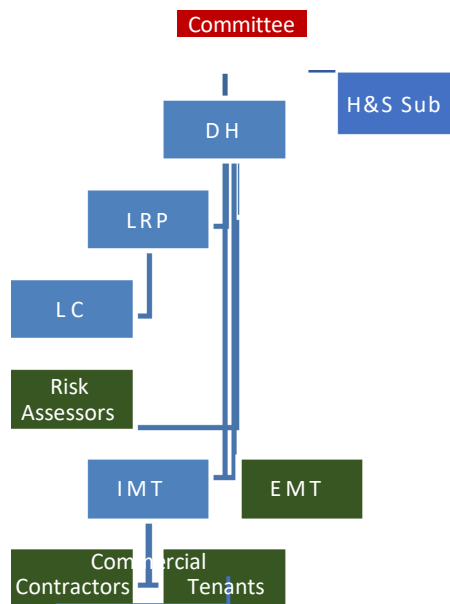
- 4.6 Products or services, for example, for water treatment, must be effective at controlling Legionella and be safe to use. Contractors are required to inform the organisation if they find any problems which could pose a significant risk of Legionella exposure.
- 4.7 Cases of Legionellosis in employees who have worked on water systems that are likely to be contaminated with Legionella must be reported to the HSE² under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.
- 4.8 Local Authorities have their own responsibilities and special plans for dealing with major outbreaks of Legionellosis. These are usually investigated by an Outbreak Control Team whose purpose is to protect public health and prevent further infection.

² Health and Safety Executive

Section 5: Organisation Roles and Responsibilities

5.1 Legionella Organisation Chart

5.1.1 The following chart summarises Linthouse structure which facilitates a cascading of responsibilities down through the management chain to ensure those with the most appropriate daily operational functions can manage, supervise and physically carry out Legionella related control measures as appropriate. The subsequent sub-sections provide further detail on these roles and responsibilities. Section 8 details the actual procedures and tasks for which identified personnel are responsible and should, therefore, be read in conjunction with Section 5.



Roles

Asbestos Role (see chart)	Job Title (<i>i.e. person(s) role performed by</i>)	R&R Section
Management Committee (inc. H&S Sub)	All Committee Members	5.2
Duty Holder	Chief Executive Officer	5.3
Legionella Responsible Person	Technical Services Manager	5.4
Legionella Co-ordinator	Asset Manager	5.5
Internal Monitoring Team	Asset Management Assistant and Caretaker	5.6
External Monitoring Team (Contractors)	Third-party (H2o)	5.7
Risk Assessors	Third-party (H2o)	5.8
Commercial Tenants	n/a	5.9

5.2 Management Committee

- 5.2.1 The Management Committee is collectively responsible for providing leadership and direction on Health & Safety and, with particular relevance to Legionella risk management, will ratify and endorse the Legionella Policy and Procedures.
- 5.2.2 The Management Committee will give due consideration and will make available all reasonable funding and support as may be required, to reports received from the Duty Holder or Legionella Responsible Person (LRP) concerning Legionella risk management and/or compliance with the Legionella Management System.
- 5.2.3 The H&S Sub-Committee will review the findings of all internal and external audits and any investigations into reported Legionella failures and will authorise the use of all reasonable support required to rectify any significant non-compliances. A Report outlining the above will be presented by the LRP to the Sub-Committee on a bi-annual basis, identifying progress against any outstanding actions from the Legionella Risk Assessments. A summary of the detailed findings will also be presented to the Management Committee, on a bi-annual basis.

5.3 Duty Holder/Chief Executive Officer (DH)

- 5.3.1 The DH holds ultimate accountability and responsibility for the development and implementation of an effective Legionella Management System and Control Regime.
- 5.3.2 The DH has appointed the Technical Manager as the competent Responsible Person (LRP) to manage the Legionella programme under the responsibilities set out in 5.4.
- 5.3.3 The DH has made available all reasonable resources to the LRP for the undertaking of his duties under this policy. The DH will also make available reasonable resources to allow all others in the management chain to comply with their own defined responsibilities.
- 5.3.4 The DH ensures that adequate lines of communication with the LRP and will take all reasonable steps to comply with all reasonable requests and issues raised by the LRP.
- 5.3.5 The DH takes reasonable steps to deal with Legionella related emergencies, uncontrolled risks and required actions brought to his/her attention.

5.4 Legionella Responsible Person (LRP)

- 5.4.1 The LRP holds day-to-day responsibility for the implementation of the Legionella Management System and Control Regime.

- 5.4.2 The LRP is responsible for the Legionella Risk Assessment programme and its review as appropriate.
- 5.4.3 The LRP is responsible for maintaining adequate and appropriate communication with the DH and for requesting resources as necessary for the implementation of the system throughout the management chain.
- 5.4.4 The LRP is responsible for ensuring the appropriate level of competence and resources exist throughout the management chain to ensure proper implementation of the system, (see section 6.2).
- 5.4.5 The LRP is responsible for ensuring Legionella risks are taken into account and adequately assessed for all new builds, property purchases and refurbishment programmes.
- 5.4.6 The LRP is responsible for ensuring timely audits and reviews of the Legionella Management System.
- 5.4.7 The LRP is responsible for the investigation and action in relation to any suspected Legionella outbreak, emergency situation, complaint or issues raised through the M&I programmes (both internal and third-party) and for bringing the situation to the attention of the DH as soon as is reasonably practicable.
- 5.4.8 The LRP is responsible for monitoring the implementation of the third-party M&I programme (i.e. carried out by the contractor) and for reporting any non-conformances or issues raised by the programme to the DH as soon as is reasonably practicable
- 5.4.9 The LRP is responsible for ensuring Tenants' Duties in respect of any special or commercial lets are properly incorporated into the tenancy agreements.
- 5.4.10 The LC is responsible for delivering the internal M&I programme.
- ## 5.5 Legionella Co-ordinator (LC)
- 5.5.1 The LC provides on-site and practical support to the LRP to deliver the policy and procedures as required.
- 5.5.2 The LC is responsible for the maintenance of a suitable Asset Register, schematics and premises specific M&I programmes.
- 5.5.3 The LC is responsible for the appointment and control of the Water Systems contractors undertaking the third-party M&I programme and any maintenance, cleaning, etc.
- 5.5.4 The LC is responsible for reporting any non-conformances or issues raised by the internal/external M&I programmes to the LRP as soon as is reasonably practicable.

5.6 Internal Inspection & Monitoring Team (IMT)

5.6.1 The IMT is responsible for undertaking and reporting the internal Monitoring & Inspection (M&I) tasks, as defined in Site-Specific Logbooks or Risk Assessments.

5.6.2 The IMT will be responsible for reporting any non-conformances or issues raised by the internal M&I programmes to the LC as soon as is reasonably practicable.

5.7 External Inspection and Monitoring Team (EMT) (External Specialist Contractors)

5.7.1 A competent external contractor has been appointed to carry out Legionella Preventative Monitoring and Water Hygiene Services. Contracted works include Legionella sampling, tank inspections, TVC sampling, tank disinfection and other associated services throughout their property portfolio.

The current external contractor is:

H2O Legionella Control Services
Caledonia House
Evanton Drive
Thornliebank Industrial Estate
Glasgow
G46 8JT

5.7.2 The contractor is required to provide and report services in strict accordance with the specification defined in a formal Tendering Process.

5.7.3 The contractor is required to report any non-conformances or issues raised by the internal M&I programmes to the LRP/LC as soon as is reasonably practicable and in accordance with the contract specification and escalation procedure.

5.8 Risk Assessors (External Consultants)

5.8.1 Competent external consultants have been appointed to carry out and report Legionella Risk Assessments and Reviews, including cold water storage tank inspections.

The current competent external consultants are:

H2O Legionella Control Services
Caledonia House

Evanton Drive
Thornliebank Industrial Estate
Glasgow
G46 8JT

5.8.2 The Risk Assessment consultants are required to report their findings in a format which is easily understandable and acceptable to the LRP/LC.

5.9 Commercial & Special Lets – Tenants’ Responsibilities

5.9.1 Each new tenancy agreement, following approval of this Policy, will include the following clause:

“The Tenant shall comply at their own cost in all respects with the requirements of the title deeds and all Acts, Bye-laws, Statutory Rules, Orders and Regulations whether parliamentary, local or parochial passed or to be passed applicable to the Premises or to the Tenant use of the Premises including without prejudice thereto with the terms of the Town and Country Planning (Scotland) Act 1997 and the Planning etc (Scotland) Act 2006, the Offices, Shops and Railway Premises Act 1963, the Building Standards (Scotland) (Consolidation) Regulations 1971 to 1975, the Fire (Scotland) Act 2005 and the Fire (Safety) Scotland Regulations 2006, all Health and Safety at Work Regulations and Police Regulations and, where applicable, the Food and Drugs (Scotland) Act 1956, and any legislation amending or altering the same.”

5.9.2 Each tenant will be obliged to ‘adopt’ the Linthouse HA site-based monitoring procedures, where there is a potential Legionella risk.

5.9.3 Where appropriate, Commercial and Special Let’s will be subject to the monitoring and inspection regime contracted out by Linthouse HA to an external specialist contractor.

Section 6: Competence – Information, Instruction & Training

- 6.1 Linthouse Housing Association recognised that relevant Legionella Approved Code of Practice (ACOP's) and Guidance (in particular, L8) define specific roles and responsibilities, and these have been incorporated into this policy document. Appropriate information, instruction and training will be provided to ensure adequate competence exists throughout the management chain to deliver these roles.
- 6.2 The following table defines the training matrix applicable to all personnel involved in the Legionella Management System. Management personnel will be responsible for ensuring all relevant personnel are provided with the appropriate training and records will be maintained of all training provided.

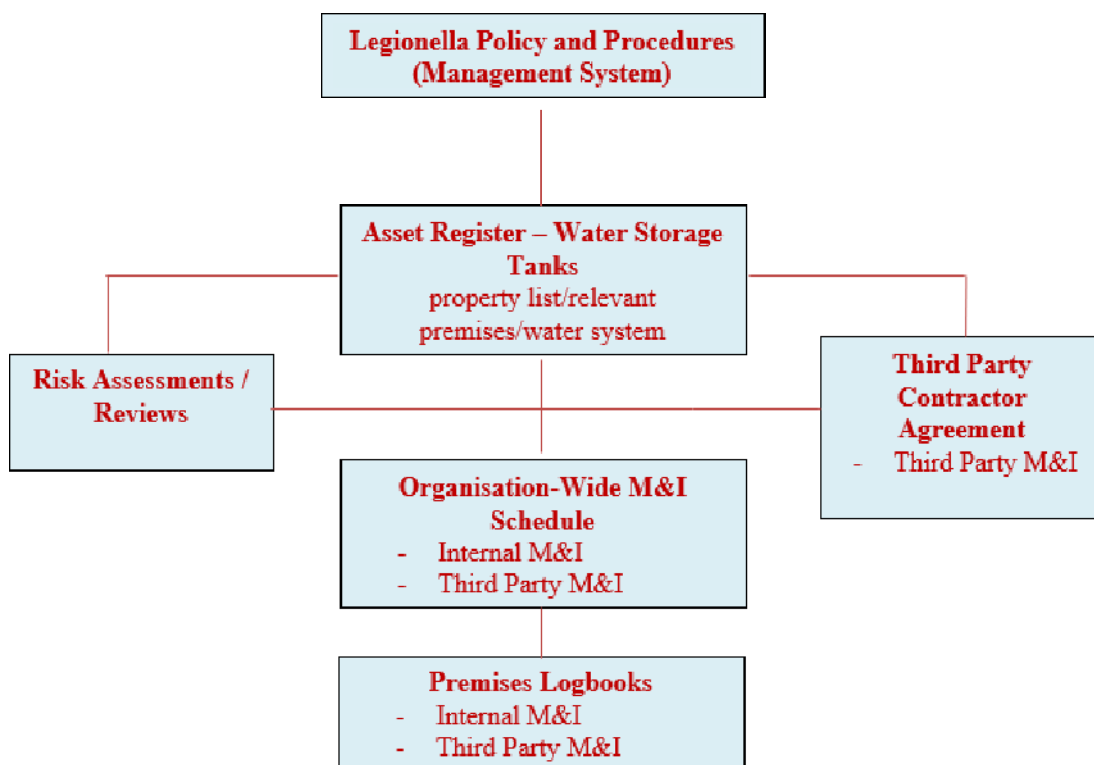
Training	DH	LRP	LC	IMT
Legionella Awareness (e.g. e-learning)	✓	✓	✓	✓
Induction on Legionella policy, procedures, M&I	✓	✓	✓	✓
Training on Specific Roles & Responsibilities	✓	✓	✓	✓
Legionella for Managers (e.g. e-learning)		✓	✓	
Accredited Legionella Management		Best Practice		

Section 7: Document Control

7.1 The Legionella Management System relies upon the maintenance of a range of documentation, for which the LRP is responsible. The following summarises the principal components of the system:

- Policy & Procedures Document;
- Risk Assessments;
- Asset Register (premises-specific) – incorporating property list / relevant premises / water system assets / schematics;
- Internal Monitoring & Inspection Regime / M&I Logbook (premises-specific);
- External Contractor's Contract Agreement / M&I recording system;
- Training Records;
- Incident Records.

7.2 The following flowchart summarises the interaction of the principal documentation associated with the system.



Section 8: Legionella Procedures

The following procedures have been prepared to ensure compliance with the organisation's Legionella Policy and the defined Roles and Responsibilities of key personnel. As such, these procedures should be treated as the organisation 'policy' and any deviation will not be permitted without the express permission of the DH or LRP.

- 8.1 Risk Assessment
- 8.2 Assets and Asset Register
- 8.3 Emergency Procedures, Infection Levels and Actions
- 8.4 Monitoring & Inspection (M&I) / Legionella Control Logbooks
- 8.5 Contractors Procedures
- 8.6 Cleaning and Maintenance
- 8.7 Audit and Review
- 8.8 Void Property Actions
- 8.9 New Developments, Property Purchases and Refurbishments

8.1 Risk Assessment

8.1.1 The Legionella Risk Assessment programme is considered to be the cornerstone of the Legionella Management System. The programme will cover all water systems where stored water or other high-risk situation is present and will be designed by both the LRP and the risk assessment consultancy company. The annual renewal date's for Risk Assessments are recorded on the Asset Register (Water Storage Tanks).

8.1.2 The Organisational Risk Assessment programme for housing stock will be conducted annually and included the following:

- i. Storage of cold water;
 - a. Coldwater temperature testing;
 - b. Where cold water is stored, the inspection, maintenance and disinfection of the cold-water storage tanks;
- ii. Storage of hot water;
 - a. Hot water temperature testing;
 - b. Where hot water is stored, the inspection, maintenance and disinfection of the hot water tanks;

- iii. Vulnerable tenants. (Where known and applicable) – shower head disinfection and flush tests will be offered to vulnerable tenants who may be at risk, where we know there is a need.

8.1.3 Where a dedicated Risk Assessment (and reviews thereof) has been identified to be conducted they will include the following components:

- i. Formal identification of the potential for Legionella bacteria to be present.
- ii. An assessment of the water temperatures and the potential for proliferation of the bacteria.
- iii. An assessment of the cleanliness of the water with respect to sources of nutrients for bacteria, biofilm, dirt etc.
- iv. An assessment of the potential for the generation of inhalable water particles either in tiny droplets of water (aerosols), or in droplet nuclei (the particles left after the water has evaporated) contaminated with legionella, deep into the lungs.
- v. Identification of any high-risk groups of individuals that could be exposed (where known).
- vi. An overall risk rating using the ratings High/Medium/Low.
- vii. An improvement plan to reduce the risks to acceptable levels.
- viii. A programme of work to ensure that the residual risk level is maintained.

8.1.4 The LRP will review all Risk Assessments and Reviews and consider the risk ratings and implications of same. Where appropriate, advice will be sought from the consultancy undertaking the assessments or reviews.

8.1.5 The LRP will assess the current M&I programme against the findings of the Risk Assessment or Review and amend the programme where appropriate. This may require the involvement of the Risk Assessment consultant and/or the third-party contractor undertaking the external M&I.

8.1.6 The Risk Assessment programme will be formally reviewed where there is any substantive change in the water systems and, in any case, at least every 24 months.

8.1.7 The LRP will arrange for additional Risk Assessments to be carried out where new properties are built or purchased and where major refurbishments are carried out to existing stock which involves the water systems.

8.1.8 The LRP will inform the DH as soon as is reasonably practicable where any Risk Assessment or Review identifies a significant risk of Legionella or where existing systems are not being properly implemented.

8.2 Assets and Asset Register

8.2.1 The relevant premises in respect of Legionella risk would generally relate only to the premises with 'stored water'. However, the organisation recognises the potential risks associated with ALL premises, particularly where they become void and water may lie undisturbed in the pipework. Therefore, the organisation considers ALL premises as relevant for the purposes of Legionella management and the Asset Register (organisational risk assessment) will reflect this policy.

8.2.3 The LRP will maintain an Asset Register of all premises, including an asset list of water system assets and a schematic of the water system where available.

8.3 Emergency Procedures, Action Levels and Actions

8.3.1 The LRP and LC have key roles in monitoring the results of the risk assessments, reviews and M&I programmes.

8.3.2 The organisation recognises the importance of identifying early warning signs of failures in the system and, to this end, the LRP will take the appropriate action without delay where non-conformances or suspect results are highlighted in the M&I programme. The LRP will inform the DH in any event of potential system failure or risk to health.

8.3.3 A three-level system of 'Action Levels' is used to identify potential failings in the systems. This information will normally be identified by the third-party M&I, although all personnel involved in the Legionella management system is aware of the signs of each Action Level.

8.3.4 Action Levels and Corresponding Actions:

ACTION LEVEL 1

The following criteria denote that an Action Level 1 issue has arisen:

- i. Anaerobic count of 10 and up to 10,000 cfu/ml.³
- ii. Where the water temperatures are occurring outside the design parameters and these fall within the temperature range of 20-45 degrees centigrade.
- iii. Where a control procedure is demonstrably failing.

Actions Required:

³ cfu/ml – colony forming units/millilitre

1. The LC will immediately investigate the possible causes and potential failures that may have led to the Level 1.
2. Where the cause cannot be easily identified and rectified, then the consultation will take place with the relevant Contractor and/or External Advisor.
3. The LC will inform the LRP as soon as is reasonably practicable.
4. The LRP will document the issue along with all steps taken to rectify the situation and to prevent re-occurrence. This may involve additional employee training where appropriate.

ACTION LEVEL 2

The following criteria denote that an Action Level 2 issue has arisen:

- i. A Legionella bacterium count at or above the level of detection, but below 1,000 cfu/ml.
- ii. An aerobic count of 10,000 up to 100,000 cfu/ml.

Actions Required:

1. The LRP will immediately notify/advise the residents/users of the property not to use significant aerosol generators (showers & spray taps etc.) until disinfection/resampling has been undertaken, as a precaution.
2. The LRP will arrange for the additional sampling of the water system within 48 hours.
3. The LRP will immediately notify the third-party contractor (M&I) (and External Advisor where deemed appropriate) and jointly investigate the possible causes and potential failures that may have led to the Level 2.
4. The LRP and contractor will arrange for immediate cleaning/disinfection of the water system.
5. The LRP will inform the DH as soon as is reasonably practicable.
6. The LRP will document the issue along with all steps taken to rectify the situation and to prevent re-occurrence. This will involve additional employee training where appropriate.

ACTION LEVEL 3

The following criteria denote that an Action Level 3 issue has arisen:

- i. A Legionella bacterium count above 1,000 cfu/ml.
- ii. An aerobic count above 100,000 cfu/ml.
- iii. A case of ill health that a Doctor or Medical Professional considers having been potentially caused by exposure to Legionella bacteria

Actions Required:

1. The LC will inform the LRP without delay who will arrange for controlled access to the area or equipment and immediate shutdown of the water system to prevent the potential for infection or further infection.
2. The LRP will immediately notify the DH and third-party contractor (M&I) (and External Advisor where deemed appropriate) and jointly investigate the possible causes and potential failures that may have led to the Level 3.

3. A joint plan will be devised and implemented for further water sampling, disinfection, cleaning and re-sampling.
4. The LRP will document the issue along with all steps taken to rectify the situation and to prevent re-occurrence. This will involve additional employee training where appropriate.

8.4 Monitoring & Inspection (M&I) / Legionella Control

8.4.1 Internal Procedures

- 8.4.1.1 Premises-specific M&I procedures have been developed for each property and documented in a site-specific log. Such procedures will take account of the findings of the risk assessments, previous M&I and of other site-specific risks such as 'scalding'.
- 8.4.1.2 The IMT will carry out and record the internal M&I at the frequencies defined and in accordance with the training provided.
- 8.4.1.3 The IMT will immediately report any non-conformance to the LC, who will assess the situation and take the appropriate action.

8.5 Contractor Procedures

- 8.5.1 A comprehensive organisation-wide third-party M&I programme has been developed and is documented in a contract agreement with the contractor.
- 8.5.2 Contractors will be members of the Legionella Control Association (LCA), Water Management Society (WMS) or equivalent and will be able to demonstrate competence for the role required.
- 8.5.3 At premises in which the contractor undertakes M&I, this will be recorded with records sent to the IMT as well as in the contractor's own formal recording and reporting system.
- 8.5.4 The contractor will immediately report any non-conformance to the LC/MIT, who will assess the situation and take the appropriate action.
- 8.5.5 The contractor will record and report all M&I in strict accordance with the contract terms agreed as part of the tendering and contractor selection process.

8.6 Cleaning and Maintenance

- 8.6.1 Any cleaning or disinfection works required will only be carried out by competent contractors who will be members of the Legionella Control Association (LCA), Water Management

Society (WMS) or equivalent and will be able to demonstrate competence for the role required.

8.7 Audit and Review

8.7.1 The LRP will arrange for the Legionella Management System to be audited and reviewed at least every 24 months.

8.7.2 The audit and review may be carried out internally or by an external consultant, however, the auditor will be deemed to be competent by the LRP.

8.7.3 The audit/review will take account of all policies and procedures, risk assessments and reviews, M&I findings and all records associated with the system.

8.7.4 A written report will be prepared by the LRP to the DH to detail the findings of the audit/review, highlighting any non-conformances and/or areas for improvement and making recommendations and suggestions.

8.8 Void Property Actions

8.8.1 Linthouse HA recognises that void properties have the potential to exhibit an increased risk of Legionella due to the possibility of stagnant water remaining undisturbed within pipework for prolonged periods.

8.8.2 To mitigate the increased potential risk associated with voids, an appointed contractor or the IMT will carry out and record the following:

- Thoroughly flush all taps;
- Clean and disinfect, or replace, all showerheads;
- Inspect and report on the water storage tank, where present.

8.8.3 All Commercial and Special Lets becoming void will be assessed individually and on their own merits by the LRP.

8.9 New Developments, Property Purchases and Refurbishments

8.9.1 Linthouse HA will ensure that the Legionella Management System is treated as a 'working document' keeping pace with changes to the property portfolio and their water systems.

8.9.2 The LRP will ensure that all new developments, property purchases and refurbishments are identified as incurring potential Legionella risks and are risk assessed or otherwise incorporated into the asset register and M&I programme.

Section 9: Continual Improvement

- 9.1 Linthouse HA is committed to achieving continual improvement in the management of risk associated with Legionella. This will involve the regular review of the policy and procedures and the introduction of additional controls where knowledge or technology on the subject develops, and as the risk assessment, monitoring and control schemes dictate.
- 9.2 The LRP will be responsible for overseeing the entire Legionella Management System and will champion the continual improvement programme.

Section 10: Review of Legionella Policy

10.1 This policy will be reviewed every 2 years (or sooner to comply with any new legislation) to ensure that the appropriate amendments are made. All staff and relevant third parties will be informed of any changes. Continuously subjecting our Policy to review will ensure that its effectiveness is maintained, and that feedback can be acted upon in a reasonable time frame.

APPENDIX 1: EQUALITY IMPACT ASSESSMENT

TITLE OF POLICY:	Legionella Policy
Strategic Outcome:	To mitigate Legionella risk and be a responsible landlord and employer in terms of Legionella safety.
What is the purpose of the proposed Policy?	The purpose of the Legionella Policy is to implement effective management systems and procedures, to ensure the Legionella safety of those living and working in the Association's premises.
Protected Characteristic Groups affected by the Policy	Disability/Age – potentially issues arising regarding Legionella risks in relation to disabled tenants, multi-storey flats/Elder House and CIC units at Eldergrove.
Who is the target audience of this policy or who is intended to benefit from the proposed policy and how? (i.e. employees, service users, management committee etc.)	Safety of all LHA tenants. Safety of LHA staff and contractors.
List any existing documents, evidence, research which have been used to inform the Policy	Existing Legionella Risk Assessments and associated Asset Register, including relevant pieces of Legislation.
Has any consultation or involvement been undertaken with the Protected Characteristic Groups to inform this assessment? (Please provide details of who and how consulted).	Not currently, as the majority of water storage tanks are communal and therefore customers do not need to be disturbed during the Risk Assessment. However, there will be consultation when any remedial works are carried out.
What is the actual likely impact?	Policy will enhance staff awareness of all necessary factors requiring to be implemented and maintained to ensure continuous monitoring of legionella risk and the safety of our tenants and employees.
How have you, or will you, put the Policy into practice, and who is or will be responsible for delivering it?	The CEO has overall responsibility for the implementation of this Policy. As with other policies, it was approved by the Management Committee, the policy will be distributed to all staff and discussed at team meetings.
How does the Policy fit into our wider or related policy initiatives?	The Policy supports our mission to deliver high quality and cost-effective housing services designed to meet the needs of existing and future customers, whilst the safety of our tenants and staff are paramount.
Do you have a set budget for this work?	Yes. In relation to areas to be actioned by the Technical Services Manager, these action points are included within the annual budget prepared by the Asset Management team.