

Title:	Water Hygiene Safety Policy
Person responsible:	Director of Property Operations
Customer consultation arrangement:	Consultation required? Yes ☒ No ☐ Housing & Communities Committee
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Approved by:	Board
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Review date:	June 2029

Document management		
Version	Date amended	Amendments
1	March 2023	Original with version control
2	June 2026	Minor updates- inclusion of section detailing how water safety is promoted and awareness raised with residents, as well as reference to susceptible persons and associated risks. Terminology updates and updated roles and responsibilities.

1. Purpose and Scope

1.1 Purpose

- 1.1.1 South Lakes Housing (SLH) is a registered provider (housing association), and we own and manage approximately 3,500 homes across a wide geography in South Lakeland and Lancashire.
- 1.1.2 This Policy outlines how SLH will comply with the Regulatory Framework for Social Housing in England as outlined below. Registered Providers must meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes.
- 1.1.3 This policy sets out guidance to ensure compliance with water hygiene legislation and control the risk by introducing measures which reduce and/or control the risk of legionella growth and to identify, manage and/or mitigate

risks associated with hot and cold-water systems or any other system that may cause exposure to legionella bacteria.

1.1.4 Legionnaires' is a serious lung disease caused by inhaling small droplets of water containing Legionella bacteria. This disease is a potentially fatal form of pneumonia, and everyone is susceptible to infection. The risk increases with age, and people at higher risk include:

- People over 45 years of age
- Smokers and heavy drinkers of alcohol
- People suffering from chronic respiratory or kidney disease.
- Diabetes, lung, and heart disease
- Anyone with an impaired immune system

1.1.5 To be compliant under these duties, SLH will need to complete specific duties under the Control of Substances Hazardous to Health Regulations 2002 & Approved Code of Practice (ACOP) L8 – 'Legionnaires Disease: The Control of Legionella Bacteria in Water Systems', carrying out risk assessments, implementing control measures and controlling exposure to harmful substances.

1.1.6 SLH aims to protect the occupiers of its properties, visitors, colleagues, contractors, and the public, from the risks associated with Legionnaires' disease so far as is reasonably practicable. This document sets out key policy objectives, control measures and accountabilities to protect residents, colleagues, and contractors from harm.

1.1.7 Therefore, this policy provides assurance that measures are in place to not only ensure compliance with the regulations, but that SLH has a management system in place to proactively identify, manage and mitigate risks associated with the risk of legionella in both its domestic and non-domestic properties.

1.1.8 This Policy applies to all properties owned or managed by SLH, including non-residential premises. In some cases, SLH will not hold the landlord's duty of care; this must be clearly established before we exclude these properties.

1.2 Scope

1.2.1 This Policy applies to all properties owned or managed by SLH including non-residential premises. In some cases, SLH will not hold the landlord's duty of care; this must be clearly established before we exclude these properties.

1.2.2 Specific lease or management agreements may define legal responsibility. Where clear responsibility cannot be defined, the default position for any non-domestic buildings owned or managed is that SLH will actively manage

that risk until a time when clearly defined legal responsibility can be evidenced. The requirements of this policy apply to leasehold dwellings only as required to maintain safety of the Block as a whole.

- 1.2.3 In implementing this policy, SLH is committed to considering any vulnerabilities or specific needs of residents and their households, ensuring that all actions and decisions are made with sensitivity to individual circumstances.
- 1.2.4 The requirements of this policy apply to leasehold dwellings only as required to maintain the safety of the Block as a whole.
- 1.2.5 In implementing this policy, SLH is committed to considering any vulnerabilities or specific needs of residents and their households, ensuring that all actions and decisions are made with sensitivity to individual circumstances.

2. Regulatory and Legislative Requirements

2.1 Regulatory

- 2.1.1 The application of this policy will ensure compliance with the regulatory framework and consumer standards (Safety & Quality Standard, Tenant Satisfaction Measures) for social housing in England, introduced by the Regulator of Social Housing (RSH).

2.2 Legislative

- 2.2.1 The purpose of this policy is to ensure SLH meets its obligations under the following legislation:
 - Control of Substances Hazardous to Health Regulations 2002
 - Health and Safety at Work Act 1974
 - Housing Act 2004
 - HHSRS – Housing Health and Safety Rating System
 - Management of Health and Safety at Work Regulations 1999

2.3 Codes of Practice

- 2.3.1
 - HSE Approved Code of Practice (ACOP) L8 – ‘Legionnaires Disease: The Control of Legionella Bacteria in Water Systems’
 - Legionnaires Disease, HSG 274 Technical Guidance Parts 2 and 3
 - BS8580-1:2019 ‘Water Quality – Risk Assessments for Legionella Control – Code of Practice

- 2.3.2 SLH acknowledges and accepts its responsibilities in accordance with the regulatory standards, legislation and approved codes of practice and that failure to discharge these responsibilities properly could lead to a range of sanctions including prosecution by the Health & Safety Executive under the Health & Safety at Work Act 1974, prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007 and via a serious detriment judgement from the Regulator of Social Housing.
- 2.3.3 SLH will work with residents to arrange access to complete essential works and ensure that the residents' homes are safe. SLH will use the legal remedies available within the terms of the tenancy agreement should we be unable to secure access to allow SLH (its consultants and or contractors) to carry out water hygiene-related inspection and remediation works, if all other engagement is unsuccessful in completing these works.

3. Our Approach

- 3.1 SLH will periodically review risk assessments, no later than the review date set by the Legionella Risk Assessment (LRA).
- 3.2 SLH has used the outcomes from the LRAs to arrange programmes of routine monitoring and sampling of water systems, including, where needed, a programme of modification to any deficient systems and equipment.
- 3.3 SLH will ensure that a risk-assessed approach for water hygiene safety is adopted as part of the empty homes standard and will carry out an inspection of the water storage & distribution system in vacant properties and resolve any issues.
- 3.4 SLH will hold accurate and up-to-date records against each property it owns or manages, setting out the requirements for water hygiene risk assessments and safety checks.

4. Legionella Risk Assessments (LRAs)

- 4.1 All properties with communal stored water systems will have a Legionella Risk Assessment (LRA) undertaken. The review period for future risk assessments will be established through a risk-based approach within the initial risk assessment carried out by the competent person. All other properties identified through a desktop review of potentially high risk will be subject to an LRA to determine if further management is required in the following circumstances:
- When works affecting a shared water system have been completed, e.g. shared tank to mains fed

- When the vulnerability profile of the residents (for the entire block) changes significantly
 - On receipt of new information about risks or control measures
 - If a case of suspected/Legionnaires Disease is associated with the block.
- 4.2 SLH will not carry out individual LRAs to dwellings unless there are special circumstances but will offer general water safety advice and information to help residents stay safe.
- 4.3 SLH will programme and commission LRAs from suitably qualified and accredited Contractors and will be completed in accordance with the guidance documents listed above.
- 5. Regular Inspection and Monitoring**
- 5.1 LRAs require a range of activities (in addition to actions) which will be completed and logged as set out below.
- 5.2 A water safety management and monitoring programme will be established as required by the LRA findings.
- 5.3 SLH will carry out a programme of maintenance visits (water sampling works) by competent persons to all properties requiring a testing regime. These programmes will ensure that all maintenance and testing set out in the written scheme of control is fully completed at the times and intervals stated. The results of these visits will be recorded electronically on SLH Asset Management System.
- 5.4 Empty properties will be inspected to visually assess all accessible pipework, ensuring plumbing and water hygiene remain safe. All hot and cold-water outlets will be flushed when the void refurbishment commences and prior to handover if the property has been vacant for more than 2 weeks to maintain water flow and minimise stagnation before occupancy. In addition to replacing the showerhead and shower hose prior to occupation, as required by the Empty Homes standard.

6. Remedial Actions

- 6.1 All remedial measures resulting from an LRA or subsequent investigations will be prioritised according to the risk rating system established within the LRA by the qualified assessor appointed by SLH. The timelines and priority risk classification will be determined using a risk-based assessment score, ensuring that actions are taken in accordance with a reasonably practicable approach.

7. Access

- 7.1 SLH will take all reasonable steps to obtain access to properties to maintain water safety.
- 7.2 In the event of exhausting all available options to secure access, we will carry out a risk assessment, taking account of the property and occupier and will seek to engage with residents to address any issues, considering any known or identified vulnerabilities, to facilitate access and ensure the well-being of the resident.
- 7.3 If we believe the integrity of the property, its fabric and/or the safety of the resident or those in the vicinity of the property is compromised. This may include, but is not limited to, obtaining an injunction for access, and any costs incurred would be recharged to the resident.

8. Communication

- 8.1 SLH will promote water safety to residents through clear information on our website and newsletters in accessible formats.
- 8.2 We will provide simple guidance to help residents understand how to keep water systems safe, keep residents updated on any remedial works taking place in residential buildings and highlight the importance of reporting concerns regarding water safety promptly.

9. Competent Persons

- 9.1 SLH will ensure that the colleagues responsible for operational delivery receive appropriate training to be able to manage the service.
- 9.2 All contractors and consultants undertaking works on legionella must be registered members of the Legionella Control Association (LCA) or equivalent, and competent to undertake risk assessments, prepare Written Schemes of Control and undertake works in respect of water hygiene and legionella control.
- 9.3 SLH will ensure that any external contractors or consultants have the relevant and appropriate qualifications to carry out the assigned work and are competent. Licenses, governing body membership and insurances of external contractors/consultants will be checked annually by the Building Safety Manager. Consideration must be given to any sub-contractors that are undertaking legionella works on behalf of the contractor.
- 9.4 The Building Safety Manager is responsible for checking that contractors, colleagues and engineers working on the Water Hygiene Safety checks, testing or any remedial actions hold the relevant governing body memberships, registrations, qualifications, accreditations and insurances for

the work that they are carrying out. These checks will be undertaken on an annual basis and evidenced appropriately.

- 9.5 SLH will hold and maintain accurate records on the qualifications and insurances of all consultants, surveyors, risk assessors and engineers undertaking water hygiene works for the organisation.

10. Colleague Training

- 10.1 SLH will ensure the Building Safety Manager with responsibility for management and delivery of the water hygiene programme is appropriately qualified and or experienced in Water Hygiene Safety Testing. If the competent person does not have appropriate qualifications already, these should be obtained as soon as reasonably practicable, and second line assurance provided by a competent person to provide sufficient oversight.
- 10.2 Training includes courses by BOHS (British Occupational Hygiene Society), such as P901 Management and control of building hot and cold-water services, City and Guilds, CIBSE, or HABC, around the requirements of ACOP L8 - 'Legionnaires' disease: The control of legionella bacteria in water systems.
- 10.3 Appropriate training will also be provided on water hygiene safety awareness and this policy and procedure. This will include team and contractor briefings, e-learning and access to external training.

11. Responsibilities

11.1 Governance

- 11.1.1 SLH Board will have overall governance responsibility for ensuring that effective arrangements are in place to comply with SLH's legal obligations in relation to the Water Hygiene Policy and ensure this is fully implemented to provide compliance with the regulatory standards, legislation, and approved codes of practice. As such, the Board will formally approve the policy and review it periodically.
- 11.1.2 An update on Water Safety will be detailed in a Property Compliance report to provide SLH Board of Management with a quarterly update on the performance of managing water safety.
- 11.1.3 Key performance indicators will be reported to Board and Senior Leadership Team and through operational risk updates to provide assurance of how we meet the compliance requirements and areas of non-compliance.

11.2 Duty Holder/ Accountable Person

11.2.1 The Accountable Person under this policy will be South Lakes Housing. The Duty Holder is the Director of Property Operations, who will delegate certain tasks to the responsible and competent persons.

11.2.2 The 'Duty Holder', as defined by ACOP 8, is responsible for Health and Safety and must take the right precautions to reduce the risk of exposure to Legionella. They will appoint a person or persons to take day-to-day responsibility as an authorised deputy for controlling/assessing any identified risk, prevent/control risks to employees and all stakeholders under their responsibility, and putting in place a regime of water hygiene testing/sampling and mitigating actions, including that of record keeping and reporting.

11.3 Responsible Persons

11.3.1 The Responsible Person(s) for SLH are the Head of Assets and Building Safety and the Building Safety Manager who will ensure the implementation of the policy and procedures across SLH. They will also ensure all operational procedures are carried out in a timely and effective manner. They will ensure all appointed organisations/ individuals have the appropriate levels of training, skills and knowledge to undertake the tasks and monitor training.

11.3.2 They are to make sure that all risk assessments and water surveys are undertaken, remedial actions and control measures are put in place, reviewed, and monitored within a timely manner. On top of this, they are to develop, implement, communicate and continually improve SLH water hygiene procedures following discussion and agreement with the duty holders and following significant or emergency events/ reviews. They are to ensure the competent person/contractor carries out their duties.

11.5 Other Teams

11.5.1 Building Safety requires collaboration and effective communication between teams and the Building Safety Team will work in collaboration with teams across SLH to maintain safety.

11.5.2 The Housing Team will offer support to gain access where this is proving difficult.

11.5.3 All colleagues who have responsibility for or visit properties have a responsibility to notify the Building Safety Team where circumstances have changed within a scheme/block/property, which may result in a new LRA being required.

12. Monitor and Review

12.1 Records and Management of Data

- 12.1.1 SLH will establish and maintain a core asset register of all properties that have a written Scheme of Control for water hygiene in place. This register will also hold data against each property asset of the legionella risk assessment carried out. Inspection and re-inspection dates, along with LRA and monitoring records, and other management actions will also be held electronically.
- 12.1.2 SLH will maintain logbooks for all relevant sites as required to record the results from ongoing monitoring and inspection, where required. Completed logbooks will be retained in archives.

12.2 Independent Audit & Assurance

- 12.2.1 An independent audit of Water Hygiene Safety will be included in the strategic internal audit plan for SLH.

12.3 Reporting of non-compliance

- 12.3.1 Any non-compliance issue identified at an operational level will be formally reported to the Head of Assets and Building Safety and the Building Safety Manager in the first instance, and they will agree on an appropriate course of corrective action with the operational team to address the non-compliance issue and report details of the same to the Senior Leadership Team.
- 12.3.2 The Senior Leadership Team will ensure the Board and Audit & Risk Committee are made aware of any non-compliance issues so they can consider the implications and act appropriately.
- 12.3.3 The Senior Leadership Team and Board will consider whether it is necessary to disclose the issue to the Regulator of Social Housing in the spirit of co-regulation as part of the Regulatory Framework.

13. Actions in the Event of a Legionellosis Outbreak

- 13.1 Should an outbreak of Legionellosis occur defined by the Public Health Laboratory Service (PHLS) as two or more confirmed cases of Legionellosis occurring in the same locality within a six-month period, the Director of Property Operations will:
 - Consult with the proper officer from either the Local Authority (LA) or the local Health & Safety Executive (HSE), who will invoke an “Outbreak Committee.”

- Inform SLH Senior Leadership Team and appointed specialist contractor at the earliest opportunity.
- Comply with all requests for information / actions required to control an outbreak , including shutting down of systems, cleaning or treatment works as required by the Outbreak Committee.

14. Review

- 14.1 SLH will review this Policy every 3 years or where there have been significant changes to regulation, legislation, operations or best practice to warrant a further policy review.

15. Equality Impact Assessment

- 15.1 In implementing this policy, we aim to treat all residents fairly. An equality impact assessment has been carried out. Where residents require additional support, we will endeavour to provide a service that seeks to meet the needs of a particular individual or household and ensure no one is disadvantaged in accessing our services.

Glossary of Terms	
Approved Code of Practice (ACOP) L8	The Health and Safety Executive's Approved Code of Practice, <i>Legionnaires' disease: The control of legionella bacteria in water systems</i> , which sets out practical guidance on legal duties and good practice.
Competent person	A person or organisation with the appropriate knowledge, training, experience and qualifications to assess, manage or carry out water hygiene and legionella control activities safely and effectively.
Control measures	The actions, processes and safeguards put in place to prevent, reduce or manage the risk of legionella growth and exposure.
Duty Holder	The person with overall responsibility for health and safety in relation to the water systems covered by this policy, including ensuring that risks are assessed and managed.
HSG 274	Health and Safety Executive technical guidance that supports ACOP L8 and provides detailed advice on controlling legionella risks in different types of water systems.

Legionella	A type of bacteria that can grow in water systems under certain conditions and may cause illness if contaminated water droplets are inhaled.
Legionella Risk Assessment (LRA)	A systematic assessment of a water system to identify potential legionella risks, evaluate existing controls and determine any actions required.
Non-domestic premises	Buildings or areas that are not private homes, such as offices, communal areas, plant rooms, community facilities or other work-related premises.
Remedial actions	Works or interventions required to correct defects, reduce risk or address issues identified through risk assessment, inspection, testing or monitoring.
Responsible person	The person or persons appointed to oversee the day-to-day implementation of this policy and associated procedures, including ensuring that actions are completed and records are maintained.
Sampling	The collection and testing of water samples, where required, to help assess water quality and the effectiveness of control measures.
Susceptible persons	People who may be at greater risk of illness from legionella exposure because of factors such as age, health condition, smoking history or a weakened immune system.
Water system	Any hot or cold-water installation, storage arrangement, outlet or associated equipment that may create a risk of water stagnation, aerosol generation or legionella growth.
Written Scheme of Control	A documented plan that explains how a water system will be managed, monitored and maintained to control the risk of legionella.