

Housing Legionella Policy

1. Overview/Policy Statement

- 1.1 This policy is joint between South Oxfordshire and Vale of White Horse District Councils (the councils) and must consider the risks from legionella bacteria that may affect our staff, residents, and other members of the public and take suitable precautions to ensure compliance, as guided by the relevant legislation and the Regulator of Social Housing's Safety & Quality Standard.
- 1.2 Legionnaire's disease is a potentially fatal pneumonia caused by legionella bacteria that can contaminate water systems such as cooling towers and hot/cold water services.

2. Objectives

- 2.1 The aims of this policy are to:
 - Ensure compliance with Health and Safety Guidance (HSG) 274 and L8 approved code of practice
 - Prevent water contamination in council-provided housing accommodation (specifically from Legionnaires' disease)
 - Clarify the councils' approach as a housing landlord to managing the risk of water contamination
- 2.2 The councils will identify, assess and monitor sources of legionella risk and take action to prevent the contamination of water systems.
- 2.3 The councils will ensure appointed contractors undertake testing at appropriate intervals and before homes are tenanted and deal with outbreaks of legionella appropriately and efficiently.

3. Scope

- 3.1 This policy applies to all housing accommodation provided by the councils.

4. Roles and Responsibilities for Delivery

- 4.1 The Duty Holder for the councils is the Chief Executive. They have overall responsibility for implementation of this policy.
- 4.2 The 'Responsible Person' for legionella for all council buildings is the

Development and Corporate Landlord Property Operations Manager and the 'Deputy Responsible Person' with specific responsibility for housing is the Development and Corporate Landlord Property Operations Team Leader. All council employees must comply with health & safety procedures.

- 4.3 The appointed contractor will ensure, through risk assessments and ongoing monitoring the necessary requirements to maintain water safety. This will be in partnership with specialist competent contractors.
- 4.4 Responsibility for carrying out the programme of risk assessments, ensuring compliance with Health and Safety Executive (HSE) guidance, and maintaining up-to-date records falls to the appointed contractor as managed by the Development and Corporate Landlord Property Operations team, in line with the internal health and safety code.

5. Relevant Legislation

- 5.1 The legislation listed below will be taken into consideration when implementing this policy:
 - [Regulatory standards for landlords - GOV.UK.](#)
 - Landlord and Tenant Act 1985
 - Housing Act 2004
 - HSG 274 Legionnaires' disease Part 2: The control of legionella bacteria in hot and cold water systems and where necessary HSG 274 Part 1 and Part 3
 - Legionnaires' disease, The control of legionella bacteria in water systems, L8 (Fourth edition) 2013
 - Health and Safety at Work Act 1974
 - The Management of Health and Safety at Work Regulations 1999
 - The Control of Substances Hazardous to Health Regulations 2002
 - Social Housing Regulation Act 2023 (Consumer Standards)

6. Relevant Policy and Procedures

- 6.1 This policy links to, and should be read in conjunction with, the following policies and strategies:
 - Housing Compliance Policy
 - Housing Gas Safety Policy
 - Housing Repairs Policy
 - Housing Void Policy
 - Data Protection policy
- 6.2 The relevant health and safety policy and codes for the councils will also apply to this policy. This includes, but is not restricted to:
 - First Aid
 - Violence and Aggression at work
 - Workplace Safety
 - Working at Height
 - Electrical Safety Personal Protective Equipment

- Asbestos Management
- Incident Reporting and Investigation
- Manual Handling

7. Policy and Procedure

Identifying and monitoring sources of risk

- 7.1 The appointed contractors will carry out a suitable, sufficient, and up-to-date United Kingdom Accreditation Service and Legionella Control Association accredited risk assessment in all properties where we are the duty holder and with a stored or shared water supply.
- 7.2 Before homes are occupied, the councils' Development and Corporate Landlord Property Operations team will ensure a Legionella Risk Assessment has been carried out.
- 7.3 Where a tenant vacates a property, the Legionella Risk Assessment should be reviewed as part of the councils' routine voids inspection before reletting the accommodation to another tenant, including a thorough review in cases where the void process has involved works that may have changed or impacted the property's hot or cold-water systems.
- 7.4 Where a system is identified as more likely to undergo change and is therefore a higher risk, the risk assessment will be reviewed on a more frequent basis, as dependent on the determined level of risk. Legionella risk assessments for homes will be repeated periodically at reasonable intervals, with an approach that is proportionate to the risks presented by each individual property's water system.
- 7.5 All accommodation with communal water storage tanks, calorifiers and associated pipework (including hostel accommodation) shall have a current and compliant legionella risk assessment.
- 7.6 Hostels, given the higher turnover of occupancy and higher risk associated with communal water storage, will have a full risk mitigation programme, consisting of a monthly temperature check, quarterly sampling, annual calorifier inspection and 2 yearly risk assessment. The monthly temperature check, quarterly sampling, annual calorifier inspection and 2 yearly risk assessment will be programmed as Planned Preventive Maintenance in Concerto and the execution of this programme will be managed by the Development and Corporate Landlord Property Operations team.
- 7.7 For all testing, risk assessment and sampling undertaken, the results will be recorded by the contractor, and the Development and Corporate Landlord Property Operations team will review and upload to its IT system (Concerto). Any remedial works required, or defects, will be identified and the Development and Corporate Landlord Property Operations team will instruct the contractor to undertake works in accordance with agreed timescales.
- 7.8 The councils will undertake audits to ensure appropriate records are maintained

and checks are carried out as required to prevent legionella outbreak. They will retain copies of water system schematic diagrams and risk assessments and results (including corrective actions).

- 7.9 The Development and Corporate Landlord Property Operations team is responsible for ensuring that records are maintained, kept safe, and are accessible for inspection. All data pertaining to this policy will be stored and managed in line with statutory data protection requirements, as outlined in the councils' data protection policy.

Outbreaks

- 7.10 If an outbreak of legionella occurs, the Health and Safety and Environmental Protection teams will be informed, and they will inform Public Health England as appropriate.
- 7.11 The Development and Corporate Landlord Property Operations team will liaise with tenants in the event of an outbreak. If it has reason to believe tenants may be suffering from a legionella-related illness, it will recommend that they contact their General Practitioner or otherwise seek medical assistance.
- 7.12 If legionella is detected in one of our homes and the Development and Corporate Landlord Property Operations team are unable to make the property safe within a reasonable timeframe, then impacted tenants will be provided with suitable alternative accommodation until their home is made safe.

8. Employment Contractual Status

- 8.1 This policy does not form part of the contract of employment for South Oxfordshire District Council or the Vale of White Horse District Council.

9. Communication and Contract Information

- 9.1 For further information about this policy, please contact the Housing team via email: email tenants@southandvale.gov.uk or telephone 01235 422422.

10. Alternative Formats

- 10.1 Please do not hesitate to contact a member of the Housing team if you would like this policy in an alternative format, via: tenants@southandvale.gov.uk or telephone 01235 422422.

11. Change Record

| Change Record | |
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| Version number | 1 |
| Owner(s) | Development and Corporate Landlord Property Operations Manager/Housing Delivery Manager |

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