



Legionella Management Policy

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Introduction

Empower Housing Association (EHA) understands that colleagues, tenants and visitors (including contractors and members of the public) need to be safe from the threat of Legionella.

This policy sets out EHA's commitment to managing, controlling and reducing the risks associated with Legionella to ensure that tenants' homes and EHA-managed properties remain safe and fit for purpose.

In achieving this EHA will comply with all relevant Legionella legislation and regulations, providing a clear framework for legal compliance, risk management and assurance.

Where appropriate any compliance risks will be considered, mitigated or removed as part of any major refurbishment works or included in new development design briefs.

Scope of the Policy

This policy provides assurance to EHA that measures are in place to ensure we manage and/or mitigate risks associated with Legionella.

This policy relates to all properties owned or leased and is relevant to all EHA colleagues, tenants, care providers, contractors and other persons or other stakeholders who may work on, occupy, visit, or use its premises, live in its properties or who may be affected by its activities or services.

It should be used by all to ensure they understand the obligations placed upon EHA to maintain a safe environment for tenants and colleagues within the homes of tenants, and within all communal areas of buildings owned and managed by EHA.

The Policy

Legionnaires' disease is a potentially fatal form of pneumonia caused by the inhalation of small droplets of contaminated water containing Legionella. All mechanical hot and cold-water systems are likely to provide an environment where Legionella can grow. The Health and Safety Executive provide guidance on what landlords must do to control any risks, and this policy has been developed in line with that guidance.

The law is clear that landlords who rent out property have legal responsibilities to ensure the health and safety of their tenants by keeping the property safe and free from health hazards.

Managing Legionella Risks

- EHA will identify and assess sources of risk by carrying out Legionella Risk Assessments (LRAs)
- EHA will provide tenants/care providers with a copy of the LRA, written scheme of control and legionella checklist for them to complete weekly/monthly (**see Appendix 1**)
- EHA will implement and maintain appropriate control measures
- EHA will undertake annual inspections and temperature monitoring
- EHA will ensure remedial works are prioritised and completed
- EHA will ensure LRAs are reviewed following changes to the layout of water systems

- EHA will maintain accurate records
- EHA will provide Legionella Awareness training and refresher training to relevant colleagues annually.

Where access to carry out inspections is difficult

- EHA will make every effort to gain access to carry out inspections/work in conjunction with tenants' availability
- Legal action may be taken if access is refused and all reasonable efforts have been made (in line with the Access/No Access Procedure) in exceptional circumstances.
- Consideration will be given to tenants' vulnerabilities and disabilities at all times

Record Keeping and Data Security

EHA will maintain up-to-date records for each property, including:

- Details of whether there are any calorifiers (boilers immersion heating cylinders), cold water tanks (CWT) or expansion vessels at the property.
- Completed annual and or 6 monthly inspection documentation and or remedial works
- EHA will request copies or to see weekly/ monthly temperature checklists completed by care providers to ensure there are no faults with TMV's (**See Appendix 1**)
- Any changes to the existing system layout
- New LRA's following any changes to the system to confirm any risks, dead legs to pipework or further actions needed
- All records are retained in accordance with the Data Retention Policy.
- Appropriate data protection and security controls are in place for tenant and contractor information.

Communication

EHA colleagues will ensure that all communication with tenants, care providers, contractors and other stakeholders are logged on the housing management system (SDM) and that they continue to maintain an open line of communication throughout when dealing with reports of repairs, arranging works/inspections or dealing with enquiries.

Contractor Requirements

Only competent contractors with the required qualifications and knowledge may undertake works.

Contractors must provide:

- Risk Assessments and Method Statements (RAMS).
- Proof of qualifications.
- Up-to-date public liability insurance.
- Registrations are verified upon appointment and reviewed annually.

Responsibilities

The Chief Executive Officer (CEO) will have overall responsibility and retain oversight on performance.

The responsibility for the delivery of the service will be delegated to the Property & Compliance Manager who will provide oversight of legionella safety, risk management

and ensure compliance of the legislation/regulation duties. The Property & Compliance Lead will retain operational responsibility

Related Legislation, Regulation and Codes of Practice

- Health and Safety at Work Act 1974
- The Control of Substances Hazardous to Health Regulations 2002
- The Management of Health and Safety at Work Regulations 1999
- Approved Code of Practice (L8) British Standards 8580:2010 – Water Quality: Risk Assessment for Legionella
- Social Housing (Regulation) Act 2023
- RSH Consumer Standard
- INDG 458 Legionnaires Disease – A brief Guide for Duty Holders (2012)
- HSG274 Legionnaires Disease – Technical Guidance (in 3 Parts) (2013)
- IACL27 (rev2) Legionnaires Disease – A guide to Employers
- Housing Health and Safety Rating System (HHSRS)
- HSE Guidance Legionella and Legionnaires' disease

This policy has been reviewed and remains compliant with current Legionella legislation and guidance, and while no Legionella-specific regulatory changes have occurred, wider social housing safety regulation has strengthened expectations around assurance and hazard management.

Related Policies, Procedures and Documents

- Health and Safety Policy
- Equality, Diversity and Inclusion Policy
- Tenancy Agreement
- Data Retention Policy
- Legionella Management Procedure
- Reasonable Adjustments Policy
- Access/No Access Procedure

Reporting & Monitoring

Key performance indicator (KPIs) reviewed:

- No of properties with a completed LRA.
- No of LRA's needed to date.
- No of Properties where the Legionella risk assessment is still due/overdue
- Number of high, medium and low remedial works outstanding or overdue

The policy will be reviewed every two years (or sooner if there is a change in regulation, legislation or codes of practice).

Non-Compliance / Escalation Process

Any non-compliance identified will be reported to the Property & Compliance Manager immediately, the Property and Compliance Lead and Property & Compliance Manager will agree a plan of action and notify the CEO within 24 hours.

The CEO will inform the Board and where appropriate the Regulator of Social Housing.

Consultation and Publicising Policy

Consultation of this policy has been undertaken with:

- Senior Management Team
- Management Team

Publicised on:

- EHA website.
- Communicated to all colleagues.

Review

The policy will be reviewed every two years (or sooner if there is a change in regulation, legislation or codes of practice).

Equality Impact Assessment

An Equality Impact Assessment has been completed for this policy.

Appendix 1 – Legionella Checklist Log issued to Tenant/Care Provider:



Property Address: (Address)

Month/Year:

WEEKLY/MONTHLY & QUARTERLY LEGIONELLA COMPLIANCE FORM TO BE COMPLETED BY THE TENANT/CARE PROVIDER

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WEEKLY TASKS (The weekly flushing of the infrequently used outlets)			
If any of the outlets are not being used at least weekly, they should be flushed on a weekly basis and be recorded below. Flushing for at least 5 minutes is recommended.			
Locations of the infrequently used outlets (those not being used at least weekly) (List below)			
(List here)			
Have all of the outlets listed above been flushed for at least 5 minutes? ✓ or X	Date and time of flushing:	Undertaken by:	
		Name	Signature
MONTHLY TASK (The water temperature monitoring of the hot and cold-water outlets)			
The monthly temperature monitoring of the hot and cold outlets should be undertaken and recorded to ensure the hot water outlets are a minimum of 50°C within 1 minute of running and the cold-water outlets are below 20°C within 2 minutes of running. Monthly temperatures should be taken and recorded from the nearest and furthest outlets (sentinels) along with a selection of the other hot and cold-water outlets on a rotational basis. Ensure where TMVs are fitted, that the hot supply to the TMV is also recorded to ensure it is above 50°C within 1 minute of running.			
Location of the Outlet	Description of the Outlet	Temperatures °C	
		Hot	Cold

QUARTERLY LEGIONELLA COMPLIANCE FORM

QUARTERLY TASK (The cleaning and descaling of the showers)			
The quarterly cleaning and descaling of the showers should be undertaken and recorded below. The frequency may need to be increased depending on the rate of scale and fouling			
Location/Description	Has the unit been dismantled and cleaned?	Has the spray head been left free from scale?	Has the unit been flushed and returned to service?
	Date and time of cleaning and descaling:	Undertaken by:	
		Name	Signature