

ReSI Housing Limited Legionella Safety Policy

1. Introduction

- 1.1. This policy describes how ReSI Housing will deliver its Legionella Safety responsibilities as a freeholder on any block with communal water storage assets, where ReSI Housing as the landlord has the responsibility to maintain.
- 1.2. ReSI Housing understands and accepts that by outsourcing delivery of these functions, it does not negate our legal responsibilities.

2. Scope

- 2.1. The policy applies to all ReSI Housing employees, tenants, Managing Agents, contractors and other persons or other stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services.
- 2.2. The policy is relevant for maintaining a safe environment for all customers within all ReSI Housing' communal blocks, where ReSI Housing as the Freeholder has an obligation to do so.

3. Responsibilities

- 3.1. ReSI Housing may employ external contractors to carry out this work on its behalf, however, ReSI Housing will remain responsible for fulfilling Legionella Safety responsibilities for areas and properties that they are responsible for.
- 3.2. ReSI Housing will ensure that there they will deliver its Legionella Safety responsibilities in:
 - all communal and shared areas for which ReSI Housing are responsible for.
 - all leasehold properties at the point of first tranche sale, repossession or buy back instances.

4. Policy Statement

- 4.1. ReSI Housing has a duty of care to ensure that residents can use the relevant buildings safely. This extends to mitigating the risks associated with Legionella and scalding.
- 4.2. Where hot and cold-water supplies within Shared Ownership or Leasehold homes are provided by communal facilities under the demise of ReSI Housing, the responsibility for the communal facilities remains with ReSI Housing. ReSI Housing is not however, responsible for the testing, maintenance of hot and cold-water systems contained within Shared Ownership and Leasehold properties. The responsibility is that of the homeowner.
- 4.3. For shared water tanks where responsibility water safety is the responsibility of another party, we will ensure that assessments are undertaken, and that compliance certificates can be made available to our tenants.
- 4.4. ReSI Housing acknowledges and accepts our responsibilities under the Health and Safety at Work Act 1974 and the Control of Substances Hazardous to Health Regulations 2002 (as amended) in regard to the risk from Legionellosis.
- 4.5. ReSI Housing will take all reasonably practicable steps, including independent Quality Assurance to ensure all newly acquired properties have evidence in place to demonstrate that hot and cold-water systems designed and installed, meet the required standards and regulations in place at the time of installation.
- 4.6. ReSI Housing will ensure that there is a competent person and instruct a Water Risk Assessment (WRA) on all new communal blocks and applicable units, ensuring developers complete all actions before the properties are certified as 'Ready to Occupy (RTO)'.
- 4.7. The WRA will include:
 - Management responsibilities, including the name of the competent person carrying out the risk assessment
 - A description of the system, any potential risk sources, and any controls currently in place to control risks.
 - Written scheme
 - Monitoring, inspection, and maintenance procedures

- Records of the monitoring results, inspection and checks carried out and a review date.
- 4.8. Where the risks are assessed to be, insignificant and are being properly managed to comply with the law, no further action is required. ReSI Housing will periodically review these risk assessments (every 2 years) in case anything changes in the system.
 - 4.9. ReSI Housing may deliver its water safety responsibilities and obligations for all units and blocks in management via a third-party Managing Agents. ReSI Housing will manage that relationship, seeking assurance, to ensure all required, risk assessment, inspection and maintenance is completed by competent persons, to meet the requirements of the obligations placed upon ReSI Housing.
 - 4.10. ReSI Housing will require their Managing Agent(s) to follow the guidance contained within 'The control of Legionella bacteria in water systems: Approved Code of Practice (ACOP) (L8:2013) and provide evidence of this.
 - 4.11. ReSI Housing will ensure a robust system of monitoring and measuring the performance of Managing Agent(s) in delivery of these functions is established and managed.
 - 4.12. ReSI Housing will ensure that a robust regime of routine 'flushing' is in place for all void properties and throughout the duration when the properties are vacant. Records of the flushing will be stored against the unit on the ReSI Housing compliance system.
 - 4.13. ReSI Housing will ensure compliance with water safety regulations and ACOPs, with performance formally reported at Leadership Team and Project Committee level, including the details of any non-compliance, and planned corrective actions.
 - 4.14. ReSI Housing will periodically (and at least annually) undertake a property asset data review to ensure adequate assurance is provided that water safety information held against the organisation's property assets is accurate and up to date and that all relevant assets are recorded on their Managing Agents' systems.
 - 4.15. ReSI Housing will ensure that written schemes of control in communal areas of buildings are available to inform occupants on how the risk of exposure to legionella bacteria is being managed and controlled.

- 4.16. ReSI Housing will ensure that our residents have access to water safety information that clearly explains the risks of legionella and scalding and their responsibilities, to support reducing those risks.
- 4.17. Where non-domestic or communal facilities provided for the use of ReSI Housing residents are not under ReSI Housing' demise, ReSI Housing will seek assurances from the third-party Duty Holders that effective water safety management measures are in place.

5. Regulatory Standards, Legislation and Codes of Practice

- 5.1. Regulatory Standards - the application of this policy will ensure compliance with the regulatory framework and consumer standards (Home Standard) for social housing in England, which was introduced by the Regulator of Social Housing (RSH).
- 5.2. Legislation – The principal legislation applicable to this policy is the Health and Safety at Work etc. Act 1974 and the Control of Substances Hazardous to Health Regulations 2002 (as amended) (COSHH). Under COSHH, ReSI Housing has a legal duty to assess the risk from exposure to hazardous substances, including biological agents, and to prevent or, where this is not reasonably practicable, adequately control exposure.
Legionella bacteria, being a biological agent capable of causing harm to human health, falls within the scope of these regulations.
- 5.3. Code of Practice – the principal codes of practice applicable to this policy are:
- Health and Safety Executive (HSE) Approved Code of Practice (ACoP) L8 – 'Legionnaires' disease: The control of legionella bacteria in water systems' (current edition).
 - HSE Guidance HSG274 – 'Legionnaires' disease: Technical guidance', including:
 - Part 2: The control of legionella bacteria in hot and cold water systems (current edition).
 - Part 3: The control of legionella bacteria in other risk systems (current edition).
 - HSE guidance for landlords and dutyholders on controlling legionella risk (as published on the HSE website, current version).
- 5.4. Sanctions - ReSI Housing acknowledges and accepts its responsibilities in accordance with the regulatory standards, legislation and 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.

6. Additional Legislation

6.1. This water hygiene policy operates in the context of the following legislation, standards and guidance:

6.2. **Legislation:**

- Health and Safety at Work etc. Act 1974
- The Management of Health and Safety at Work Regulations 1999
- Control of Substances Hazardous to Health Regulations 2002 (as amended)
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- The Workplace (Health, Safety and Welfare) Regulations 1992
- Housing Act 2004
- Homes (Fitness for Human Habitation) Act 2018
- Landlord and Tenant Act 1985
- Construction (Design and Management) Regulations 2015
- The Water Supply (Water Fittings) Regulations 1999
- The Pressure Systems Safety Regulations 2000
- Building Regulations 2010 – Part G (Sanitation, hot water safety and water efficiency)
- Data Protection Act 2018 and UK General Data Protection Regulation (UK GDPR)

6.3. **Standards and Guidance:**

- HSE Approved Code of Practice (ACoP) L8 – Legionnaires' disease: The control of legionella bacteria in water systems (current edition)
- HSE Guidance HSG274 – Legionnaires' disease: Technical guidance (current edition)
- BS 8580-1:2019 – Water quality. Risk assessments for Legionella control. Code of practice
- BS 8558:2015 – Guide to the design, installation, testing and maintenance of services supplying water for domestic use within buildings and their curtilages
 - Relevant guidance published by the Health and Safety Executive (HSE) and other competent bodies (as updated)

7. Obligations

- 7.1. The Control of Substances Hazardous to Health Regulations 2002 (as amended) (COSHH), the Management of Health and Safety at Work Regulations 1999 and the Health and Safety at Work Act 1974 place a duty, as an employer or person in control of a premises (e.g. a landlord or Managing Agent), to take suitable precautions to prevent or control the risk of exposure to legionella bacteria.
- 7.2. Maintain an effective organisation structure outlining key roles and responsibilities for the management of water hygiene/safety.
- 7.3. Maintain an effective Governance Structure to effectively manage and report on water hygiene.
- 7.4. The 'Duty Holder' responsible for control of legionella and water hygiene safety will appoint a competent/responsible person to take managerial responsibility for legionella control – including risk assessment, production of a written scheme and implementation of that scheme to prevent or control the risks.
- 7.5. This 'Duty Holder' should also appoint a competent person or persons to take day-to-day responsibility for controlling any identified risks from legionella bacteria.
- 7.6. Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013 places duties on employers, the self-employed and people in control of work premises (the Responsible Person) to report certain serious workplace accidents, occupational diseases and specified dangerous occurrences (near misses). Legionnaire's disease is notifiable under RIDDOR.
- 7.7. ReSI Housing will ensure that there is an appointed competent contractor that will carry out routine inspections of all void units and ensure that the water systems are adequately 'flushed' throughout the period when the units are vacant.

8. Quality Assurance and Audit

- 8.1. ReSI Housing will ensure that building safety audit of all communal blocks are carried out every quarter. This audit will specifically test for compliance with the Water Risk Assessment (WRA) and identify any non-compliance issues for correction.

- 8.2. The outcome of the building safety audits will be reported to Board, to provide further assurance on the safety of all our communal blocks.

9. Policy Review

- 9.1. This policy will be reviewed as required or at least every two years to incorporate any changes in legislation or good practice.

19 May 2026