

Water Hygiene Policy

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Responsible Officer	Scott Smith – Head of Repair, Maintenance and Building safety		
Approved by	Board of Management		
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1. Purpose

- 1.1 Arches Housing has a legal duty to ensure the health and safety of its employees, tenants, leaseholders and other stakeholders in relation to Legionnaires

disease. We will comply with this duty, by maintaining a robust Legionella management framework and safe system of work.

- 1.2 Our legal duty extends to the way we manage risk of Legionella in properties under our control.

2. Regulation, Legislation and Approved Codes of Practice

- 2.1 The following regulations and guidance relate to Legionella. It is not an exhaustive list, but includes the main regulations and guidance to which all should adhere: -

- The Health and Safety at Work etc. Act 1974, particularly Section 2 to 7
- Control of Substances Hazardous to Health Regulations 2002
- HSE Approved Code of Practice and guidance L8, Legionnaires' disease: The control of legionella bacteria in water systems (current edition)
- Management of Health and Safety at Work Regulations 1999
- HSE HSG274, Legionnaires' disease: Technical guidance, including Part 2: The control of legionella bacteria in hot and cold-water systems (current edition)
- BS 8580-1:2019, Water quality – Risk assessments for Legionella control - code of practice
- Regulator of Social Housing's Safety and Quality Standard
- The Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025, as amended ("Awaab's Law").

3. Statement of Intent

- 3.1 We are committed to ensuring the safety of our tenants, their family, staff, contractors, other users of its buildings and the property. We are aware of our obligations and responsibilities as a landlord and have a robust process for ensuring water systems that qualify for being maintained appropriately for Legionella are checked and tested periodically and managed as set out within our schemes of controls.

- 3.2 For the purposes of this policy, the following buildings are in scope for this policy:

- Arches Housing Office
- Supported Housing Managed communal facilities serving flats/bedsits/rooms
- Common parts of multi-let blocks of flats/bedsits/rooms
- Block of flats whose water supplies are not mains fed

- 3.3 Domestic Properties: We will take all reasonable steps to manage and establish effective systems to manage the risk of Legionnaires' disease within our properties.
- 3.4 A Legionella Risk Assessment shall be undertaken taking account of the following:
- The potential for aerosol formation.
 - Water temperature and conditions right for the bacteria to multiply e.g. is water between 20 degrees and 45 degrees centigrade.
 - Frequency of use of all outlets.
 - Means of preventing or controlling the risk.
 - Are there any infrequently used outlets e.g. – showers, taps.
 - A review of the installed pipe work and services and the provision of a representative schematic drawing, detailing major plant items and key isolation valves, strainers etc.
 - Are there any employees, tenants, visitors, or contractors vulnerable to infection e.g. elderly, those already ill, smokers etc.
- Are there thermostatic mixing valves (TMV) that are set at a favourable outlet temperature for legionella growth and have pipe lengths to outlets over 1 metre
 - Condition of installed services - is there debris in the system such as rust sludge or scale that could provide food for legionella growth?
 - The risk assessment is valid for a period of 2 years for non-domestic properties and 5 years for domestic dwellings, unless there are any significant changes to the water system or its use, changes to the building, there is new guidance introduced on the control measures or a case of Legionnaires' disease/Legionellosis is associated with the system.
 - A review of the current assessment to confirm there are no significant changes to the water system or its use, changes to the building, there is no new guidance introduced on the control measures or a case of Legionnaires' disease/Legionellosis has been associated with the system is completed by the Compliance Officer in line with the cycle period above to confirm no new assessment is required.
 - Suitable control measures (schemes of control) will be set to protect the health, safety and welfare of tenants, staff, visitors and contractors
 - Written schemes of control will be set that are applied to specific types of water systems that have been identified in our buildings identified in 3.2
 - The written scheme of control will be developed as a practical tool to be used by all stakeholders involved in the legionella control process
 - Written schemes of control will be reviewed annually.

- Keep up to date with the current guidance available for the control of legionella bacteria in water systems and ensure where applicable these are updated to the written schemes of control
- With tenants, staff groups, contractors and statutory bodies agree and deliver solutions if Legionellosis issues are identified.
- If Legionella poses a serious or imminent risk to the health of persons, take all practical measures as soon as possible to control the risk of Legionnaires' disease.
- Carry out an audit of any legionella control logbooks and paperwork from schemes of control on an annual basis.
- Ensure that all the appropriate measures from Legionella Assessments and Written Schemes of Control are being undertaken and recorded correctly.
- Retain all records relating to Legionella and Written Schemes of Control for 5 years
- Ensure all work to prevent or the control risk of Legionella shall be carried out in accordance with the current legal standards using the best working practices.

4. Legionella Safety Management Policy

4.1 This policy forms part of Arches' management framework for the management of Legionella. Additional information relating to our management framework includes:

- a) Legionella inspection and testing schedule
- b) Schemes of control for Legionella
- c) Asset register
- d) Legionella risk assessments
- e) Legionella management procedures

5. Water Hygiene Competency and Training

- 5.1 We will appoint a competent person to undertake risk assessments to control risks associated with the exposure to legionella bacteria in our properties
- 5.2 Implementation of our legionella compliance management will be achieved by engaging appropriate specialists to undertake testing and providing expertise and specialist knowledge to advise on any actions to meet our legal responsibilities
- 5.3 The contractor appointed for Water Hygiene will be UKAS accredited for undertaking Legionella Risk Assessments and be a member of the Legionella Control Association

- 5.4 All persons employed by the appointed contractor involved in the control regime will be appropriately qualified and receive adequate and appropriate training in the control of Legionella Bacteria every 2 years.
- 5.5 Contractors will be required to provide evidence of training undertaken by their employees in the control of Legionella Bacteria
- 5.6 We will ensure that adequate information, instruction and training is given to all Operations staff on a regular basis.
- 5.7 All staff will be trained on the contents of our Legionella Management Framework and this policy at regular intervals
- 5.8 At least one of the Compliance Officer or the Responsive Repairs Manager Operations will hold either the Level 3 Award in Legionella Control for Responsible Persons or Legionella Control for Property Management where this is not held by the current post holder(s) (during periods of staff turnover or whilst training being undertaken) a consultant will be engaged who is competent and qualified to offer independent advice to this level for staff at Arches to be able to access.

6. Roles and Responsibilities

6.1 Chief Executive

The Chief Executive and ultimately the Board have overall responsibility for the Legionella Safety Management Policy but delegate actions to the Duty Holder and other responsible staff. These actions also relate to contractors acting on behalf of Arches. Key actions are set out below.

- Ensuring that externally commissioned Legionella risk assessments are undertaken on applicable buildings and are carried out at appropriate times based on risk
- Ensuring adequate resources are allocated to managing the risks and legal responsibilities relating to Legionella
- Reporting any material breach of non-compliance of the Safety and Quality Standard to the Board and the Regulator of Social Housing
- Report to the Board if a tenant contracts Legionnaires' disease from the water system in their home, the landlord may be liable to prosecution under Health and Safety at Work Act
- Ensuring sufficient information, instruction and training is carried out
- Ensuring that members of the public, staff and contractors are not unnecessarily exposed to risk
- Ensuring appropriate inspections are made to communal areas

- Ensuring that Arches complies with its overall legal duties in relation to legionella safety

6.2 Head of Repairs, Maintenance and Building Safety – ‘Duty Holder’

The Head of Repairs, Maintenance and Building Safety, reporting to the Operations Director shall serve as the Legionella Risk ‘Duty Holder’ and be responsible for the strategic management of Legionella risk within Arches Housing and shall:

- Formulate and revise Arches policy
- Formulate and revise the Legionella Management Framework
- Ensure that actions arising from Legionella risk assessments are completed
- Ensure that Legionella related incidents are reported, investigated and controls introduced to reduce the risk of such incidents recurring
- Ensure risk assessments are reviewed at least every 2 years
- Ensure written schemes of control are reviewed annually
- Ensure adequate training is maintained to effectively manage the risk of Legionella arising
- Appoint a designated deputy (Responsive Repairs Manager) to provide cover in their absence
- Maintain up to date knowledge of legislative requirements and best practice
- Ensure appropriate technical legionella consultants are appointed and retained to be used as specialist advisors as appropriate
- Ensure all relevant staff receive adequate information, instruction and training. This includes the provision of regular refresher training to maintain skills

6.3 The Responsive Repairs Manager

The Responsive Repairs Manager, who with the support of the Compliance Officer or the appointed specialist consultant is responsible for the day to day running and implementation of the Legionella Management framework, and they will:

- Provide advice on the application of this policy on an individual case by case basis
- Ensure that suspected or confirmed Legionella incidents and outbreaks are promptly escalated and managed in accordance with section 10 of this policy, including liaison with relevant statutory bodies and completion of any required notifications.

- Ensure risk assessments are reviewed at least every 2 years for non-domestic stock and 5 years for domestic dwellings
- Ensure written schemes of control are reviewed annually
- Instruct an appropriate technical person to undertake a written scheme of control for Legionella bacteria for each applicable building and review these annually
- Periodically review written scheme of control documentation for each applicable building
- Demonstrate to the Head of Repairs, Maintenance and Building Safety that this policy has fulfilled our legal duty with reporting from a monitoring and control system that records assessments, schemes of controls, reviews and inspections
- Ensure low risk assessment actions are completed before letting takes place on long standing void domestic properties where there has been no running water and routine actions e.g. change shower heads are completed on all other voids
- Ensure any remedial work identified as non-compliance of the Regulator of Social Housing's Safety and Quality Standard is carried out
- Provide Legionella related information to staff, contractors, tenants, managing agents and members of the public as required
- Be the business owner of the data within the systems that feed the Legionella testing regime, ensuring robust processes in place for validation
- Be the business owner for the KPIs that evidence compliance with the legal responsibilities of Arches for Legionella safety
- Ensure adequate training is maintained organisationally and in accordance with current regulations
- Appoint a designated deputy as appropriate to provide cover in their absence
- Ensure information regarding Legionella is readily made available to contractors working within Arches property

7. Employees

7.1 All Employees, irrespective of their position shall:

- Co-operate as appropriate with other staff and agencies to ensure compliance with this policy and all other legal requirements
- Report any concerns that they may have in relation to the management of Legionella to the Duty Holder or the Chief Executive

8. Tenants and Leaseholders

- 8.1 In undertaking our duties, we will ensure that all tenants and leaseholders are aware of their responsibilities including:
- Allowing access as required to enable the completion of periodic Legionella risk assessments
 - Regularly use all taps and showers in the property
 - Regularly clean showers and keep them free from scale
 - Not to adjust the temperature control of the Point of Use Water Heater once it has been set to a minimum of 50oC
 - Report to Arches as soon as possible where there is a problem with low hot water temperatures at the outlets or where there is a fault with the water heater
 - Report to Arches as soon as possible where they are finding that the cold water is warm.
 - Report any concerns that they may have in relation to the management of Legionella
 - Accepting guidance on minimising risks related to Legionella and Water Safety when becoming a tenant of Arches Housing and being aware of details on the website
 - At point of sale of shared ownership and shared equity products, appropriate advice on Legionella safety will be provided to the purchaser

7.2 Supported Housing Managing Agents

Where we own properties that are not managed directly by Arches Housing, we remain responsible for Legionella Safety and Risk Assessments and Schemes of Control. However, all supported housing managing agents are expected to ensure that the tenant is made aware of their responsibilities as set out in this document and provide any relevant information.

8. Contractors

- 8.1 All contractors will comply with relevant regulations and use information made available to them through this policy to assist them to adhere to our Water Hygiene policy.

9. Communication

- 9.1 Where a Legionella Risk Assessment is commissioned, we will notify tenants in the effected block or scheme when this will be taking place.
- 9.2 Where a Legionella Risk Assessment is commissioned, effected tenants will be advised of the findings and recommendations that affect them

- 9.3 All new tenants, leaseholders, shared owners and mutual exchanges will be given information about water hygiene safety in their home
- 9.4 We will communicate water hygiene and legionella good practice to our wider tenant base through the Arches website, newsletters and social media

10. Actions in the event of a Legionella Outbreak

An outbreak of Legionellosis is primarily a public health issue and is defined by the Health Protection Agency as two or more confirmed cases of Legionellosis occurring linked by sufficient proximity in date of onset of symptoms, locality and for which there is strong epidemiological evidence of a common source of infection, with or without definitive microbiological evidence.

Where Arches becomes aware of a suspected or confirmed case of Legionnaires' disease potentially associated with a water system for which it is responsible, or receives information indicating a suspected outbreak or significant source of Legionella contamination, the matter will be treated as a serious water hygiene incident and escalated immediately.

Where a suspected or confirmed outbreak results in an Outbreak Control Team (OCT) being convened by the relevant health protection authorities, Arches will cooperate fully with the OCT and comply with reasonable requests for information and action. The Head of Repairs, Maintenance and Building Safety will act as, or nominate, Arches' lead liaison with the OCT and other relevant statutory bodies.

Arches will provide relevant information as required, which may include Legionella risk assessments, written schemes of control, monitoring and temperature records, sampling results, maintenance and remedial-work records, occupancy information and other information necessary to support the investigation.

Any immediate control or remedial measures identified through the investigation will be prioritised and implemented in accordance with competent advice and the requirements of the relevant statutory authorities.

The Head of Repairs, Maintenance and Building Safety will inform the Director of Operations and, where appropriate, the Chief Executive at the earliest opportunity and will ensure that appropriate competent advice is obtained.

Arches will cooperate fully with the relevant public health, local authority, UK Health Security Agency, Health and Safety Executive and other statutory bodies involved in investigating or managing the incident or outbreak.

The Head of Repairs, Maintenance and Building Safety will ensure that the water hygiene contractor and/or competent specialist is instructed to undertake any necessary immediate investigation, sampling, risk assessment and control measures. Appropriate steps will be taken to prevent exposure while the source and extent of the risk are established.

Where the statutory criteria for reporting under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) are met, Arches will ensure that the required report is made to the Health and Safety Executive. [[hse.gov.uk](https://www.hse.gov.uk)],

All equipment, plant, and services capable of disseminating airborne water droplets should be shut down until any sampling and remedial actions have been carried out. An emergency disinfection must be conducted, and a review of the Risk Assessment should take place.

All decisions, advice received, notifications, control measures, communications and remedial actions will be recorded and retained as part of the incident record.

11. Review

- 11.1 This Policy shall be reviewed and updated by the Duty Holder on a biennial basis or, if there are any significant changes to current legislation, regulations or codes of practice or guidance. It will also be reviewed after any Legionella related incident or if any reason comes to light to suggest that the Plan or Policy is inadequate

12. Governance, Assurance and External Validation

- 12.1 Compliance with Arches legal responsibility in relation to Legionella Safety Management will be reported to board quarterly.
- 12.2 Compliance is monitored by the Head of Repairs, Maintenance and Building Safety and the Director of Operations. An outbreak of suspected legionella, or where non-compliance is identified in the first instance there is an agreed appropriate course of corrective action put in place with the operational team to address the non-compliance issue. Whilst the outbreak is investigated or if the non-compliance is not resolved to agreed timescales, details of the matter will be escalated to the Chief Executive. Confirmed outbreaks of legionella bacteria will be reported to the Chief Executive.

12.3 The Chief Executive or the Director of Operations will make the Board aware of any serious legionella outbreak or serious non-compliance issue so they can consider the implications and take action as appropriate which will include whether it is necessary to disclose the issue to the Regulator of Social Housing in the spirit of co-regulation, or any other relevant organisation such as the HSE, BSR, etc., as part of the Regulatory Framework

12.4 Key Performance Indicators on Water Hygiene will be reported quarterly:

- The number of properties that require a Water Hygiene assessment - for all homes and buildings managed or owned by the organisation
- The number and percentage of properties with a Water Hygiene assessment for all homes and buildings managed or owned by the organisation

12.5 Independent external assurance will be sought periodically to ensure compliance with Arches legal responsibility in relation to Legionella.

12.6 Quality control of risk assessments and schemes of control will be undertaken as required through reviews carried out by an independent consultant on risk and control differences from new contractors or new water systems or changes that will impact the existing assessments and control.

13. Equality and Diversity

13.1 All involved will recognise their ethical and a legal duty to advance equality of opportunity and prevent discrimination on the grounds of, age, sex, sexual orientation, disability, race, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.

14. Publicising this Policy

14.1 This policy will be publicised on the Arches Website