



# Water hygiene and legionella policy

Housing Landlord Services

HLSPOL03

Document publish date 01 October 2025

Version number 1.1

Version	Author	Date
1.1	Sophie Tuffin	30/06/2025

## Contents

1	Document history.....	3
2	Introduction .....	4
3	Legislative and regulatory context .....	6
4	Definitions .....	8
5	Roles and responsibilities .....	10
6.	Water hygiene and legionella procedures .....	13
11	Appendices .....	23
	Annex 1. Water Flushing Record Form.....	24

# 1 Document history

Name of policy	Water Hygiene and Legionella Policy
Document ref	HLSPOL03
Purpose of policy	<p>New Forest District Council is committed to its legal obligations as an employer under common law, the Health and Safety at Work etc. Act 1974, associated legislation, and codes of practice pertaining to Legionella.</p> <p>Consideration has been given to the control of legionella bacteria in water systems, as set out in the HSE Approved Code of Practice and Guidance L8 and HSG 274.</p> <p>This policy sets out the guiding principles and arrangements for Housing Landlord Services.</p>
Policy applies to	This policy and the subsequent arrangements apply to all directly and indirectly employed housing staff within New Forest District Council and, where appropriate, tenants, contractors, care providers and members of the public.
Lead officer	Service Manager – Housing Maintenance Programmes and Servicing
First issued	1 November 2019
Latest update	30 June 2025
Version control	<p>V1.0 1 November 2019</p> <p>V1.1 30 June 2025</p>
Review period	This policy will be valid for 12 months. To be reviewed by the August 2026.
Update overview	June 2025, periodic review, update to structure of service arrangements, roles and responsibilities, updated into new policy template.

## 2 Introduction

- 2.1 New Forest District Council is committed to its water hygiene and legionella obligations within its Council owned homes and will strive to reduce the risks associated with its water systems to as low a level as is reasonably practicable.
- 2.2 This policy sets out the guiding principles and arrangements regarding its obligations as an employer and Landlord of social housing to comply with the legislative requirements of The Health and Safety at Work etc. Act 1974, Management of Health, and Safety at Work Regulations, and Control of Substances Hazardous to Health Regulations 2002 and guidance contained within **Approved Code of Practice: Legionnaires' Disease: The control of Legionella bacteria in water systems (L8)** and **Legionnaires' disease - Technical guidance HSG274**, for all relevant activities.
- 2.3 The Housing Landlord Services Water Hygiene and Legionella Policy compliments the Corporate Legionella Policy produced by New Forest District Council.

### Legionella

- 2.4 Legionella is a bacteria (*Legionella pneumophila*, and similar related bacteria) that exists in natural sources of water and can survive under a wide variety of environmental conditions including manufactured water systems, although the temperature range between 20°C to 45°C favours the most rapid growth. The bacteria do not readily multiply below 20°C and will not survive above 60°C.
- 2.5 Legionella bacteria require a supply of nutrients to multiply. Additional risk factors for the Legionella bacteria is the build-up of other micro-organisms in the water such as algae, amoebae, and other bacteria. The presence of sludge, sediment, scale, and other material deposits within water systems can provide a safe refuge for the bacteria to survive, favourable conditions for multiplication and protection from biocides. It is therefore incumbent that water systems are adequately monitored, maintained and cleaned/disinfected when required.

## Legionnaires disease

- 2.6 Legionella bacteria can cause Legionnaire's disease, a potentially life-threatening form of pneumonia and the most serious condition within a group of illnesses known as Legionellosis. Infection occurs through inhalation of tiny water droplets contaminated with the bacteria, It is not spread from person to person.
- 2.7 While anyone can be affected, certain groups are at higher risk, including men, smokers, individuals over 45, those with chronic respiratory or kidney conditions, people with weakened immune systems, and individuals with underlying health issues such as diabetes or alcohol dependency.
- 2.8 Exposure to Legionella bacteria can lead to early symptoms such as high fever, chills, headaches, and muscle aches. Additional symptoms may include diarrhoea, vomiting, and confusion or delirium. While approximately 12% of reported cases can be fatal, the disease is treatable with antibiotics, especially when diagnosed early.

## 3 Legislative and regulatory context

### **The Health and Safety at Work etc. Act 1974**

3.1 The Health and Safety at Work etc. Act 1974 is the primary piece of legislation covering occupational health and safety in Great Britain. This piece of legislation sets out the general duties which employers have towards employees and members of the public, employees have to themselves and to each other and certain self-employed have towards themselves and others. More information can be found here:- **The Health and Safety at Work etc Act 1974**

### **The Management of Health and Safety at work Regulations**

3.2 The management of Health and Safety at Work Regulations requires employers to put in place arrangements to control health and safety risks. This piece of legislation sets out the general processes and procedures which employers are required to have in order to manage the safety of employees, contractors, customers, partners, and members of the public. More information can be found here:- **The Management of Health and Safety at work Regulations**

### **The Control of Substances Hazardous to Health Regulations 2002**

3.3 The Control of Substances Hazardous to Health Regulations 2002 is a key piece of legislation requiring employers to control substances that are hazardous to the health of employees, contractors, and members of the public. This piece of legislation sets out the duties which employers must ensure sufficient controls through risk assessment, alternative chemicals, training, emergency planning, prevention, and protective measures. More information can be found here:- **The Control of Substances Hazardous to Health Regulations 2002**

### **Other Legislation, Approved Codes of Practice and Guidance Notes**

3.4 Other legislation, approved codes of practice and guidance notes relating to legionella safety, but which is not exhaustive:-

#### **Legislation**

- a) The Social Housing (Regulation) Act 2023;

b) The Housing Act 2004

[Approved Codes of Practices](#)

Provides practical guidance on how to comply with legal duties under health and safety legislation. It is approved by the health and safety executive (HSE).

- a) Legionnaires' Disease: The Control of Legionella Bacteria in Water Systems (L8);
- b) Legionnaires' Disease - Technical Guidance HSG 274;
- c) Legionnaires' disease: Part 2: The control of legionella bacteria in hot and cold-water systems: HSG274 Part 2 Published 2014;
- d) British Standards 8580:2010 – Water Quality: Risk Assessment for Legionella;
- e) The Water Supply (Water Fittings) Regulations 1999 S I 1999 No 1148. (As amended);
- f) BS6700: 2006 Specification for Design Installation, Testing and Maintenance of Services Supplying Water for Domestic Use within Buildings and their Curtilages;
- g) S7942: 2000 Thermostatic Mixing Valves for use in Care Establishments.
- h) Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

## 4 Definitions

### Competent person

- 4.1 Person(s) whilst not required to possess specific academic qualifications but:-
- a. understand the relevant housing 'Landlord' legislation and responsibilities;
  - b. have appropriate training, knowledge and experience in the principles of water Hygiene;
  - c. understand the hazards, risk and other relevant factors with occupants at special risk within the premises;
  - d. if carrying out property safety or maintenance surveys, have appropriate training/experience in this field;

### Calorifier

- 4.2 A calorifier is a type of water heater that uses an external heat source to heat water indirectly.

### Flushing

- 4.3 Flushing refers to the process of running water through pipes, outlets, and systems to prevent the build-up of harmful bacteria, most notably Legionella.

### Inspection

- 4.4 A visual inspection of a properties condition to establish whether any remedial works are necessary.

### Landlord

- 4.5 The owner of property (such as houses, land or flats) that is leased or rented to another.

### **Legionnaires disease**

4.6 A potentially life-threatening pneumonia caused by Legionella bacteria. It is the most well-known and serious form of a group of diseases known as legionellosis. Infection is spread by breathing in small water droplets contaminated with the bacteria. The disease cannot be passed from one person to another.

### **Responsible person**

4.7 The 'Responsible Person' is the Landlord.

### **Thermostatic mixing valves (TMV)**

4.8 A TMV is a device that blends hot and cold water to ensure a safe, consistent outlet temperature, typically at taps, showers, and baths.

### **The Transparency, Influence and Accountability Standard**

4.9 The Transparency, Influence and Accountability Standard requires all registered providers of social housing to collect and report annually on their performance using a core set of defined measures. We call these measures the Tenant Satisfaction Measures.

### **Abbreviated to TSMs**

## 5 Roles and responsibilities

- 5.1 The Council will ensure that all housing staff are fully informed of their responsibilities in preventing and minimising the risks associated with poor water hygiene, which, if not properly managed could lead to outbreaks of Legionnaires' disease.

### **Chief Executive**

- 5.2 Responsibility for complying with the Health and Safety at Work etc. Act 1974 and associated legislation and codes of practice pertaining to Legionella rests with the 'responsible person'. The 'responsible person' is represented by the Chief Executive together with the Strategic Directors who collectively form the 'Executive Management Team'.

### **Strategic Director Housing and Communities**

- 5.3 The Strategic Director Housing and Communities has overall strategic responsibility for the Council's approach in maintaining its social housing assets controlled by the Council and is responsible for ensuring that the Council meet its requirements of HSE Approved Code of Practice and Guidance L8 and HSG 274, and supporting regulations are applied and implemented and to nominate one or more persons to act on their behalf to discharge their responsibilities.
- 5.4 The Strategic Director Housing and Communities also acts as the registered Lead Officer for health and safety with the Regulator of Social Housing.

### **Assistant Director - Housing**

- 5.5 Nominated Assistant Director to support the Strategic Director Housing and Communities in delivering the Council's strategic housing priorities and approach in maintaining its social housing assets controlled by the Council and is responsible for ensuring that the requirements of HSE Approved Code of Practice and Guidance L8 and HSG 274, and supporting regulations are applied and implemented.

## **Service Manager – Housing Maintenance Programmes and Servicing**

5.6 Operational responsibility for the overall effectiveness of the Water Hygiene and Legionella Policy, arrangements and action plan for social housing controlled by the Council.

### **Housing Service Managers**

5.7 Responsible for the delivery of services within their respective areas that impact on the overall effectiveness of the Water Hygiene and Legionella Policy and will:-

Support and assist the Service Manager for Housing Maintenance Programmes in discharging and undertaking their duties and respond to matters within their respective service areas.

### **Gas and Electrical Manager**

5.8 Responsible for the day-to-day delivery of the arrangements set out within the Water Hygiene and Legionella Policy for social housing controlled by the Council.

### **Administrative Officer**

5.9 The Administrative Officer will support the Gas and Electrical Manager in the operational day-to-day delivery of arrangements, inspection scheduling, inspection recording and asset data management within this policy.

### **Corporate Health and Safety Team**

5.10 Responsible for guidance and advice in respect of health and safety to all Council owned homes and will:-

- Conduct audits to ensure that the provisions within this Policy are being enforced to the standard required;
- Investigate accidents and near miss incidents and introduce controls to reduce the risk of such incidents recurring, to reduce financial loss and to risk precautions.

## **Employees**

5.11 All employees of New Forest District Council, irrespective of their position, has a responsibility for safety and will:-

- Take reasonable care for their own Health and Safety and that of other persons who may be adversely affected by poor water hygiene, including members of the public, tenants, visitors, and contractors;
- Co-operate with the Council and its managers to enable compliance with this policy and the legal duties it holds;
- Remove or reduce hazards that, in their opinion, may present a serious risk to health of themselves or others;
- Report hazards that have been removed or that may present a serious risk to users;
- Report concerns where vulnerable residents may be at additional risk.

## **Specialist Commissioned Contractors**

5.12 Responsible for guidance and advice in respect of controlling and reducing the associated risk of legionella through risk assessments, remedial works, monitoring and maintenance task, providing all records of all work to the landlord.

## 6. Water hygiene and legionella procedures

### **Servicing**

- 6.1 The Council will arrange regular monitoring of its General Needs Blocks, Extra Care schemes and buildings which contain hot or cold-water storage that supply more than one property. A specialist contractor will be appointed to complete servicing in accordance with relevant HSE Guidance notes and Approved Codes of Practice (ACOP).

### **Risk Assessment**

- 6.2 Legionellosis Risk Assessments will be undertaken in all Housing General Needs blocks, Extra Care schemes and buildings which contain hot or cold-water storage that supply more than one property.
- 6.3 Separate risk assessments of Temporary Social Housing and Private Sector Leased properties will also be undertaken. The Council will complete risk assessments in accordance with relevant HSE Guidance notes and Approved Codes of practice (ACOP).

### **Water hygiene schematics in communal plant rooms**

- 6.4 To support effective water hygiene management, up-to-date schematic diagrams detailing the layout and operation of water systems will be made available through the Council's asset management data base. These schematics will include key components such as cold-water storage tanks, hot water cylinders or calorifiers, thermostatic mixing valves (TMVs), flushing points, and temperature monitoring locations. System replacement or major system changes will prompt replacement schematic drawings.

## Occupied individual dwellings

- 6.5 Due to the small systems contained within single dwelling properties and the high turnover of water, the risk of Legionellosis to system users is low.
- 6.6 A suitable and sufficient assessment of the risks of exposure to Legionella bacteria from use of water systems in council owned premises will be undertaken. This assessment will identify and evaluate potential sources of exposure to Legionella bacteria and determine how such risks can be either eliminated or, where elimination is not reasonably practicable, effectively controlled through appropriate measures.
- 6.7 Where necessary, appropriate control measures will be implemented to the satisfaction of the Gas and Electrical Manager, ensuring that all health and safety risks are effectively managed. Records of all maintenance visits will be accurately maintained, with details documented stored within the Councils Housing Asset Management Application.

## Record keeping

- 6.8 All servicing and risk assessments records will be held centrally for a minimum of 2 years forming part of the Council asset records.
- 6.9 All assessments and maintenance records will be reviewed monthly.

## Empty homes

- 6.10 Where single dwelling properties have been unoccupied for one week the water system will be thoroughly flushed with the minimum release of aerosol i.e. removal of shower heads prior to flushing, prior to occupation. The risk assessment for legionella in empty homes is attached at **Annex 1**
- 6.11 Single dwelling properties that have been unoccupied for 2 months or more and have not been flushed weekly will be chemically disinfected prior to occupation (where systems permit). This should take place no more than one week from the proposed occupation date and be undertaken by a reputable contractor.

## Maintenance

- 6.12 The following should be read in conjunction with Annexes 1.

6.13 On completion of the Risk Assessment, a maintenance plan will be formulated with the following undertaken as a minimum. It will be the responsibility of the Gas and Electric Manager to ensure that the maintenance plan is actioned and that all works carried out are recorded.

### Monitoring and maintenance records

6.14 The following records will be held on the Councils Housing Asset Management Application for the period set out within the Housing Maintenance Programmes and Servicing retention and deletion schedule.

- Temperature and or flushing records;
- Shower and or mixer valve maintenance;
- Cold water storage and or calorifier surveys;
- Disinfection certificates and or sampling results;
- Records or remedial works completed.

6.15 Individuals tasked by the Council to complete weekly flushing, will make sure suitable records are maintained. These recordings will be provided to the Gas and Electrical Manager to be held centrally in the Council’s Housing Asset Management Application.

### Water Hygiene monitoring checklist hot and cold-water services.

6.16 **Table 1;** sets out the framework for the Council’s water hygiene monitoring regime.

<b>Frequency</b>	<b>Check</b>	<b>Standard to meet</b>		<b>Notes</b>
		<b>Cold water</b>	<b>Hot water</b>	
Monthly	Sentinel taps (nearest, furthest and intermediate points from the feed tank or calorifier)	The water temperature should be below 20°C after running the water for up to two minutes.	The water temperature should be at least 50°C within a minute of running the water.	This check makes sure that the supply and return temperatures on each loop are unchanged, i.e. the loop is functioning as required.

<b>Frequency</b>	<b>Check</b>	<b>Standard to meet</b>		<b>Notes</b>
		<b>Cold water</b>	<b>Hot water</b>	
Monthly	If fitted, input to TMV's on a rotational basis.		The water supply to the TMV temperature should be at least 50°C within a minute of running the water.	One way of measuring this is to use a surface temperature probe.
Monthly	Water leaving and returning to calorifier.		Outgoing water should be at least 60°C, return at least 50°C.	If fitted, the thermometer pockets at the top of the calorifier and on the return leg are useful points for accurate temperature measurement. If installed, these measurements could be carried out and logged by a building management system.
Quarterly	Dismantle, clean and descale shower heads.			

<b>Frequency</b>	<b>Check</b>	<b>Standard to meet</b>		<b>Notes</b>
		<b>Cold water</b>	<b>Hot water</b>	
Quarterly	Cold Water Storage tanks	Carry out temperature checks		Check temperature at inlet valve and general cleanliness of tanks.
Six monthly	Incoming cold-water inlet (at least once in the winter and once in the summer).	The water should preferably be 20°C at all times		The most convenient place to measure is usually at the ball valve outlet to the cold-water storage tank.
Annually	Water System To be carried out by independent Auditor/Adviser			Carry out full inspection of the water system and report on any changes or defects. Update schematics if necessary.
Annually	Cold water storage tanks			Visually inspect and carry out remedial work where necessary.
Annually	Representative number of taps on a rotational basis.	The water temperature should be 20°C after running the water for two minutes.	The water temperature should be at least 50°C within a minute of running the water.	This check makes sure that the whole system is reaching satisfactory temperatures for legionella control.

Frequency	Check	Standard to meet		Notes
		Cold water	Hot water	
Annually	Calorifier flush and sample		Hot water sample also ensure correct temperatures are present.	Set up flexible hose to drain cock flush and sample.
2 Yearly	Risk Assessments	Review risk assessments every 2 years and update accordingly, incorporating areas of remedial/maintenance works required.		

## Records

6.17 Each applicable asset record must contain the following information;

- The site Risk Assessment;
- Site information;
- Survey information;
- Recommendations to include a proposed risk management scheme;
- Description of correct system operation.

## Repairs

6.18 Repairs or maintenance issues identified by Officers or residents will be addressed in accordance with the Council's, HLSPOL05 Maintenance and Repairs Policy. Repairs can be reported directly to the Councils Housing Hub:-

- During office hours, by calling (023) 8028 5222. The Housing Support Hub is open on Monday to Thursday between 8.30am and 5.15pm, and on Friday between 8.30am and 16.45pm;
- Outside office hours by calling (023) 8028 5250 or 07771 259098;
- by email ([housing.supporthub@nfdc.gov.uk](mailto:housing.supporthub@nfdc.gov.uk));

- by Web Chat **New Forest District Council - New Forest District Council** Housing Repairs and Maintenance.

### **Planned and remedial work programmes**

6.19 Based on the findings of the risk assessment, and regular monitoring, control measures may involve implementing one or more actions to prevent and manage the growth of Legionella in water systems.

These planned and remedial works will be undertaken based on;

- Condition surveys;
- Risk based prioritisation;
- Compliance and regulation.

### **Information and instruction**

6.20 Responsible Persons and those who are appointed to carry out the control measures and strategies for the Control of Legionella will be suitably informed, instructed and trained and their suitability assessed. Their training will be to a standard that ensures that tasks are carried out in a safe and technically competent manner.

6.21 Regular refresher training is to be given and all records of training activities will be maintained. Although training is an essential element of competence, it will not be the only factor. Other elements such as experience, knowledge and personal qualities will be required to undertake the activities safely and in line with legislation.

6.22 All appointed specialists will hold relevant qualifications and produce evidence of competence for their employees working on the organisation's sites.

### **Actions to be taken if Legionella is detected**

6.23 In the case of a positive test result for Legionella the following actions are to be taken:-

- Notification of the positive result to the Nominated Person, dependent upon the magnitude of the results the following actions will be taken:-

- a) A suitably qualified person or appointed specialist should carry out any remedial actions;
- b) On completion of the remedial action, water samples should be taken from the system to confirm the effectiveness of the procedure;
- c) A comprehensive record should be kept including test results and details of remedial works undertaken.
- d) A programme of regular monitoring to monitor the risk of legionella.

<b>Legionella Bacteria (cfu/litre)</b>	<b>Action Required</b>
Less than 100	<ul style="list-style-type: none"> <li>▪ System to be re-sampled to establish extent of colonisation;</li> <li>▪ Control measures and risk assessment to be reviewed to identify any remedial action required.</li> </ul>
More than 100 but less than 1000	<ul style="list-style-type: none"> <li>▪ System to be re-sampled to establish extent of colonisation;</li> <li>▪ If serogroup 1 to 14 is identified, the system is to be treated immediately;</li> <li>▪ Control measures and risk assessment to be reviewed to identify any remedial action required.</li> </ul>
More than 1000	<ul style="list-style-type: none"> <li>▪ The system to be treated immediately;</li> <li>▪ Control measures and risk assessment to be reviewed to identify any remedial action required.</li> </ul>

## Action in the event of an outbreak

- 6.24 Legionnaires' disease is notifiable under public health legislation in England Wales and Scotland (i.e. all diseases caused by legionella) are reportable (RIDDOR).
- 6.25 An outbreak as defined by the Public Health Laboratory Service (PHLS) is two or more confirmed cases of legionellosis occurring in the same locality within a six-month period.
- 6.26 Location is defined in terms of the geographical proximity of the cases and requires a degree of judgement. It is the responsibility of the Proper Officer for the declaration of an outbreak.
- 6.28 As part of an outbreak investigation and control, the following requests and recommendations may be made by HSE or Council:-
- a) to shut down any processes under the Councils control which are capable of generating and disseminating airborne water droplets and keep them shut down until sampling procedures and any appropriate remedial cleaning or other work has been undertaken. Final clearance to restart the system may be required.
  - b) to take water samples from the system prior to any emergency disinfection being undertaken. This will aid the investigation of the cause of the illness. The investigating officers from the Council may take samples or require them to be taken.
  - c) to provide health records of Officers to determine if there are any further undiagnosed cases of illness, and to assist in the preparation of case histories of those persons affected.
- 6.29 An outbreak control committee or team will be set up to manage the incident. This will involve representatives of all the agencies and Council staff in involved.

**Further advice can also be obtained from the legal Guidance document and Approved Code of Practice: The control of legionella bacteria in water systems, [Approved Code of Practice and Guidance L8](#).**

### **Key performance measures (KPI)**

6.30 As part of the tenant Satisfaction Measures (TSM) the Council will monitor its compliance to BS04 water safety, monthly. This measure will be based on the percentage of homes that have all the necessary legionella risk assessments. In addition, the Council will track all servicing of its communal stored water systems through compliance dashboards, monthly.

### **Auditing**

6.31 Independent audits will be undertaken to ensure that policies and procedures are being followed and adhered to. Findings will be presented to the Housing Health and Safety Panel.

### **Quality Control**

6.32 Should there be dissatisfaction with any of the Council's communal stored water systems, the Council's **Corporate Complaint Procedure** is available to anyone who is dissatisfied with the maintenance provided.

### **Risk implications**

6.33 The failure to effectively manage the Council's communal stored water systems, would have a negative impact upon the reputation and image of the Council, within our communities leading in turn to a loss of public confidence.

### **Financial implications**

6.34 An annual servicing and repairs budget is required to implement and support this policy. This is agreed as part of the Council's annual budget setting process.

# 11 Appendices

# Annex 1 Water flushing record form

## Water Flushing

When you submit this form, it will not automatically collect your details like name and email address unless you provide it yourself.

\* Required

### Property details

1. Property address \*

  

2. Name of inspector \*

  

3. Date of visit \*

  

4. Type of water test \*

Voids maintenance in repair

Voids estate management

Housing schemes inc Voids

5. Communal areas flushed for 5 minutes (No of)

	1	2	3	4	5	6	7
WCs	<input type="radio"/>						
Kitchens	<input type="radio"/>						
Bathrooms	<input type="radio"/>						
Hairdressers	<input type="radio"/>						
Guest room	<input type="radio"/>						
Laundry	<input type="radio"/>						
Office	<input type="radio"/>						
Outside tap	<input type="radio"/>						
Cleaners Cupboard	<input type="radio"/>						

6. Areas not tested? (Communal)

  

7. Any voids flats to flush through?

Yes

No