Community Counts
Milnbank
Housing Association
53 Ballindalloch Drive, Glasgow G31 3DQ

TO:	MHA Board
PREPARED BY:	Mark Smith (Director of Asset Management)
SUBJECT:	LEGIONELLA MANAGEMENT POLICY
DATE OF MEETING:	13 OCTOBER 2026
APPROVED BY:	Paul Martin (CEO)
VERSION NUMBER:	2026
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LEGIONELLA MANAGMENT POLICY

HAPPY TO TRANSLATE

If you have difficulty with reading this policy, including any difficulties with sight or hearing, or if you require this document translated into another language, please contact us and we will be happy to provide this information in a format that suits your needs.

MS/OCTOBER.2026/REF P91

LEGIONELLA MANAGEMENT POLICY

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1 MILNBANK HOUSING ASSOCIATION (MHA) STRATEGIC OBJECTIVES

MHA's mission is to provide excellent homes and services in a thriving community. We believe that people living in the MHA community should:

- Have warm, safe, and affordable homes, and receive excellent services from MHA.
- Live in neighbourhoods that are clean and well cared for, with real community pride.
- Have access to opportunities and services that promote a good quality of life.

2 MHA's VALUES

Working as 'One Milnbank' so that we offer the same quality of services, support and housing to all tenants and residents.

3 LEGAL & REGULATORY COMPLIANCE

The Management Committee leads and directs MHA to ensure good outcomes for its tenants and other service users. MHA is committed to ensuring that Legionella standards and practices comply with the current outcomes set by the Scottish Housing Regulator:

"Registered Social Landlords must meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes and comply with the Healthy, Safe and Secure elements of the Scottish Housing Quality Standard".

4. POLICY INTRODUCTION

This Policy has been developed in accordance with ACS Health and Safety Consultancy guidance to assist landlords to understand their responsibilities with regards to Potable Water Supply Safety, their legal obligations under current legislation and to ensure that they have an effective policy and system in place for the inspection, maintenance and management of Water systems.

5. PRINCIPLES OF THE LEGIONELLA MANAGEMENT POLICY

MHA operates a Health & Safety Management System which comprises a broad range of documented policies, procedures and arrangements for the effective control of risks to the health, safety and welfare of employees and others who may be affected by the organisation's undertakings.

This document forms a part of the overall Management System and sets out the Association's specific arrangements for the management of Legionella.

The Legionella Policy and Procedures have been designed to ensure adequate risk management in the following principal types of premises operated/owned by the MHA:

1. Domestic housing stock (including mixed tenure)
2. Commercial premises

6 BACKGROUND POTABLE WATER SUPPLIES

Water is essential to sustain life and an adequate supply of good-quality drinking water should be available to consumers. International guidelines on drinking water quality are published by the World Health Organization (WHO). Within the European Union, drinking water is subject to specific quality standards set out in the EC Directive on the Quality of Water Intended for Human Consumption (98/83/EC2, the 'Drinking Water Directive') which takes into account the WHO guidelines. The water quality standards laid down in the Drinking Water Directive apply to all public and private water supplies intended for drinking, cooking, food preparation and other domestic purposes.

7 BACKGROUND LEGIONELLA BACTERIA

Legionnaires Disease is potentially a fatal lung infection (form of pneumonia) which can affect anybody, but which principally affects those who are susceptible because of age, illness, immunosuppression, smoking etc. and is caused when individuals inhale legionella bacteria. The bacteria can exist in any man-made water systems such as water storage systems, taps, pipework etc.

8. LEGISLATION

MHA has a legal duty to ensure that drinking water installations, services and any bottled water within premises under their control are safe (fit for purpose and kept in good order) before a tenancy begins and throughout its duration.

The legislation relating to Domestic Potable Water Supplies and the risk of Legionella Disease in water systems is listed below. See Appendix A for an Overview of Legislation.

- The Housing (Scotland) Act 2006.
- The Building (Scotland) Regulations 2004.
- The Water Supply (Water Fittings) (Scotland) Byelaws 2014.
- The Water Supply (Water Quality) (Scotland) Regulations 2001.
- The Private Water Supply (Scotland) 2006.
- The Control of Substances Hazardous to Health Regulations 2002, as amended.
- HSG274 Legionnaires Disease – Technical Guidance (in 3 Parts) 2024 (Second edition).
- INDG 458 Legionnaires Disease – A brief Guide for Duty Holders (2012).
- HSG220 (Second edition) Health and safety in care homes
- BS 8580-1:2019 Water quality - risk assessments for Legionella control - Code of practice
- BS 6920 Suitability of non-metallic products for use in contact with water intended for human consumption with regard to their effect on the quality of the water
- L8 (fourth edition) Approved Code of Practice The control of legionella bacteria in water systems (2013)
- Public Health etc. (Scotland) Act 2008.

9. WATER FITTINGS, INSPECTION AND WORKS

MHA's aim is to ensure that tenants have a safe and secure environment to live in, Domestic Water Supply and Sanitation safety is one consideration. There are a number of detailed requirements set out in the Water Supply (Water Fittings) (Scotland) Byelaws 2014. These requirements relate to water fittings and systems, their installation and use.

9.1 Water Fittings

The Water Supply (Water Fittings) (Scotland) Byelaws 2014 require that all water fittings and services are maintained in a safe condition and in working order. Water fittings **must not** contaminate the water supply. The byelaw requires that all water fittings must be of an appropriate quality and standard and be suitable in the circumstances in which they are used. This means they must bear an appropriate UKCA or CE marking or comply with another appropriate standard e.g. British Standard. Flexi-hoses used should conform to BS 6920 or be WRAS approved.

9.2 Approved Contractors – Plumbing Works

An Approved Contractor is a type of competent person defined in the Water Supply (Water Fittings) Regulations and Scottish Water Byelaws. These are more formally known as Approved Contractor Persons and must be appointed by MHA for relevant repairs, inspections and any other relevant works. Including The Water Industry Approved Plumbers' Scheme (WIAPS) there are seven Approved Contractor Persons' Schemes operating across the UK and for ease of recognition for consumers, they are often referred to as Approved Plumbers. All seven UK schemes are essentially the same, as they have the same entrance criteria and are recognised by all of the UK water suppliers.

Details of local approved contractors for plumbing works can be found by contacting Scottish and Northern Ireland Plumbing Employers' Federation (SNIPEF) Water Regulation Approved Contractors Scheme.

Water Safe is an online register and search facility of approved plumbing contractors working in the UK. Its purpose is to help customers find a competent and qualified plumber. Qualified plumbers help to keep water supplies safe by ensuring plumbing systems inside customers' properties are installed correctly and comply with the Water Supply Water Fittings Regulations and Byelaws

9.3 Certification of Plumbing Works and Conformity of Water Supply Fittings

Where a water fitting is installed or connected or disconnected by an approved contractor the contractor must, on completion of the work, **furnish a signed certificate stating whether the water fitting complies with the requirements of the regulations (byelaws).**

Where the prior consent of the water undertaker (Scottish Water) is required, the certificate must be sent to the water undertaker. For the purposes of the regulation, a contractor is a person approved by the water undertaker (Scottish Water) or certified as an approved contractor by a recognised Organisation.

10. LEGIONNAIRES DISEASE

"Landlords who provide residential accommodation have a legal duty to ensure that the risk of exposure of tenants to legionella is **properly assessed and controlled**."

All man-made hot and cold water systems are likely to provide an environment where Legionella can grow. Where conditions are favourable (i.e. suitable growth temperature range; water droplets (aerosols) produced and dispersed; water stored and/or recirculated; some 'food' for the organism to grow such as rust, sludge, scale, biofilm etc.) then the bacteria may multiply, thus increasing the risk of exposure. It is a simple fact that the organism will colonise both large and small systems, so both require risks to be managed effectively.

10.1 Legionella Risk in Domestic Hot and Cold Water Systems

The Legionella risk in domestic hot and cold water systems is associated with:

- The storage of water anywhere in the water system (storage tanks and Calorifiers).
- The water temperature in the water system being in the range of 20-45ºC which favours the growth of legionella bacteria.
- A source of nutrients such as rust, sludge, scale and organic matter.
- Little used outlets, parts of the system which are used infrequently, such as guest bathrooms, garden taps, or redundant sections of pipework.
- The system being unused for more than a week (e.g. void property or tenant's holiday).
- Appliances which produce and disperse water droplets and aerosols e.g. showers.
- The health of the tenant/visitor, (people more susceptible to infection due to age, illness or a weakened immune system).

10.2 MHA Duties

As Duty Holders, MHA has a duty to carry out risk assessments and manage the water systems in their properties:-

The Duty Holders must:-

- Arrange for a suitable and sufficient risk assessment to be carried out, thereby identifying and assessing the sources of risk. Landlords can assess the risk themselves if they are competent and, in this case, do not need to be professionally trained or accredited. However, most Housing Associations arrange for an accredited company with trained personnel to conduct these assessments. The ultimate responsibility remains with the Housing Association/Landlord.

- Prepare a scheme (or course of action) for preventing or controlling the risk and to achieve this, a person with managerial responsibility appoint as the 'responsible person'. This person is responsible for managing the scheme, its implementation and the day to day Organisation on behalf of the Association.

- Ensure that all employees involved in work that could expose them or others to legionella are given suitable and sufficient information, instruction and training.

10.3 MHA Responsible Person Duties

The Maintenance Co-ordinator is responsible for the day to day administration and all Organisational aspects of the scheme to control legionella bacteria in water systems.

These Duties Include:

- Ensuring that all MHA properties are risk assessed to comply with the requirements of HSE L8, *Legionnaires ' disease – The Control of Legionella Bacteria in Water Systems.*

- Ensuring a suitable operations manual is prepared for each water system (Log Book).

- Ensuring that all recommendations detailed in the risk assessment are carried out, with remedial action being recorded in the Log Book.

- Ensuring that all inspections, cleaning and temperature checks are conducted to comply with Table 2.1 of HSG274 Part 2, *Legionnaires ' disease – The Control of Legionella Bacteria in hot and cold water systems.* All inspections, temperature checks, cleaning and flushing regimes should be recorded in the Log Book.

- Ensuring that when temperature checks are undertaken, the thermometer used has been calibrated and the calibration certificates are in date and available for inspection. For most domestic hot and cold water systems, checking temperature is the most reliable way of ensuring the risk of exposure to Legionella bacteria is minimised. Cold water must be stored and delivered at a temperature of 20ºC within 2 minutes of running, hot water output from outlets must reach a temperature of 50ºC within 1 minute of running.

- Ensuring that Organisations such as water treatment companies, maintenance contractors, consultants and in-house tradesmen are competent and suitably trained and have the resources (tools, equipment and hardware) to undertake their duties in a safe and adequate manner.

- Relevant documentation such as Job Method Statements, Safe Systems of Work, Work Permits, Job Risk Assessments and COSHH Assessment are provided and placed on record.

- Ensuring that there are designated persons to carry out all maintenance operations, inspections, checks and remedial actions.

- Ensuring that responsibilities and effective lines of communication are properly established and clearly laid down for individuals and Organisations who carry out work on the water system, whether or not they are under the control of the Organisation.

- Ensuring that records are maintained as specified under the HSE L8, *Legionnaires ' disease – The Control of Legionella Bacteria in Water Systems.* Records should be retained throughout the current period and for at least 2 years afterwards. Records detailing monitoring, inspections, tests, or checks carried out, should be kept for 5 years.

- Monitoring the effectiveness of the control measures in place and making decisions on the frequency and manner of monitoring. Ensuring that any deficiencies or limitations identified in the system are notified to the Duty Holder.

10.4 Approved Contactors – Legionella Risk Assessment & Associated Works

MHA must ensure that Legionella Risk Assessments are carried out by a competent person, defined as an individual with the necessary skills, knowledge and experience to manage health and safety, domestic water risk and associated control measures.

If you decide to employ contractors to carry out your risk assessment or other work, it is still the responsibility of the competent person to ensure that the work is carried out to the required standards. Remember, before you employ a contractor, you should be satisfied that they can do the work you want, to the standard that you require.

There are a number of external schemes which detail the competence of external contractors:-

- Member of the Legionella Control Association, details on competence and standards www.legionellacontrol.org.uk
- Legionella management for responsible persons – IOSH Course. www.iosh.co.uk
- The Legionella Risk Assessment and disinfection Scheme run by the Association of Plumbing and Heating Contractors (APHC) and the Scottish and Northern Ireland Plumbing Employers Federation (SNIPEF). www.legionellacheck.org email legionellacheck@snipef.org

11. COMMERCIAL PREMISES

Under general Health & Safety Law, as an employer or person in control of a premise (e.g. a landlord), MHA has Health & Safety duties and need to take suitable precautions to prevent or control the risk of exposure to legionella.

11.1 Procedures for Commercial Premises

1) A suitable and sufficient Risk Assessment will be carried out by a competent person to identify and assess the risk of Legionellosis occurring from water sources on the Organisation's premises and where the Organisation has responsibilities for the water systems. The risk assessment will be reviewed at regular intervals (defined by the Organisation) or where there is reason to suspect its validity.

2) A written scheme will be prepared for preventing and/or controlling the risk.

3) Control measures will be implemented, managed and monitored by competent persons as detailed in the written scheme.

4) Records will be maintained and kept for the duration of their validity and for a further five years.

5) A competent person will be appointed with sufficient authority and knowledge to manage and control the legionella risk.

6) Further general information:
    a. Hot water will be stored at a temperature of at least 60°C.
    b. Water pipes will be as short and direct as possible and pipes and water tanks will be effectively insulated. Tanks will be protected against contamination and materials used which do not encourage Legionella growth.
    c. Hot water output from each outlet will reach 50°C within one minute of running (55°C in health care premises)
    d. Cold water will be stored and distributed at a temperature of less than 20°C.
    e. Where water is used or stored for consumption in any devices, e.g. water coolers, tea urns, drinks machines etc., an effective system of regular cleaning and disinfecting will be introduced, in accordance with manufacturer's instructions.

12. EQUALITY & HUMAN RIGHTS

MHA's is committed to equal opportunities, and we will respond to the different needs and service requirements of individuals, and we will not discriminate against any individual for any reason outlined in Equality & Human Rights Legislation.

13. DATA COLLECTION

MHA will manage all personal data in accordance with our obligations under the GDPR regulations and the Association's Policy.

14. POLICY MONITORING & REVIEW

The Legionella Management Policy will be reviewed by the Management Board on an triennial basis or in line with EVH/ACS updates, or as otherwise deemed necessary by legislative or regulatory updates.

Milnbank Housing Association **Equality Impact Assessment Tool**	

Name of the policy / project proposal to be assessed	Legionella Management Policy	Is this a new policy /proposal or a revision?	Revision
Person(s) responsible for the assessment	Mark Smith, Director of Asset Management		
1. Briefly describe the aims, objectives and purpose of the policy / proposal	The policy sets out MHA's legal obligations under current legislation and to ensure that they have an effective policy and system in place for the inspection, maintenance and management of Water systems.		
2. Who is intended to benefit from the policy/ proposal? *(e.g. applicants, tenants, staff, contractors)*	Anyone who occupies an MHA home of Commercial premise.		
3. What outcomes are wanted from this policy/ proposal? *(e.g. the benefits to customers / benefit to staff)*	Safe living and working arrangements.		
4. Which protected characteristics could be adversely affected by the proposal? (*tick all that apply*) **N/A** ☐ Age ☐ Race ☐ Disability ☐ Marriage & civil partnership ☐ Pregnancy / Maternity ☐ Religion or belief ☐ Sex ☐ Gender reassignment ☐ Sexual Orientation			
5. Which other characteristics could be adversely affected by the proposal? (*tick all that apply*) **N/A**			

☐ Socio-economic ☐ Geographic Location ☐ Literacy & Numeracy ☐ Carers ☐ Migrant Status ☐ Single Parents ☐ Families ☐ Other (including Human Rights), please state: Policy is inclusive of all individual needs		
6. Have you consulted on the potential impacts of the policy/proposal? (this could be internally with other staff, or externally with customers, focus groups etc) ☐ Yes ☒ No If yes, provide further details, of who was consulted:		
7. Describe the likely positive or negative impact(s) the policy/proposal could have on the groups identified in part 4 & 5.	**Positive impact(s)**	**Negative impact(s)**
	The Policy should benefit the health and safety of any person living in an MHA home or working within a Commercial premise.	N/A
8. What actions are required to address / mitigate the impacts arising from this assessment? *(This might include; collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts).*	N/A - no negative impact.	
Decision / Outcome (Pending Committee Approval)	☒ Approved, no changes required (no impact) ☐ Approved after changes made ☐ Approved with no changes (despite impact) ☐ Stop the Policy . Proposal	

Signed:  Job title: Director of Asset MAnagement

Date the Equality Impact Assessment was completed: 05/10/26