

# NORTH VIEW Housing Association

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*North View is a registered Scottish charity – charity registration number SC032963*

## POLICY

### LEGIONELLA MANAGEMENT

Passed:	26/11/25	Review Date:	October 2028
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**All North View policies and publications can be made available on CD/data-to-voice, in Braille, large print and community languages.**

**For further details please contact us on 0141 634 0555 or email us on [enquiries@nvha.org.uk](mailto:enquiries@nvha.org.uk)**

#### 1.0 Introduction

- 1.1 Legionella bacteria are widespread in natural water systems (for example, rivers and ponds). However, the conditions are rarely conducive for people to catch the disease from these sources. Outbreaks of the illness occur from exposure to Legionella growing in purpose-built systems, where water is maintained at a temperature high enough to encourage growth, for example, cooling towers, evaporative condensers, hot and cold water systems in all sorts of premises (work and domestic).
- 1.2 Legionnaires' disease is normally contracted by inhaling small droplets of water (aerosols), suspended in the air, containing the bacteria. Certain conditions increase the risk from Legionella if:
  - the water temperature in all or some parts of the system may be between 20°C - 45°C, which is suitable for growth;
  - it is possible for water droplets to be produced and if so, they can be dispersed;
  - water is stored and/or re-circulated;
  - there are deposits that can support bacterial growth, such as rust, sludge, scale, organic matter and biofilms.
- 1.3 It is important to control the risks by introducing measures which do not allow proliferation of the organisms in the water systems and reduce, so far as is reasonably practicable, exposure to water droplets and aerosol. This will reduce the possibility of creating conditions in which the risk from exposure to Legionella.
- 1.4 North View has a duty of care to its residents, and employees and visitors to tenants' homes (and other premises that we own) to ensure that our water systems are 'fit for purpose' and not susceptible to the proliferation of Legionella or other types of water related bacteria.

#### NORTH VIEW HOUSING ASSOCIATION

29A Stravanan Road, Castlemilk, GLASGOW G45 9LY  
Tel:- 0141 634 0555 Fax:- 0141 631 3231 e-mail:- [enquiries@nvha.org.uk](mailto:enquiries@nvha.org.uk)



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#### 2.0 Legal Framework – Approved Code of Practice & Guidance

- 2.1 The Health & Safety Commission (HSC) released their latest Approved Code of Practice & Guidance (ACoP) L8 Fourth Edition “The Control of Legionella Bacteria in Water Systems” in 2013. This Code is applicable to us.
- 2.2 The Code is enforceable principally under The Health & Safety at Work Act 1974 and The COSHH (Control of Substances Hazardous to Health) Regulations 1999. It affects all employers and those with responsibility for water systems in premises.
- 2.3 Under the requirements of the ACoP L8, we must:
- identify and assess sources of risk i.e., carry out risk assessments;
  - prepare written scheme for preventing or controlling the risk;
  - implement, manage and monitor the scheme;
  - have in place adequate training and resources to enable staff to implement the scheme.

#### 3.0 Legal Framework - General

- 3.1 The following legislation is also relevant:
- The Tolerable Standard under the Housing (Scotland) Act
  - Water Supply (Water Quality) (Scotland) Regulations 2016
  - The Water Supply (Water Fittings) (Scotland) Byelaws 2014
  - 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

#### 4.0 Regulatory Requirements

- 4.1
- Meet the Scottish Housing Quality Standard;
  - When they are allocated, are always clean, tidy and in a good state of repair;
  - That tenants' homes are well maintained, with repairs and improvements carried out when required.

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### 5.0 Aims

5.1 The aims of this document are to:

- define a policy for the control and management of Legionella bacteria in water systems within the dwellings and office buildings owned and managed by North View Housing Association (NVHA);
- ensure that NVHA meets the requirements of the HSE's "The Control of Legionella Bacteria in Water Systems Approved Code of Practice and Guidance L8";
- ensure that NVHA meets requirements made under the Health and Safety at Work etc. Act 1974 which imposes a 'Duty of Care' on the association in relation to its services users, employees, consultants and contractors;
- ensure that North View Housing Association works within the framework of the current Act and amendments to ensure full compliance of its responsibilities and duties as a landlord to ensure our tenants' Health & Safety.

5.2 This document is to be read in conjunction with the Association's Legionella Management Plan. In this Policy, we set out what we must do to comply with legislation. In the Plan, we explain the process we will follow to affect compliance.

### 6.0 Management Responsibilities

6.1 Overall responsibility to ensure that the Association complies with all statutory duties placed on it by health and safety legislation lies with the Management Committee.

In respect of Legionella, Committee will meet its responsibilities through the delegation of tasks and duties to key staff members. This is discussed below.

6.2 The Association's Director's duties and responsibilities include:

- ensuring adequate finance is in place for the delivery of this service;
- ensuring that staff are competent in the delivery of this Policy and Management Plan;
- ensuring that the 'Duty of Care' to our tenants, employees and contractors is met;
- ensuring via appointed staff responsibility for the day to day delivery of the process and continuing audit;
- ensuring the review of Legionella Risk Assessments every three years, involving Management Committee in that review and arranging further risk assessments should that be deemed necessary;

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- If further Risk Assessments are undertaken, informing the Committee of the outcome of those Assessments and overseeing the implementation of (Committee) agreed actions.

#### 6.3 The Maintenance Manager's duties and responsibilities include:

- overseeing the implementation and the continuing review of this Policy and Management Plan;
- ensuring that all staff within the are kept fully informed of developments in legislation and good practices relating to the management of Legionella;
- to ensure that approved contractors are available to undertake surveys/ risk assessments upon request/demand;
- to ensure surveys are undertaken as and when Policy dictates;
- that the Legionella register is kept up to date with additional or extra surveys as dictated by this procedure;
- organising a practical prioritised programme of chlorination to those areas offering the greatest risk to ensure that they are treated first. Any new discoveries will either be added to the schedule or treated separately;
- ensuring all planned, cyclical, refurbishment and void works fall in line with this policy and plan;
- carrying out training needs analysis with the Association's Director for the 'Legionella Management Team';
- assembling and reviewing a licensed panel of suitable contractors and analytical laboratories to carry out Legionella related work/analysis for North View;
- overseeing the implementation of works in response to concerns raised by Legionella Risk Assessments.

#### 6.4 The Association's Maintenance Officer will have responsibility for the day to day running of the Association's void programme, including related Legionella testing, and chlorination works required.

#### 6.5 The Maintenance Assistant's duties and responsibilities include.

- administration of the Legionella Database;
- tenant liaison and appointment scheduling;
- contractor liaison and appointment scheduling;
- carry out quarterly/ six monthly checks as required;
- to update the database with information gathered during quarterly/six monthly checks;
- to note and action any remedial works required to the domestic water system and to bring these to the attention of the responsible person;
- to bring to the attention of the responsible person any anomalies with regards water temperatures during checks and organise contractors to

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deal with these anomalies.

#### 7.0 Tenant Responsibility

- 7.1 Tenants are advised to clean shower heads, descale and disinfect them regularly.
- 7.2 Where a property is left vacant for any time (e.g. when on holiday), tenants are advised to flush both hot and cold water systems by running all outlets for at least ten minutes.
- 7.3 Tenants should inform the Association immediately if there are problems (including hot water not heating properly), debris or discolouration in the water.

#### 8.0 Training

- 8.1 While the above protocols establish the control hierarchy and key personnel for the management of Legionella issues, the Association's Management Committee recognise their duties to make available appropriate and adequate funding and resources to allow an effective system to be maintained.
- 8.2 All Staff involved with the implementation and delivery of the Legionella Policy and Legionella Plan will be offered appropriate training and will be provided with facilities and support as is deemed necessary by the Management Committee for the efficient discharging of their duties.
- 8.3 All Officers within the Association with a technical remit will require to have knowledge of current Legionella legislation and will also receive such training and support as deemed necessary by the Association.

#### 9.0 Monitoring & Checks

- 9.1 Annually, the Association will monitor and check the following:
  - check hot & cold water flow temperature (i.e. at Kitchen sink). Record temperatures;
  - check hot water storage calorifiers/cylinders are achieving stored water temperature of 60°C;
  - check flow temperature from storage calorifier/cylinder (i.e. by contact thermometer on the hot water pipe);
  - make sure any redundant pipework identified is removed.

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#### 10.0 Legionella Risk Assessment

- 10.1 We are required to undertake Risk Assessments of all the types water systems and associated pipework that we have which are susceptible to colonisation by Legionella.
- 10.2 The Risk Assessment will be undertaken by a competent party and will follow the procedure set out in L8 (2013) and the Approved Code of Practice for the prevention of Legionella.
- 10.3 The following will be considered during the risk assessment process:
- the temperature of stored water, e.g. tanks, calorifiers, water heaters with header tanks etc;
  - the construction and dimensions of water storage tanks, calorifiers etc;
  - the internal condition of water storage tanks and calorifiers (if possible);
  - if tanks are Bylaw 30 compliant e.g. that overflows are screened, tanks insulated and lids in place;
  - the configuration of pipework to prevent water stagnation;
  - deadlegs in pipework distribution system;
  - filling loops in combi boiler systems;
  - condition of showers and showerheads;
  - water temperatures at hot and cold outlets after specified running times;
  - susceptible occupants, e.g. elderly, supported tenants etc;
  - microbiological samples;
  - supported housing properties and Offices owned and/or managed by North View.
- 10.4 In accordance with guidance set out in the Approved Code of Practice (L8), we will review our Risk Assessment at least every two years and update them (on an ongoing basis) as necessary.
- 10.5 Risk assessment will include identification and evaluation of potential sources of risk and the particular means by which exposure to Legionella bacteria is to be prevented. If prevention is not reasonably practical, we will implement controls to reduce the risk from exposure to Legionella bacteria.
- 10.6 During each risk assessment, if and when Legionella water samples are required, persons carrying the risk assessment will obtain two one litre water samples in a sterile container, one from the hot water distribution system and one from the cold

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water system. These samples will be sent to an independent UKAS (United Kingdom Accreditation Service) accredited laboratory for analysis within 48 hours.

#### 11.0 Risk Assessment Results/Remedial Works

11.1 The completed risk assessment will make recommendations as to remedial works required to the domestic water system in order to comply with the Approved Code of Practice (L8). Recommendations are prioritised as:

- High
- Medium
- Low

11.2 Associated timescales as to when the remedial work should be completed are:

- High Priority - Work to be carried out immediately. (Where this is not possible, regular disinfection and temperature monitoring regime to be adopted until period of rectification);
- Medium Priority - Work to be carried out within three months;
- Low Priority - Work to be carried out within twelve months.

11.3 On completion of the risk assessment, we will update our database with all relevant information.

#### 12.0 Authority

12.1 The Management Committee will manage, monitor and appraise matters with regards to the control of Legionella within the Association's properties.

#### 13.0 Reports

13.1 The Management Committee will receive ongoing reports on relevant aspects of Legionella control and within the Association's properties.

13.2 The Management Committee will be informed of any unsafe situations that arise as soon as practicably possible.

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### 14.0 Review

- 14.1 The policy will be reviewed at least every three years. It will be reviewed earlier in response to legislative and/or regulatory changes.

**End**

#### **reviews and amendments:**

- |                                |   |   |
|--------------------------------|---|---|
| 10 <sup>th</sup> June 2015     | - | Policy reviewed   |
| 24 <sup>th</sup> August 2022   | - | Policy reviewed   |
| 11 <sup>th</sup> December 2024 | - | References to Maintenance Sub-Committee removed from sections 10.1 and 11.1 to reflect new governance arrangements from January 2025  |
| 26/11/25                       | - | Policy reviewed:- <ul style="list-style-type: none"><li>• separating legal and regulatory frameworks information into three separate sections (2.0, 3.0 and 4.0), with much more detail added;</li><li>• reallocation of responsibilities under section 6.2 and 6.3 (Director and Maintenance Manager);</li><li>• Tenant responsibility section added at 7.0 (removed 'controls' section which outlined some of these and</li><li>• a new section at 10.3 added to set out items considered during the risk assessment process (removed from section 10.2).</li></ul> |

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