
Sanctuary Group

Title: Legionella Management - Group Policy

Business Function: All Functions across Sanctuary Group

Author: Group Health and Safety

Authorised by: Executive Committee

Sanctuary Group:
Sanctuary Group is a trading name of Sanctuary Housing Association,
an exempt charity, and all of its subsidiaries.

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Review Schedule

Date	Details
October 2023	<p>Formal review - following changes made:</p> <p>Policy:</p> <ul style="list-style-type: none"> • Minor text and format changes to aid readers understanding. • Change of role title for Operations Director - Property Services to Director of Property Operations. • Addition of Chief Officers role. • Removal of note regarding the transitional period for Legionella assessment review frequencies which ended in April 2023. <p>Appendix 1 - Group Legionella Logbook:</p> <ul style="list-style-type: none"> • Addition of new Section 11 Responsible Persons Annual Audit. • Section 1 - Additional information added regarding retention of records electronically and the requirement for Responsible Persons annual audit. • Responsible Persons audit requirement added to the Written Scheme. <p>Appendix 3:</p> <ul style="list-style-type: none"> • Addition of six monthly Thermostatic Mixing Valve function test and inspection for Care Quality Commission (CQC) registered properties.

Appendix

- Appendix 1 - Sanctuary Group Legionella Leg Book
- Appendix 2 - Water system design and commissioning
- Appendix 3 - Frequency of checks and inspections for hot and cold-water systems

1. Policy statement

1.1 Properties owned and managed by Sanctuary Group (the Group).

1.1.1 The Group is responsible for managing the risks from exposure to legionella bacteria, that may arise from work activities, for employees and other persons using properties owned and/or managed by the Group.

1.1.2 Residential accommodation

As a landlord the Group is the person in control of the premises and has a legal duty to ensure that the risk of exposure of customers to legionella is properly assessed and controlled across its property portfolio.

These duties extend to communal/shared properties where the water system feeds both the common parts of a multi occupancy domestic building and the individual accommodation units:

- shared stored cold-water tanks feeding multiple outlets.;
- hot water fed from shared hot water storage tanks/calorifiers to multiple communal or shared outlets; and
- communal outlets such as laundry rooms.

The Group is unable, without the tenant's consent, to access a tenant's house or private domestic areas of a flat for the purpose of monitoring Legionella, it is the responsibility of the tenant to take on advisement the guidance provided by the Group. Further guidance will be contained in business area specific procedure and processes.

1.1.3 Domestic properties

A desk top review is carried out to apply an assessment of the risk from exposure to legionella to that property, to ensure the safety of tenants.

1.2 Properties leased from another organisation

1.2.1 The Freeholder of a property is responsible for managing the risk from legionella, with the exceptions of when the Group is the sole tenant or leaseholder, the freeholder provides all the necessary information for the risk assessment and co-operates with the Group on the implementation of any precautionary/control measures identified by the risk assessment.

1.2.2 It will be clearly established and agreed between all parties, who has the responsibility for which aspects of the water management process and formalised within tenancy agreements. Copies of the documentation must be sent to the owner of the premises, managing agent and a copy retained by the Group.

- 1.3 Properties where the Group is the freeholder but managed by an external body
 - 1.3.1 The Management Agreement must clearly identify who has responsibility for which aspects of the water management process. Copies of the documentation must be held by the Group and sent to the managing agent, and the details contained within the business area operational procedure and processes. In the absence of this being defined, responsibility will rest with the head leaseholder or owner.
 - 1.4 New build properties
 - 1.4.1 Plant or water systems in new build properties will be designed and constructed with minimised risks to health when used at work, the type of system installed depending on the size and configuration of the building and the needs of the occupants.
 - 1.4.2 New build properties will be assessed during the handover of the property as part of the preparation of the health and safety file by the Principal Designer, details of the contents of which can be found in **Appendix 2** of this policy. Once handed over, the building will be subject to a legionella risk assessment before occupation commences and reviews arranged by National Compliance team (NCT) in line with the operational business area review frequencies.
 - 1.5 Business Area Operational Procedure and processes
 - 1.5.1 This Group policy forms the basis of subsidiary operational procedures and processes in relation to the control of risk from Legionella, which are prepared by the Operational Health and Safety teams in conjunction with their specific business operational staff and will be informed by the requirements of L8, [HSG274: Legionnaires disease. Part 2: The control of legionella bacteria in hot and cold water systems.](#)
- ## 2. Roles and responsibilities
- 2.1 The [Health and Safety - Group Policy](#) details the Health and Safety responsibilities for roles with a significant impact on health and safety.
 - 2.2 In addition to those responsibilities, some roles may have specific responsibilities in relation to the management of Legionella, as detailed below and in business area operational procedures and processes for example Operational Directors.
 - 2.3 Group Chief Executive - is the Corporate Duty Holder with responsibility to ensure this policy and business area operational procedures and processes are followed and appropriately managed.
 - 2.4 Group Board - as per the [Health and Safety - Group Policy](#).

2.5 Executive Director - Corporate Services has delegated responsibility on behalf of the Group Chief Executive, to raise significant Legionella management issues with the Executive Committee, and to ensure that.

- This policy is in place and up to date and competent advice on its implementation is available across the Group.
- The Group is compliant with legislative/regulatory requirements relating to legionella risk assessment and legionella safety management. Including:
 - ensuring legionella compliance appears as an important topic on the Board agenda.
 - that there are sufficient resources in place to ensure that the Group's Legionella procedures can be effective; and
 - giving assurance to Group Board that legionella safety is being managed throughout the Group.

2.6 Executive Directors/Chief Officers have responsibility to ensure:

- adoption of, and adherence to this policy and ensuring the delivery of their specific business area operational procedure and processes;
- that there are sufficient persons identified as being responsible for the management of legionella within each region or sector of the Group and for each site;
- a system is in place to ensure those 'Responsible Persons' are aware of their position and of their role in the co-ordination of responsive and planned works;
- ensuring sufficient funding is made available for legionella related matters;
- that there are sufficient resources in place to ensure the Group's Legionella procedures can be effective; and
- giving assurance to Group Board that legionella safety is being managed throughout the Group.

2.7 Director of Property Operations has responsibility to:

- ensure that service contracts to enable the Group to comply with legislative/regulatory requirements relating to legionella management are in place and reviewed as necessary;
- oversee the effective activities, reporting and governance of the NCT;
- ensure that the remediation of issues through Property Services is appropriately managed;
- ensure that water hygiene records are maintained and are up to date;
- regularly report on water hygiene compliance to the Group Head of Health and Safety and Executive Directors;
- undertake an annual review of the programme of works scheduled by the NCT;
- propose programmes for works relating to water safety for consideration as part of the annual business plan; and
- ensure that processes are in place for the transfer of information from Property Services departments to regarding changes to sites which have an impact on the management of legionella risk, such as replacement /installation of water systems, installation of related equipment such as chemical treatment plant and changes to buildings such as extensions.

2.8 Directors of Operations and Chief Officers - are the delegated Duty Holder for their operational business area and have responsibility for ensuring the development and delivery of their area operational procedure and processes.

2.9 Responsible Person(s) - this role is a collective role in the Group and is made up of NCT, operational roles, and identified staff who together have sufficient authority; competence and knowledge to ensure that operational procedures are carried out effectively and in a timely manner.

2.10 NCT

2.10.1 The Water Hygiene team, within NCT is responsible for:

- liaison with the Appointed Contractors, Operational Roles and Group Health and Safety Services;
- monitoring the activities and performance of the appointed contractors;
- ensuring that Legionella Risk assessments are completed for identified properties;
- recording, reviewing, and monitoring the significant findings and actions arising from legionella risk assessments and reviews;
- ensuring that all actions identified are undertaken within appropriate timescales and that necessary remedial works to installed systems are completed and recorded;
- ensuring that Legionella risk assessments, including schematics have been forwarded to sites;
- ensuring appropriate documents, including risk assessments and sampling results are uploaded to the SharePoint Compliance Certificate Portal for Operational Roles to access;
- co-ordination of ad-hoc Microbiological monitoring (sampling) and subsequent remedial works;
- alerting Operational Directors and Regional Managers where sampling readings are found to be high, confirming remedial actions and establishing if other steps are necessary;
- maintenance of records in relation to risk assessment, remedial works, monitoring and sampling;
- confirming completion of all such identified works/actions to the Operations Manager - Compliance; and
- ensuring newly acquired stock or new builds have in place appropriate risk assessments and providing expert oversight during due diligence periods.

2.11 Operational Roles - onsite, such as Scheme/Home/Premises Managers and those with responsibilities for unstaffed sites such as Housing Officers will be identified and advised of their role by their line manager.

2.12 Identified staff - individual members of staff in roles such as site-based scheme staff, caretakers, handypersons, and estates staff who have been identified for each site, to assist in the local control and management of legionella.

- 2.13 Specific responsibilities in relation to the day-to-day management of Legionella for operational roles and identified staff will be contained within their business area operational procedure and processes.
- 2.14 Appointed Contractors - competent contractors have been approved and appointed in line with the Group's procurement processes to undertake risk assessments and programmed testing; only approved contractors will be used. Contractors will be responsible for ensuring that they fulfil the requirements of the contract specifications as awarded by the Group. Business area operational procedures and processes will detail the duties of contractors in relation to risk assessment and programmed testing.
- 2.15 Operational Managers - have responsibility to ensure adoption of, and adherence to this policy and their business area operational procedure and processes on premises under their control. Co-operation with the Operational Health and Safety team in the development of such procedures and processes will be required.
- 2.16 Group Head of Health and Safety has the following responsibilities:
- To ensure that changes in legislation are identified and that this policy reflects any changes and is regularly reviewed.
 - If a confirmed case of Legionnaires disease or related death involves an employee as a result of work activities, making a report to the Health and Safety Executive (HSE) under [The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 \(RIDDOR\)](#).
 - To take advice from the HSE in the event of the death involving a non-employee, as this may be reportable in certain circumstances and to make the necessary RIDDOR reports as appropriate.
 - To provide professional guidance and support to all business operations
- 2.17 Operational Health and Safety teams have the following responsibilities:
- Senior Health and Safety Business advisors have responsibility for the development of their business area operational procedures and processes in conjunction with operational staff, using the agreed standardised template.
 - Providing advice and support to their operational areas of Sanctuary in respect of water hygiene management as requested, and when issues are identified during Health and Safety team audit visits and inspections.
 - Assisting Group Health and Safety in liaisons with external agencies and RIDDOR reporting for any Legionella related incidents.
- 2.18 All employees - in addition to responsibilities detailed in the [Health and Safety - Group Policy](#) employees are responsible for ensuring that:
- they adhere to their business area legionella procedure and processes; and
 - complete all tasks assigned to them and evidence in the Legionella logbook, as required.

2.19 The Group Head of Learning and Development has responsibility to:

- support the arrangements for the provision of suitable and sufficient Legionella related training in collaboration with the Group Head of Health and Safety;
- ensure that all training records are held and maintained by the Learning Academy and provide reports on the take up of training to Operational Managers;
- ensure that all operational staff have received sufficient training and guidance to complete their functions in relation to Legionella Management; and
- report to operational directors where mandatory training has not been completed.

2.20 The Group Head of Procurement has the responsibilities to:

- ensure that the Contractors appointed by the Group have submitted evidence of the required qualifications, certificates, and training;
- ensure that all the required documentation such as activity risk assessments, method statements have been provided as part of the selection and approval process;
- ensure that the Group's procedures and processes have been followed in the appointment of the Contractors; and
- ensure that all approved contractors have a copy of this policy and relevant procedure.

3. References and sources

3.1 The Group recognises its responsibilities as a Duty Holder in relation to the management of Legionella under the following legislation:

- [Health and Safety at Work etc. Act 1974 \(HASAWA\)](#)
- [Management of Health and Safety at Work Regulations 1999](#)
- [Control of Substances Hazardous to Health Regulations \(COSHH\) 2002](#)
- [Approved Code of Practice \(ACoP\) and Guidance L8 2013 \(4th Edition\) - Legionnaire's Disease - The control of legionella bacteria in water systems](#)
- [HSG274: Legionnaires disease. Part 2: The control of legionella bacteria in hot and cold water systems](#)
- [Reporting of Injuries Diseases and Dangerous Occurrences Regulations 2013](#)
- [Water Supply \(Water Fittings\) Regulations 1999;](#)
- [Water Byelaws - Scottish Water](#)
- [The Housing Health and Safety Rating System \(England\) Regulations 2005](#)

4. Application

4.1 In the execution of its duties under the legislation, the Group will ensure so far as is reasonably practicable that:

- Appointed Contractors will have their overall competence, comprising ability, experience, and training scrutinised as part of the Group's procurement contractor approval processes.
- A suitable and sufficient assessment is conducted, within properties under its control, to identify and assess the risk of exposure to legionella bacteria from work activities and water systems present on that premises.
- Legionella risk assessments will be regularly reviewed, with the frequency no longer than two years between reviews, unless otherwise required by contractual arrangements.
- If the assessment shows there is reasonably foreseeable risk of exposure and it is reasonably practicable to prevent or control the risk, a responsible person/s is appointed to supervise the implementation and management of the required precautions.

Note: This role is a collective role within the Group and is made up of several groups of staff who together have sufficient authority; competence and knowledge to ensure that operational procedures are carried out effectively and in a timely manner.

- Those persons with a role in the management of legionella risk have received information, instruction, and training to ensure sufficient knowledge and competence to carry out their role.

Note: Several employees within NCT and the Health and Safety Services team will hold the Chartered Society for Worker Health Protection (BOHS, P901 Control of Legionella in Domestic Hot and Cold-Water Systems qualification).

- Written schemes where applicable are prepared for preventing, controlling, and managing the risk; all reasonable steps will be taken to ensure that control measures identified in the written scheme are applied and that employees make full and proper use of the control measures.

Note: For the purposes of the Group, the written scheme will be a collective of the data within the site risk assessment, the Legionella Logbook and business specific operational procedures.

- Remedial works and site actions identified by the Approved Contractors will be actioned in accordance with business area operational procedures and processes.
- Routine checks, inspections and testing will be completed by a combination of operational roles and identified staff on site and the appointed contractors based on the guidance in HSG 274 Part 2 and **Appendix 3** of this policy.
- Appropriate records are maintained centrally by NCT and in site specific Sanctuary Legionella Logbooks as detailed in **Appendix 1**.
- Records of inspection, checks and testing to be kept in accordance with the retention schedules as detailed in the [Content and Records Management - Group Policy and Procedure](#).
- Operational business areas implement a monitoring system to ensure that required checks are being undertaken, legionella logbooks are being completed correctly and that any site management actions identified in the risk assessment have been addressed.

- Microbiological monitoring (Sampling) for legionella will be conducted, at least annually for hot and cold-water systems by the appointed contractor for programmed testing, in all properties where a legionella risk assessment has been completed. Sampling will be carried out in accordance with BS 7592 *Sampling for Legionella bacteria in water systems. Code of Practice*.
- Microbiological monitoring (Sampling) for legionella will be conducted on an 'as required' basis in instances where water systems are found to be consistently operating outside HSG 274 guide parameters or Water systems are suspected or identified in a case or outbreak of legionellosis where it is probable the Incident Control Team will require samples to be taken for analysis.
- In the event of positive sampling appropriate remedial works will be arranged by NCT and will be conducted by Appointed Contractors in line with the requirements of *BS 8558:2015 Guide to the design, installation, testing and maintenance of services supplying water for domestic use within buildings and their curtilages*.
- New and upgraded water systems and other legionella control systems such as chemical dosing units are so designed and constructed with minimised risks to health when used and enable safe and easy operation, cleaning, and maintenance. Guidance is contained in **Appendix 2** of this policy.
- Designers, manufacturers, and suppliers of water system elements to The Group provide adequate information for users about the risk and measures necessary to ensure that the water systems will be safe and without risks to health when used at work, updated as required so that the Group can ensure relevant changes are made to their risk assessment and controls.
- Customers will be issued with Legionella information to ensure that they are aware of the legionella risk to health, and precautions they should take to prevent it.

5. Impact on diversity

- 5.1 The Group demonstrates its commitment to diversity and promoting equality by ensuring that this policy is applied in a manner that is fair to all sections of the community, with due regard to the protected characteristics identified under the [Equality Act 2010](#) and in accordance with its '[Inclusion for All](#)' - Equality, Diversity and Inclusion Strategy 2021-2024.

6. Resident consultation

- 6.1 This policy is for internal use only and is in place to state the Group's approach to statutory requirements placed upon it; therefore, residents have not been consulted.

7. Monitoring and compliance

- 7.1 The implementation of this policy will be monitored and audited.

7.2 Period of review

7.2.1 Until a new policy is formally adopted this document will remain in force and operational.

7.2.2 This policy will be reviewed in accordance with the policy review programme agreed by Executive Committee.

7.2.3 If there are significant changes to legislation or regulation or there are found to be deficiencies or failures in this policy, as a result of complaints or findings from any independent organisations, the Executive Director - Corporate Services/Group Head of Health and Safety will initiate an immediate review.

8. Operational arrangements

8.1 This policy is to be read in conjunction with the business area operational procedures and processes and the following Group Procedures.

- [Personal Protective Equipment - Group Procedure](#)
- [Accident Reporting and Investigation - Group Procedure](#)
- [Hazardous Substances - Group Procedure](#)

9. Definitions

9.1 The following definitions support the user's understanding of the legislation and guidance.

<i>Biofilm</i>	A community of bacteria and other micro-organisms embedded in a protective layer with entrained debris, attached to a surface
<i>Calorifier</i>	An apparatus used for the transfer of heat to water in a vessel by indirect means, the source of heat being contained within a pipe or coil immersed in the water.
<i>Chlorine based dosing</i>	Systems using an oxidising biocide/disinfectant effective at controlling both legionella and biofilm growth
<i>Cold water service</i>	An installation of plant, pipes, and fittings in which cold water is stored, distributed, and subsequently discharged.
<i>Commissioning</i>	The bringing of a new water installation into operation
<i>Copper and Silver Ionisation</i>	The term given to the electrolytic generation of copper and silver ions providing a continuous release of ions in water.
<i>Dead end/Blind end</i>	A length of pipe closed at one end through which no water passes.
<i>Deadleg</i>	A length of water system pipework leading to a fitting through which water only passes infrequently when there is draw off from the fitting, providing the potential for stagnation.
<i>Disinfection</i>	The reduction of the number of micro-organisms to safe levels by either chemical or non-chemical means.

<i>Expansion Vessels/tanks</i>	Contain air and water from a central heating system and its purpose is to maintain the right level of pressure in the system.
<i>Hot water service</i>	An installation of plant, pipes and fitting in which water is heated, distributed, and subsequently discharged (not including cold water feed tank or cistern).
<i>Inserts/Aerators</i>	The aerator is a small attachment that either fits onto the end of the tap or can be inserted inside of the existing spout. It acts as a sieve, separating a single flow of water into many tiny streams which introduces the air into the water flow.
<i>Legionnaires Disease</i>	A potentially fatal form of pneumonia which can affect anybody, but which principally affects those who are susceptible because of age (particularly those over 50 years old), suffering from illness such as chronic respiratory or kidney disease, have an impaired immune system, smoking, heavy drinking, etc.
<i>Legionellosis</i>	The collective name given to the pneumonia like illness caused by legionella bacteria, it includes the most serious legionnaires disease as well as the similar but less serious conditions of Pontiac Fever and Lochgoilhead fever.
<i>Legionella Pneumophila</i>	One of a group of related bacteria, exposure to which under certain conditions can result in the development of legionnaire's disease. The bacterium can be found naturally in environmental water sources such as rivers, lakes, and reservoirs, usually in low numbers. As they are commonly found in environmental sources, they may also be found in purpose-built water systems such as tanks and pipework.
<i>Legionella Initial Assessment</i>	Where it is unclear, that a property within the Group's portfolios is not already on the planned programme of works for a full Legionella Risk Assessment, NCT can initiate a visit from the Appointed Contractor to determine if the property falls under the planned programme of works for a full Legionella Risk Assessment to be conducted.
<i>Legionella Risk Assessment</i>	A report arising from a thorough and systematic inspection of the hot and cold-water services within a building.
<i>Outbreak</i>	An outbreak is defined as two or more cases where the onset of illness is closely linked in time (weeks rather than months) and where there is epidemiological evidence of a common source of infection, with or without microbiological evidence.
<i>Representative Point</i>	Any outlet within the system not identified as a sentinel point.

Responsible Person(s)	<p>The Responsible Person (s) takes day to day responsibility for controlling the risk from legionella bacteria and should have sufficient authority; competence and knowledge to ensure that operational procedures are carried out effectively and in a timely manner.</p> <p>This role is a collective role in the Group and is made up of NCT, Operational Roles, and Identified Staff, and may be represented by more than one person simultaneously.</p>
Sentinel Point	<p>For hot water services - the first and last taps on a recirculating system.</p> <p>For cold water services (or non-recirculating hot water systems), the nearest and furthest taps from the storage tank.</p> <p>The choice of sentinel taps may also include other taps which are considered to represent a particular risk.</p>
Stagnation	<p>The condition where water ceases to flow and is therefore liable to microbiological growth.</p>
Thermostatic mixing valve (TMV)	<p>A mixing valve in which the temperature at the outlet is pre-selected and controlled automatically by the valve.</p>