

Water safety policy

Department: Housing asset management

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1. Scope

This policy outlines Ealing Council's approach to water safety and applies to all housing stock owned or managed by Ealing Council, including those managed by South Acton Community Builders Co-operative (SCBC).

This policy applies to all properties where Ealing Council has a responsibility for ensuring that water supplies are safe for use.

The policy covers individual homes and communal areas where water supplies are present, ensuring the control and management of legionella bacteria in water systems.

The risk of drowning is not covered in this policy.

2. Aims and objectives

The aim of this policy is to ensure that we meet our obligations as a landlord and seeks to provide assurance that water safety is well managed, ensuring the safety of our residents, our employees, our contractors and the general public.

The aims of this policy for all homes is to ensure that:

- all statutory requirements are complied with
- we are clear with the responsibilities of our residents
- we are clear with the requirements of our contractors working on water systems
- the approach for the safe use of stored water including provision for inspection and monitoring, is properly managed

- robust records are kept that evidence the inspection and maintenance regime
- the risks associated from stored hot water are managed and the likelihood of scalding is reduced

3. Policy statement

As owners and managers of homes, we have a duty of care to ensure that the homes and communal areas we own and manage are safe.

We will take all reasonable measures to establish effective systems to manage the risks associated with legionella bacteria and in accordance with the requirements of legislation and guidance we shall:

- identify and assess the risks
- manage and control the risks
- appoint responsible and competent persons to manage the risks
- maintain and keep thorough records
- provide appropriate training
- review the risks and control systems at regular intervals

This policy applies to all residential properties ensuring that:

- there is a clear approach for maintenance and servicing of hot and cold-water installations
- there is a prompt, efficient, cost-effective repair, servicing and inspection regime
- that all statutory requirements are complied with
- remedial works are prioritised

- that the approach for the safe use of stored water including provision for inspection and monitoring, is properly managed
- that adequate records are kept
- that the risks associated from stored hot water are managed and the likelihood of scalding is reduced
- that Ealing Council is committed to training and developing relevant staff

This policy demonstrates the council's commitment to managing water systems to provide safe living and working environments for residents, staff, and contractors.

4. Legionella

Legionellosis is the collective name given to the pneumonia-like illness caused by legionella bacteria. This includes the most serious Legionnaires' disease, as well as the similar but less serious conditions of Pontiac fever and Lochgoilhead fever. Legionnaires' disease is a potentially fatal form of pneumonia, and everyone is susceptible to infection.

Ealing Council ensures the control and management of legionella bacteria in water systems, and the prevention of scalding within dwellings it owns, water systems in dwellings it installed, maintains, and services as set out in the approved code of practice and guidance documents:

- L8 Legionnaires' disease - The control of legionella bacteria in water systems
- water system risk assessment -, inspections and testing are undertaken at appropriate frequencies to minimise the

risk of legionella and scalding due to incorrect water temperatures

For the purpose above, a water system includes all plant equipment and components associated with that system (for example, all pipework, pumps, feed tanks, valves, showers, heat exchangers, quench tanks, water softeners, chillers), as the duty holder.

Ealing Council manages all aspects of the delivery of water treatment testing and anti-scalding, associated testing, repairs, upgrades and the provision of new installations

Specific water testing is undertaken by specialist contractors, who will only use suitably qualified, competent individuals to undertake the works according to the requirements set out in the risk assessments or guidance contained within the control of legionella bacteria in water systems

Client management and monitoring systems are implemented to ensure necessary provisions are conducted in a timely and compliant manner

5. Managing risk

Water system risk assessments, inspections and testing are undertaken at appropriate frequencies to minimise the risk of legionella and scalding due to incorrect water temperatures.

All water system contractors undertake work in accordance with the specific requirements set out in the contract, to control any risk to the safety of our residents.

We will mitigate any risks by an approved specialist legionella contractors undertaking legionella risk assessments strictly in accordance with the requirements of Approved Code of Practice and Guidance L8 and BS 8580:2019, these will include:

- a site survey of the water system
- an asset register of all associated plant, boilers, pumps and other relevant items

- schematic diagram of the layout of the water system and associated plant
- a risk rating for the management and the systems
- a site-specific recommended monitoring, cleaning and inspection programme; required remedial actions to reduce and manage the risk

Risk assessments are conducted in line with the Control of Substances Hazardous to Health Regulations 2002 (COSHH) and HSE's Approved Code of Practice L8, with additional reviews in the following circumstances:

- significant changes in legislation and guidance
- significant alterations to any water system(s)
- significant changes in building population or use
- failure of the control programme

Wherever reasonably practicable, we will remove the potential source of contamination. In the unlikely event, it is not practical to remove the risk then a written scheme for controlling measures will be prepared by the specialist legionella contractor, reviewed if necessary by a specialist legionella consultant and reviewed, implemented and managed by the building safety manager (legionella).

The control regime will include as appropriate:

- good design - for avoidance of water stagnation including removal of 'dead legs'
- good design - avoiding use of materials in the water system that may harbour and encourage growth of bacteria or other nutrients
- temperature control, monitoring, inspection and flushing

- correct and safe operation of equipment and plant including maintenance requirements and frequencies

When legionella risk assessments identify required measures to remove or reduce risks, they will be reviewed and carried out in a timely manner either as responsive repairs or as part of a planned improvement programme.

6. New build

Directors and project managers shall ensure all capital schemes are designed to the relevant standards. Emphasis should be given to ensure the stocks of water are not excessive and all new services are commissioned and chlorinated prior to the connection to existing systems where appropriate. The project manager shall ensure the design complies with the relevant standards and all new services are commissioned and chlorinated prior to connection with existing systems. All operational documentation and manuals must be available otherwise handover will not be accepted.

New development schemes and major refurbishment projects will be subject to a design review by the specialist legionella consultant. The design stage review is to be a desk top exercise examining design drawings, specifications, employer's requirements and component manufacturer's guidance to confirm that the water installation proposals meet with current legionella regulations, Approved Code of Practice L8 and best practice and to draw to the building safety manager (Legionella) attention any potential future maintenance issues.

7. Resident engagement

We will provide all residents with information on how manage legionella in their homes. Regular updates will be provided through a range of methods.

We will ensure that information on legionella testing that is produced for residents will be first considered and approved by engaged residents.

Under the terms of their tenancy agreement, residents must allow access to their property for maintenance and/or inspection to be conducted. To undertake works it may be necessary disrupt hot and cold-water supplies. Prior to planned works being undertaken and where consistency of service is to be disrupted, written confirmation will be provided. It is the resident's responsibility to ensure that:

- any contingency arrangements arising from the absence of supplies must be highlighted and agreed in advance of works
- provide appropriate access by the relocation or removal of any obstacles and in situations where the resident is unable to manage, support is agreed
- temporary provision of cold and hot water is identified
- clearance of work areas including loft space
- notify any repair/fault in a timely manner

We will make provision for any resident who is vulnerable or has a medical need with a reliance on having access to water.

Any defective or unauthorised works needing rectification may incur a recharge which will be explained to the resident. If any installation has been undertaken without permission and is found to be defective the supply may be terminated, or a recharge incurred for any rectification work.

Where residents plan to conduct property alterations and improvements, including additions or improvements, authorisation must be sought prior to any works being undertaken. If works are approved, residents are responsible for ensuring appropriate safety checks are conducted and all relevant certificates are supplied following the works or installation as set out in the tenancy agreement.

In addition, leaseholders who decide to let their properties will be reminded of their landlord obligations to their tenants.

8. Contractor engagement

Contractors providing water treatment or maintenance services must communicate to the responsible person any deficiencies in the water system or measures that may pose a significant risk of exposure to legionella bacteria. They also make the duty holder and the responsible person aware of any limitations in their own expertise, products, or services so arrangements to ensure that these deficiencies or limitations are addressed.

Contractors and consultants must ensure their staff are competent to undertake tasks safely.

They should be professionally trained to a standard appropriate to the various tasks they perform, such as risk assessment, advising on water treatment measures, sampling (both temperature and bacterial) or cleaning and maintaining water systems. The Legionella Control Association administers a code of conduct for organisations providing services to occupiers and owners of water systems.

Contractors are required to abide by relevant legislation, technical

guidance and keep up to date with any amendments. They must comply with the contractor code of conduct and the requirements of this policy when undertaking management.

Contractors and others working in Ealing Council properties are required to demonstrate that their representatives understand how the work they undertake may impact on water supplies. No works can begin until the method statement for the activity, has been approved by Ealing Council. Contractors are required to immediately report any risks or concerns to their manager and the council's building safety manager (legionella), stop ongoing works if the concern is significant or warrants immediate action.

The contractor undertakes work in accordance with the specific requirements set out in the contract.

9. Diversity and inclusion

We will ensure that all information relating to water safety and legionella testing is shared with residents in a form that is easily understood.

An equality impact assessment 'initial screening' has been carried out which has influenced the formation of this policy and has also affected the procedure to make sure that our implementation of this policy does not have a detrimental impact on any residents.

10. Monitoring, compliance, and review

The day-to-day responsibility for water safety for the council's housing stock is implemented in line with this policy has been delegated, via the chief executive, to the strategic director of

Housing and Environment.

The water safety performance is monitored by the senior leadership team of housing and environment to ensure the safety of residents, against targets of key performance indicators namely:

- percentage of overdue water safety tests/sampling
- percentage of risk assessments in place and within 24 months – true compliance
- percentage of risk assessments overdue – true compliance
- percentage of sheltered housing shower cleaning and disinfection
- percentage of hostel accommodation cleaning and disinfection
- percentage of cleaning and disinfection on cold water tanks
- percentage of thermostatic mixing valves serviced in our sheltered and hostel accommodation

The performance information is shared with appropriately engaged residents.

We will regularly review and monitor the qualifications of all contractors' employees delivering works to ensure that only appropriately trained and skilled employees are engaged on water safety works to our homes.

This policy will be reviewed every 2 years, unless new legislation or good practice means it needs to be reviewed sooner.

11. Governance

The council's cabinet has overall responsibility for ensuring that this policy is implemented to ensure compliance with the law.

In practical terms, the chief executive reports to cabinet to demonstrate accountability for corporate health and safety across the council and will also ensure that property health and safety compliance management duties in its landlord function, are properly assigned and managed.

The day-to-day responsibility for managing water supplies for the council's housing stock is implemented in line with this policy and has been delegated, via the chief executive, to the strategic director of housing and environment.

The legionella procedure also identifies the roles and responsibilities of those who will undertake the day-to-day tasks on behalf of the strategic director of housing and environment.

12. Legal framework

Ealing Council is committed to ensuring that residents' homes remain safe and fit for purpose. In achieving this, the council complies with relevant legislation and regulations. The following list sets out the key legislation and requirements:

- The Health and Safety at Work etc. Act 1974
- Landlord and Tenant Act 1985
- The Workplace (Health, Safety & Welfare) Regulations 1992
- The Provision and Use of Equipment Regulations 1998
- The Management of Health & Safety at Work Regulations 1999
- The Water Supply (Water Fittings) Regulations 1999
- The Building Regulations 2000 (amended)

- Control of Substances Hazardous to Health Regulations 2002 (COSHH)
- Housing Act 2004
- British Standard (BS8580) Water Quality-Risk Assessments for Legionella Control-Code of Practice 2010
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- BS 8558 2015 'Guide to the design installation, testing and maintenance of services supplying water for domestic use within buildings and their curtilages - complementary guidance to BS EN 806
- The Construction (Design and Management) Regulations 2015
- Homes (Fitness for Human Habitation) Act 2018
- Approved code of practice and guidance on regulations L8 Legionnaires' disease: the control of legionella bacteria in water systems
- HSG 274 part 2 'The control of legionella bacteria in hot and cold-water systems
- HSG 274 part 3 'The control of legionella bacteria in other risk systems'

13. Associated policies and procedures

Water Safety Management Plan

Voids Policy

Repairs Policy

Adaptations Policy

Housing Household Vulnerability and Reasonable Adjustment Policy

13. Implementation

Implementation of this policy is through the water safety management plan.