

Policy Statement & Purpose

Bromford Housing Group (BHG) are fully committed to meeting all relevant statutory & regulatory requirements, including best practice standards, in water safety management and also ensuring continual improvement in compliance performance, adopting a zero-tolerance approach to any deviation from this policy.

The purpose of this policy is to demonstrate BHGs commitment to ensuring that the risk to people, buildings and the wider business are reduced as far as reasonably practicable, whilst ensuring that all legislative requirements are met. This policy will be supported by detailed operating procedures to ensure we assess, control and manage legionella bacteria in our water systems and the policy is fully embedded into routine working practice across the business.

1.0 Scope

1.1 The Water Safety Policy and associated procedures detail how BHG meets the requirements of the HSE's Control of Legionella in Water Systems: Approved Code of Practice L8. In addition to this, the policy provides assurance to BHG that measures are in place to identify, manage and/or mitigate risks associated with water safety. As part of the policy BHG will ensure compliance with water safety legislation and guidance and formally report at Executive and Board level, the details of any significant non-compliance and unmanaged breaches and risks, along with any planned corrective actions.

1.2 The policy is relevant to all BHG employees, customers, contractors and other persons or stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services. It should be used by all to ensure they understand the obligations placed upon BHG and building users to maintain a safe environment for customers and employees within the home of each customer and within all other areas of our buildings.

1.3 BHG will follow a systematic approach to the management of water safety to ensure it meets the requirements set out in Approved Code of Practice L8 and other relevant legislation and guidance relating to water safety. This is to ensure the safety of customers, leaseholders, employees and members of the public.

1.4 This policy applies to all BHG offices and buildings under its control or occupation. It also applies to any of our housing blocks and support schemes where the building is under our management. Where the building is controlled or managed by a third party then the responsibility for water safety in their designated areas must be agreed, and subsequently monitored, with the management company or commercial tenant unless this is otherwise stated in the management contract.

2.0 Reference Documents

2.1 [Water Safety Procedure](#)

2.2 [Waste Water Treatment Policy](#)

3.0 Policy Principles

3.1 BHG are committed to providing a robust, safe and cost-effective service to our customers in relation to water safety. In respect of our responsibilities for water safety and the control of legionella bacteria, BHG will:

- Appoint a person responsible for complying with all our Health & Safety requirements and name a Duty Holder (Chief Executive) and appoint a Responsible Person(s) for managing the commitments within this Policy. Appointed responsible persons are; Head of Compliance, Compliance Manager North, Compliance Manager South, Water Safety Business Compliance Lead.
- Retain an adverse risk appetite in matters relating to Legionella and water safety compliance.
- Ensure a robust Water Safety Procedure is in place and adhered to by all colleagues.
- Carry out and periodically review, Legionella risk assessments to prevent the proliferation of legionella bacteria in the water systems of buildings for which we are responsible.
- Carry out all required planned and preventative maintenance (PPM) schedules and inspections to ensure our water systems are safe.
- Ensure asset databases and customer records are maintained accurately and data reconciliations continue to be carried out frequently.
- Ensure emergency procedures are in place, reviewed regularly and available to all colleagues and relevant third parties.
- Ensure relevant monitoring regimes are in place and to submit compliance reports regularly to Board, the Risk & Compliance Forum and the Executive.
- Report critical exceptions to an Executive Director in agreed timescales.
- Ensure every contractor or consultant employed by Bromford to carry out works in our homes and communal areas has the relevant licenses, registrations, accreditations and qualifications, as specified by the relevant regulations and Bromford procedures.
- Ensure colleagues receive appropriate training to fulfil their duties in relation to water safety.
- Have a robust process in place to gain access to homes and property for the undertaking of essential water safety inspection and works.
- Fulfil our commitment to equality and diversity while delivering the water safety services to our customers.
- Engage with customers and leaseholders in a participative and empowering manner so that they can contribute to service provision in relation to water safety.
- Ensure effective communication of the Water Safety Policy.

4.0 Responsibilities

4.1 The Board is responsible for:

- Ensuring Bromford complies with legislation
- Review performance in line with policy and regulation

4.2 The Executive Team is responsible for:

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- Ensuring the appropriate resources and performance management frameworks are in place to ensure compliance with applicable laws and regulations
 - Inspiring a culture which ensures compliance is prioritised and colleagues are trusted and encouraged to report concerns of non-compliance
 - Continuing performance review and scrutiny

4.3 The Audit and Risk Committee are responsible for:

- Reviewing Compliance reports and control frameworks and make recommendations to Board
- Providing assurance to Board on compliance with the relevant legislation and our policy

4.4 Risk and Compliance Forum (RCF)

- Approving this document and notifying board of key changes to this document
- Reviewing and challenging water safety performance

4.5 Landlord Compliance Forum (group)

- Support the Risk and Compliance Forum (RCF), Executive, Board and Audit & Risk Committee (A&RC) in discharging their responsibilities for ensuring the adequacy and effectiveness of risk management, control and governance across Bromford.

4.6 Water Safety Group (WSG)

- Monitoring Water Safety Group performance and its forward plan
- Maintaining and monitoring proper arrangements for risk management and internal control
- Ensuring these are effectively developed, implemented, managed, monitored and embedded
- Support the Risk and Compliance Forum (RCF), Executive, Board and Audit & Risk Committee (A&RC) in discharging their responsibilities for ensuring the adequacy and effectiveness of risk management, control and governance across Bromford

4.7 All leaders and colleagues are responsible for:

- Carrying out their work in line with this policy and associated procedures and processes
 - Applying Bromford's DNA in everything they do
 - Reporting non-compliance to line management as soon as practically possible
 - Considering water safety in all our activities and notifying compliance leads of any activity which puts compliance at risk
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5.0 Legislative Requirements

5.1 Our policy is to comply with all applicable legislation and regulatory requirements, including the following:

5.2 Regulatory Standards

The application of this policy will ensure compliance with the regulatory framework and current consumer standards for social housing in England.

5.3 Legislation & Guidance

The principal code of practice applicable to this policy is the Control of Legionella in Water Systems: Approved Code of Practice (ACOP) L8. This ACOP explains how we will ensure compliance with, in particular, the Health and Safety at Work etc Act 1974 (the HSW Act) and the Control of Substances Hazardous to Health Regulations 2002 (COSHH). The ACOP describes preferred or recommended methods that can be used (or standards to be met) to comply with the Regulations and the duties imposed by the Health and Safety at Work etc Act 1974. The guidance also provides advice on achieving compliance, or it may give general information, including explaining the requirements of the law, more specific technical information, or references to further sources of information.

5.4 Additional Legislation & Guidance

This operates in the context of the following legislation:

- Health and Safety at Work etc. Act 1974 and subsidiary regulations
- Management of Health and Safety at Work Regulations 1999
- The Housing Act 2004
- Control of Substances Hazardous to Health (COSHH)2002
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- HSG 274 Legionnaires' Disease. Parts 2 and 3
- Safe water in healthcare premises (HTM 04-01)
- The Landlord and Tenant Act 1985

5.5 Code of Practice

The principal code of practice applicable to this policy is:

- The Control of Legionella in Water Systems: Approved Code of Practice L8

6.0 Assurance Framework

6.1 The Legal and Regulatory risk appetite of Bromford's Board is generally minimal, and it is risk averse with respect to landlord asset compliance. As such we always do everything reasonably practicable to ensure Legal and Regulatory compliance. Our compliance management comprises high-level oversight and assurance at Board and Executive level, mid-level oversight at Senior Leadership level and detailed scrutiny at management level.

6.2 This policy assists with mitigating the risk identified in our risk register, namely 'KSR10 -We fail to ensure safety and asset compliance across our homes resulting in Death, permanent

disability/injury to colleagues, customers, contractors or the public as our approach to H&S lacks robust controls/oversight’.

6.3 A system of audits in line with our 3 lines of assurance will ensure that all aspects of this policy and any controls implemented, will be monitored to ensure its effectiveness.

7.0 Performance Monitoring

7.1 The following KPI’s are measured and reported to the Executive:

- Number of sites without a valid Legionella Risk Assessment where relevant

7.2 The following KPI’s are reported to WSG:

- Number of sites without a valid Legionella Risk Assessment where relevant
 - Number of sites without scheduled PPM delivered in accordance with a Written Scheme
 - Number of overdue high-risk actions from Legionella Risk Assessments, including the dates they became due.
 - Number of high-risk actions from Legionella Risk Assessments due for completion in the next 30 days
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8.0 Training

8.1 Training will be provided to colleagues to ensure they understand and are able to carry out their tasks competently and safely. In particular, they should know:

(a) potential sources of legionella bacteria and the risks they present

(b) measures to adopt, including the precautions to take to protect the people concerned, and their significance.

(c) measures to take to ensure that the control measures remain effective, and their significance.

This training will include, but will not be limited to, the following:

- Awareness of the risk of Legionella for relevant operational staff
 - Managing the risk of legionella for relevant managers
 - Management of Control of Building Hot and Cold-Water Systems for responsible and competent persons (BOHS or City and Guilds or equivalent)
 - Annual briefings will be provided to managers and engineers working on legionella programmes and carrying out routine inspections and testing.
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9.0 Communication and Review

9.1 This policy is published on the Hub intranet site.

9.2 This policy will be reviewed every three years and or sooner following legislative changes or amendments to industry recognised best practice guidance.

Document Details

Owner: Director of Asset Management and Building Safety

Approved By: Risk and Compliance Forum

Date of Approval: February 2024

Next Review Due: February 2027
