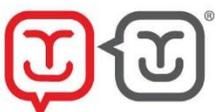


Water Hygiene Safety Policy

(Prevention of exposure to Legionella & scald risks)

Status: APPROVED

Policy Lead:	Head of Assets & Sustainability
Owned By:	Head of Assets & Sustainability
Date Approved:	May-24
Approved By:	Operations Committee
Review Date:	May-27
Regulatory / Legislative Considerations/ References:	<ul style="list-style-type: none"> • The Health and Safety at Work etc. Act 1974 • The Management of Health and Safety at Work Regulations 1999 • Housing Scotland Act 2006 • The Tolerable Standard (under the Housing (Scotland) Act 2006) • The Control of Substances Hazardous to Health Regulations 2002 (COSHH) • The Approved Code of Practice (ACOP) Legionnaires' Disease: The Control of Legionella Bacteria in Water Systems (L8) • Water Supply (Water Quality) (Scotland) Regulations 2016 • The Water Supply (Water Fittings) (Scotland) Byelaws 2014 • HSG274 – Legionnaires' disease: Technical Guidance Part 2: The control of legionella bacteria in hot and cold-water systems • INDG458 - Legionnaires' disease: A brief guide for duty holders
Other Documents to be read in conjunction with this policy:	Water Hygiene Safety Procedure Berwickshire HA Written Scheme of Control



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Scottish Charity No.: SC042342 Registered Office: 55 Newtown Street, Duns, TD11 3AU

Policy Title:	Water Hygiene Safety Policy
Purpose / Aim of policy:	To set out our approach to ensuring compliance with regulatory requirements and good practice around Water Hygiene safety and scalding risks.
Scope of Policy:	All properties owned or managed by BHA where there are hot and cold-water systems.
Definitions	None required
Approval Source:	BHA Board
Equality Impact Assessment:	N/A
Sustainability Assessment:	There are no major sustainability implications linked to the contents of this policy
Partnership Assessment:	There are no partnership implications linked to the contents of this policy.
Glossary of Terms	N/A
Risk Implications:	<ul style="list-style-type: none"> • Harm to the health of our customers or other users of our buildings from exposure to Legionella bacteria. • Safety risks of scalding to vulnerable customers • Prosecution if not compliant with the law and harm is caused. • Regulator intervention if risk assessment and arrangements are not in place

1. Introduction

- 1.1 BHA is committed to taking all reasonable steps to ensure it manages the safety of our customers, colleagues, contractors, and members of the public, in accordance with all relevant legislation pertaining to water hygiene safety particularly in hot and cold-water systems and the risk of scalding.
- 1.2 We will take all reasonable steps to ensure that appropriate management systems are put in place to ensure customers, colleagues, contractors, and members of the public are not put at risk from the effects of any hazards associated with the hot and cold-water systems within our buildings.
- 1.3 In making this commitment the Association will take appropriate action to risk assess all hot and cold-water systems within our buildings to identify the hazards and how these can harm customers and users of our buildings and putting into place suitable and effective arrangements to manage and monitor the hazards and risk.

2. Scope of the Policy

- 2.1 This policy describes the activities and responsibilities involved to ensure that we comply with legislation, regulations, ACOP's and good practice set out in the following:
 - The Health and Safety at Work etc. Act 1974
 - The Management of Health and Safety at Work Regulations 1999
 - Housing Scotland Act 2006
 - The Tolerable Standard (under the Housing (Scotland) Act 2006)
 - The Control of Substances Hazardous to Health Regulations 2002 (COSHH)
 - The Approved Code of Practice (ACOP) Legionnaires' Disease: The Control of Legionella Bacteria in Water Systems (L8)
 - Water Supply (Water Quality) (Scotland) Regulations 2016
 - The Water Supply (Water Fittings) (Scotland) Byelaws 2014
 - HSG274 – Legionnaires' disease: Technical Guidance Part 2: The control of legionella bacteria in hot and cold-water systems • INDG458 - Legionnaires' disease: A brief guide for duty holders
 - BS 8580-1:2019 Water Quality – Risk assessments for legionella control. Code of practice
 - Right to Repair Regulations (under the Housing (Scotland) Act 2006)
 - Building Standards (Scotland) Regulations 2014
 - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR 2013)
 - The Workplace (Health, Safety & Welfare) Regulations 1992
 - Construction, (Design and Management) Regulations 2015
 - Scottish Health Technical Memorandum 04-01

- 2.2 This policy applies to all properties which are owned, leased, or managed by Berwickshire Housing Association or any of its subsidiaries where there are any hot and cold-water systems serving the building.
- 2.3 The legal duty for landlords who provide residential accommodation is to consider, assess and control the risks of exposure to Legionella to tenants and others who use or visit their buildings. This requirement stems from the Control of Substances Hazardous to Health Regulations 1989; Section 3(2) of the Health and Safety at Work Act 1974 makes provision for the legislation to apply to landlords of both business and domestic premises. All water systems require an assessment of the risk which they can carry out themselves if they are competent or employ somebody who is.
- 2.4 In most residential settings, a simple assessment may show that the risks are low, and no further action may be necessary. (An example of a typical lower risk situation may be found in a small building (e.g. housing unit) with small domestic-type water systems, where daily water usage is inevitable and sufficient to turn over the entire system; where cold water is directly from a wholesome mains supply (no stored water tanks); where hot water is fed from instantaneous heaters (combination boilers for example) or low volume water heaters (supplying outlets at 50 °C); and where the only outlets are toilets and wash hand basins). If the assessment shows the risks are low and are being properly managed, no further action is needed but it is important to review the assessment regularly in case anything changes in the system.

3. Objectives of the Policy

- 3.1 To meet all legal and regulatory obligations and also ensure best practice is followed in relation to water hygiene safety, the aims and objectives of this policy are to:
- ensure that we fulfil our legal and regulatory obligations relating to water hygiene safety by risk assessing hot and cold-water systems within our properties to identify hazards and how they can cause harm.
 - keep the general public, customers, and colleagues safe from any safety and health risks posed by hot and cold-water systems within our properties (mainly the exposure of Legionella bacteria and scald risks).
 - educate and inform customers of the safety and health risks of hot and cold-water systems within their homes and how they should interact with these systems to mitigate risks and inform us as their landlord if they have any concerns.
 - raise customer and colleagues' awareness of water hygiene risks associated with hot and cold-water systems.
 - provide effective procedures which set out how we will risk assess our properties and what management arrangements will be put into place to mitigate these risks and deal with emergency situations.
 - provide a written scheme of control where risks cannot be mitigated.

- ensure that all procedures relating to water hygiene safety support the fair treatment of all customers with respect to their different needs, circumstances, vulnerabilities, and lifestyle (some customers vulnerabilities will be more susceptible to the effects of Legionella bacteria in hot and cold-water systems and the risk of scalding).
- ensure suitable and sufficient training is in place for colleagues with relevant roles for the management of water hygiene within BHA.
- ensure any contractors procured to risk assess, monitor, or remediate water hygiene risks are suitably experienced and competent.
- ensure how we will satisfy ourselves that the policy and procedure has been implemented and the controls are demonstrably effective in ensuring BHA comply with its legal obligations.
- ensure how we will measure performance against the policy and procedure.

4. Roles and Responsibilities

- 4.1 The **Chief Executive Officer** has overall responsibility for the health and safety for BHA colleagues and customers.
- 4.2 **The Executive Director of Customer Experience** monitors the implementation and effectiveness of the Water Hygiene Safety Policy and Procedures on behalf of the Chief Executive and ensures that a duty holder and responsible person are identified and appointed in line with HSE ACOP L8.
- 4.3 The **Head of Assets and Sustainability** is the appointed Duty Holder in line with HSE ACOP L8. As identified within L8 the Duty holder will:
- identify and assess sources of risk.
 - if appropriate, prepare a written scheme for preventing or controlling the risk.
 - implement, manage, and monitor precautions.
 - keep records of the precautions.
 - appoint a competent person with sufficient authority and knowledge of the installation to help take the measures needed to comply with the law (responsible person).
- 4.4 The **Compliance Manager** is the appointed responsible person in line with HSE L8 ACOP. They will take day-to-day responsibility for managing the control of any identified risk from legionella bacteria. They will have sufficient authority, competence, skills, and knowledge about BHA's hot and cold-water installations to ensure that all operational procedures are carried out in a timely and effective manner and implement the control measures and strategies, i.e. they are suitably informed, instructed, trained, and assessed.

They will ensure that tasks are carried out in a safe, technically competent manner.

- 4.5 The **Asset Data Advisor** is the appointed deputy responsible person in line with L8 who will be contactable in the absence of the responsible person.

5. The Water Hygiene Safety Procedure

- 5.1 This policy is supported by the water hygiene safety procedure. The aim of the procedure is to outline the arrangements of how BHA will assess the risk to customers, visitors, colleagues, and people who work on our behalf by effectively managing water safety and hygiene within all properties owned or managed by BHA.
- 5.2 The procedure defines our overall approach in more detail which ensures that we comply with our overall legal and regulatory responsibilities in relation to hot and cold-water systems, in particular the risk of exposure to Legionella and scalding risks.
- 5.3 The procedure explains how we will know if the actions we are undertaking to manage water safety and hygiene are achieving the required outcomes and standards.
- 5.4 All those responsible for the management of water hygiene safety are required to have read and understood both the policy and procedure and will, subject to receiving the necessary training, also confirm their understanding of their responsibilities for water safety and hygiene.

6. Training and competence

- 6.1 BHA will assess the training needs of specific roles relating to the management of water hygiene safety management and the wider business awareness by means of a training needs analysis.
- 6.2 Due to the roles of Duty Holder and Responsible person listed in the roles and responsibilities section above, BHA are committed to ensuring these roles are suitably competent (having the right skills, knowledge, experience, and behaviours) to be able to deliver their duties as set out in L8.

7. Performance and Assurance

- 7.1 BHA will ensure there are suitable performance measures in place to measure the performance required to demonstrate compliance with legislation and L8.

8. Data Integrity

- 8.1 BHA will ensure accurate and appropriate records are kept in terms of the written scheme of control, overarching desktop risk assessment of all BHA assets, risk assessment and review programme, monitoring regimes and remedial works completed.

9. Monitoring and Review

- 9.1 This policy will be reviewed and re-approved every 3 years, or sooner if there are any changes in legislation or guidance, after a Legionella outbreak to ensure the policy is still suitable and sufficient, or it is deemed no longer suitable and sufficient.