

Paragon Asra Housing Limited

PA Housing

WATER SAFETY

POLICY

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Policy Owner

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Assets

Approved by

EMT

Next review date

December 2024

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Paragon Asra Housing Limited PA Housing is committed to equality and diversity. This policy has considered the Equality Act 2010 and its protected characteristics which are: race, gender, gender reassignment, disability, religion or belief, sexual orientation, age, marriage, civil marriage and partnership, and pregnancy and maternity explicitly.

We will make sure that all our communication is fully accessible and to achieve this if a policy or document needs to be available in other formats, we will provide them.

1. Policy Statement

- 1.1 **Paragon Asra Housing Limited (PA Housing)** owns and manages a range of assets including single dwellings and non-domestic assets. The key objective of this Policy is to describe how PA Housing will manage Water Safety Risk so far as is reasonably practicable. This includes:
- The identification of its specific responsibilities for each of its assets.
 - The creation of a Water Safety Management Plan (WSMP) and associated staff training to provide guidance on the implementation of the commitments contained in this policy.
 - The key activities (e.g., risk assessment) that PA Housing undertakes.
 - Maintaining competent staff and contractors.
 - Communication internally and with customers and other stakeholders
 - How the PA Housing Board, as duty holder, will delegate responsibility for the implementation of policy, monitor its effectiveness and receive assurance of compliance.
- 1.2 The scope of this policy includes legionella, scalding and un-adopted water systems.
- 1.3 PA Housing will seek to comply with all current and relevant statutory obligations, including the following where applicable:
- The Housing Act 2004.
 - Legionella Bacteria in Water Systems Technical Guidance (HSG 274) and Approve Code of Practice L8.
 - Control of Substances Hazardous to Health Regulations 2002 (COSHH).
- 1.4 PA Housing takes the view that delivery of the commitments within this policy will ensure that the requirements of other legislation, such as the Health and Safety at Work etc. Act 1974 and Landlord Tenant Act 1985 will also be met.
- 1.5 In addition, PA Housing must meet the requirements of both the Regulator for Social Housing's (RSH) Homes Standard and the requirements of the Care Quality Commission (CQC).
- 1.6 Our primary objective is to ensure that customers, contractors, staff, and visitors remain safe in our premises (both domestic and non-domestic). Failure to properly discharge our legal responsibilities may also result in:
- Prosecution under the Health and Safety at Work Act 1974, or Corporate Manslaughter and Corporate Homicide Act 2007.
 - Regulatory intervention by the RSH or CQC.

- Reputational damage.
- Loss of confidence by stakeholders in the organisation.

1.7 This Policy statement establishes the broad framework for compliance with the key statutory and regulatory obligations.

2. Roles and Responsibilities

2.1 Detailed roles and responsibilities will be documented within the WSMP and associated Operational Guidance. The overarching roles and responsibilities are as follows:

The PA Housing **Board** has overall responsibility for approving this Policy, delegating responsibility for its implementation, monitoring its effectiveness at high level, and receiving assurance of compliance. The PA Housing Board will also ensure that there is a system in place that provides adequate protection from detrimental treatment or victimisation for anyone making disclosures that they genuinely believe to be necessary in the interests of Water Safety.

The **Audit Committee** will be responsible for ensuring that the PA Housing Board receives the assurance it requires.

The **Chief Executive Officer (CEO)** will be responsible for the implementation of the Policy and will allocate responsibilities within the Executive Management Team and ensure that there is adequate management, monitoring and visibility of performance. The CEO will recommend this Policy to the Board on behalf of the Executive Management Team (EMT).

The **Assistant Director of Asset Management & Compliance** will take overall responsibility for the delivery of the Policy commitments described in the Data, Key Activities to Manage Risk and Communications sections of this Policy. The **Assistant Director of Asset Management & Compliance** will attend the Audit committee meetings and ensure that areas of non-performance are reported and escalated where required. All potential, material non-compliance will be reported to the CEO/ EMT irrespective of whether this relates to a KPI scrutinised by the EMT or other groups.

The **Assistant Director of Asset Management & Compliance** will take overall responsibility for planning and implementing the assurance activities described in this Policy and for the effective upward reporting of performance.

All **Directors** will take responsibility for ensuring that staff and contractors they employ have the skills, knowledge, and expertise necessary to deliver the commitments outlined in the Policy. Directors will identify Competent Person(s) (internal or external) suitable for the delivery of specific tasks.

Competent Person(s) will have a responsibility to identify any concerns about their own competency for the task that they are being asked to undertake and recommend additional competency is procured where required.

3. Management Plan

3.1 PA Housing will maintain an WSMP and associated Operational Guidance which shall:

- Provide additional guidance on how the commitments outlined within this policy will be implemented.
- Provide clear lines of responsibility for the management of water safety.
- Set out key operational processes.
- Ensure that a clear and consistent process is in place to obtain access to properties where this is required. This will include proactive assessment of available data for relevant information about the customer to help gain access (disability, vulnerability, local connections, etc.). Tenancy enforcement action will be used where required.
- Maintain a process for dealing with unsafe situations or incidents.

3.2 All staff who have roles identified in the WSMP will receive associated training appropriate to their role.

4. Data

4.1 PA Housing acknowledges that to meet its obligations it must maintain a robust approach to identifying the Assets and components for which it has responsibility. PA Housing will:

4.2 PA Housing acknowledges that to meet its obligations it must maintain a robust approach to identifying the assets and components for which it has responsibility. PA Housing will:

4.1.1 Maintain an up-to-date master database of all properties that will indicate both where it does and does not have a responsibility for: water risk assessments (legionella and scalding) to supported housing accommodation; subsequent written schemes of control; control activities; thermostatic mixer valve inspection and testing; un-adopted water plant. This will include the identification of properties where PA Housing has no responsibility but has an interest (e.g., a block managed by others but PA Housing owns a leasehold dwelling) or those where there is more than one responsible person.

4.1.2 Where a requirement for legionella or scalding risk assessment exists, hold full copies of the current and previous assessment along with key reportable and auditable information from the same including but not limited to the unique property reference (UPRN); asset and installation type; date of last assessment; and date of next assessment (as recommended by the Competent Person undertaking the test); whether a written scheme of control is required.

4.1.3 Where a requirement for written scheme of control exists, hold full copies of the current and previous schemes and associated evidence of implementation along with key reportable and auditable information from the same including

but not limited to the unique property reference (UPRN); detail of the control activities required including the recommend frequency; date of last activity; and date of next activity. These will generally be held electronically but there may be instances where a hard copy is kept on site and in this instance additional controls will be in place as detailed in the Water Safety Management Plan.

- 4.1.4 Where PA Housing has thermostatic mixing valves that require inspection and testing in accordance with this policy, hold reportable and auditable information including but not limited to: UPRN; type and location of equipment; inspection/testing frequencies; last date completed; and next date due. These will generally be held electronically but there may be instances where a hard copy is kept on site and in this instance additional controls will be in place as detailed in the WSMP.
- 4.1.5 Where un-adopted water systems exist and PA Housing is an operator, hold reportable and auditable information including but not limited to: UPRN; type of equipment; any licensing requirements; manufacturers' requirements and instructions (where available); associated inspection/emptying frequencies; last date completed; and next date due. Records of at least the last two completions of each activity/equipment type will be held.
- 4.1.6 Maintain current and up to date, reportable and auditable records of remedial works arising from water risk assessments or any other water safety related inspection or testing. The records will include: UPRN; detail of the work item required; priority and target completion date; person responsible; completion date and associated sign off; and evidence of completion.
- 4.1.7 Where PA Housing has no responsibility for a water safety activity described in this policy but has one or more residents living within a block where one may be required, PA Housing will write to the responsible person on an annual basis asking for written confirmation that:
- They are fully aware of all relevant legislation and their obligations.
 - All relevant activity - including but not limited risk assessment, inspection, testing, remedial works, and maintenance - has been undertaken by a person competent to do so and is not overdue.
 - They are in full compliance with all relevant legislation.
 - PA Housing has been informed of any material issues relating to resident health and safety.

Where PA Housing does not receive an adequate response, it will take reasonable steps to follow this up. Further details will be contained within the Management Plan. Records will be kept for the current and previous year.

- 4.1.8 The approach to data control will be documented in the Data Management Protocol and WSMP.

5. Key Activities to Manage Risk

5.1 PA Housing adopts a two-stage process to the assessment of legionella risk. PA Housing will initially undertake a preliminary desktop risk assessment of all its assets. This risk assessment will be reviewed annually or whenever there is reason to believe it is no longer valid. This risk assessment will consider:

- Occupier type- based only on tenure or property types to identify where the occupiers are likely to be more vulnerable to infection.
- Building type- to identify if the building is a: dwelling with a standalone water system; a dwelling served by a communal water system; non-dwelling with a water storage and distribution system; or a non-dwelling with no water storage and distribution system.

5.1.1 The management plan will identify how the above categorisations will be evaluated and used to identify the need for a site-based risk assessment. However, in general:

- a. All non-dwellings with a water storage and distribution system will be subject to site-based risk assessment.
- b. All non-dwellings with no water storage and distribution system will be marked as not requiring site-based risk assessment.
- c. Dwellings served by a communal water system will be considered by the competent person undertaking the assessment of that system who would identify if a site-based inspection of the dwelling is required.
- d. Dwellings with stand-alone water systems where the tenure or property type is for persons known to be at increased risk (e.g., sheltered, and supported housing) will have site-based risk assessments undertaken.
- e. Dwellings with stand-alone water systems of other tenure or property type will not generally be identified for site-based inspection. However, PA HOUSING operates other controls to manage the risk and this is described further below.

5.1.2 The legionella risk from hot and cold-water systems in most residential settings are generally considered to be low owing to regular water usage and turnover. The risk is further lowered where instantaneous water heaters (for example combination boilers and electric showers) are installed because there is no water storage. For most domestic hot and cold-water systems temperature will be the primary means of ensuring that the risk of exposure to Legionella bacteria is minimised. PA Housing will undertake inspections of dwellings not otherwise subject to site-based risk assessment where it is practicable to do so to ensure other control measures as present as expected. This will be detailed within the management plan.

5.1.3 When a dwelling becomes void, PA Housing will inspect it and undertake additional actions to ensure that simple control measures are in place where required. The water systems in void dwellings will also be flushed and shower heads disinfected or replaced as part of the void management process. Any property that will be void for a period beyond 7 days will be drained down or

flushed regularly. Further detail on the managing legionella risk at void stage will be detailed within the management plan.

- 5.1.4 PA Housing will ensure a competent person undertakes any site-based risk assessment deemed to be required following the preliminary risk assessment. Site based risk assessments will be reviewed at a frequency not greater than that recommended at the time of the previous assessment. In the absence of a such a recommendation, this will not be greater than biennially. Risk assessments will also be reviewed if significant changes are planned or made to the system or use of the building and in the event of any reported water borne infection.
- 5.1.5 All LRAs will be suitable and sufficient and specified in accordance with the Approved Code of Practice (ACoP) L8. They should identify and evaluate:
- potential sources of risk.
 - the means of preventing exposure to legionella bacteria; or
 - if prevention is not reasonably practicable, the means of controlling the risk from exposure to legionella bacteria.
- 5.1.6 For complex systems LRAs shall include an up-to-date schematic diagram showing the layout of the plant or system, including parts temporarily out of use.
- 5.1.7 Where the risk assessment shows that there is a reasonably foreseeable risk of exposure to legionella bacteria, the LRA will identify if any remedial action is required in order reduce or remove risk within the property as far as reasonably practicable. Remedial actions could be work based (i.e., the removal of dead legs within the existing plumbing system) or management based (i.e., confirming that training is up to date). All remedial actions will be time-bound and PA HOUSING will seek to undertake the recommended actions in timeframes recommended by the competent person. Any proposed changes to the agreed completion targets will be documented, agreed by a Competent Person. The decision will be recorded and reported within the Key Performance Indicators (KPIs) to ensure clear visibility.
- 5.1.8 Where it is not reasonably practicable to adequately reduce the risk through remedial actions alone, the LRA may indicate a requirement for a written scheme for controlling the risk from exposure. A written scheme will specify the control measures to be taken. PA Housing will implement and monitor this written scheme.

5.2 Scalding

- 5.2.1 PA Housing adopts a two-stage process to the assessment of scalding risk. PA Housing will carry out a preliminary risk assessment of each property group to identify the need for site-based risk assessments. This preliminary risk assessment will be reviewed annually, or sooner if there is any reason to assume it no longer remains valid. The results will be recorded. If an asset is

identified as requiring a site-based risk assessment but one has not been undertaken, PA Housing will commission one within 30 days.

- 5.2.2 It is the results of the preliminary risk assessment that will identify the need for a site-based risk assessment. However, as a general guide, PA HOUSING expects to risk assess all non-dwellings with hot water outlets and all dwellings within the care home, supported housing or sheltered housing stock as a minimum.
- 5.2.3 This site-based risk assessment will identify the sources of risk and controls needed to manage it so far as is reasonably practicable. This may identify the need for management controls – for example signage or training – and/or mechanical controls – for example thermostatic mixing valves (TMV). For the avoidance of doubt, person centred risk assessment and management controls relating to care and support activities are dealt with elsewhere.
- 5.2.4 PA Housing will not typically undertake site-based risk assessment of general needs dwellings for scalding risk. However, PA Housing will control the risk by in these dwellings by:
- Considering any risk assessments undertaken by a third party (e.g., an Occupational Therapist). In such circumstances, PA Housing will deal with all reasonable requests for mechanical control in accordance with the Adaptations Policy.
 - Installing suitable TMVs to bath/shower outlets during a bathroom refurbishment in accordance with the requirements of Approved Document G.
 - Undertaking checks – including testing the effective operation of TMVs (where installed) and additional checks on hot water systems which include a fixed all-electric or part-electric immersion heater in conjunction with a plastic cold water storage tank located in the roof space - prior to letting.
 - Maintaining TMVs in accordance with manufacturers' instructions.
 - Providing information to occupiers on looking out for warning signs relating to the effective operation of the hot water system and the importance of checking the effective operation of TMVs and reporting an issue.
- 5.2.5 PA Housing will ensure a competent person undertakes any site-based risk assessment deemed to be required following the preliminary risk assessment. Site based risk assessments will be reviewed at a frequency not greater than that recommended at the time of the previous assessment. Risk assessments will also be reviewed if significant changes are planned or made to the system or use of the building and in the event of any scalding incident.
- 5.2.6 Risk assessments will typically be carried out in conjunction with the LRA to manage any conflict with the water temperatures required as a legionella

control and scalding risk. Where this is not done, a Competent Person will review the two documents and rule on any conflict.

5.2.7 Scalding risk assessments will identify if any remedial action is required in order to reduce or remove risk within the property as far as reasonably practicable. PA Housing will seek to undertake the recommended actions in timeframes recommended by the competent person. Any proposed changes to the agreed completion targets will be documented, agreed by a Competent Person, and proposed to the HSC for approval. The decision will be recorded and reported within the Key Performance Indicators (KPIs) to ensure clear visibility.

5.2.8 Where it is not reasonably practicable to adequately reduce the risk through remedial actions alone, the risk assessment may indicate a requirement for a written scheme for controlling the risk. A documented written scheme will specify the control measures to be taken and PA Housing will implement and monitor this. TMVs will be inspected, tested, and maintained in accordance with the written scheme of control.

5.3 Un-adopted water systems

Un-adopted water systems – for example: cesspits, septic tanks, and other sewerage treatment plants; pumping stations; storm attenuation tanks; water harvesting schemes; and private water distribution networks - will be risk assessed by a Competent Person and appropriate inspection and maintenance activities put in place. The risk assessments will identify any licensing requirements and PA Housing will ensure compliance with these.

5.4 Resident Commissioned Works

PA Housing will maintain a consent process for any resident commissioned works. Approval will not be unreasonably withheld, although consent may be refused or conditions imposed where appropriate.

Where unauthorised work with the potential to impact water safety is discovered, PA Housing will take the appropriate action to remove or remedy. The cost of doing so may be recovered from the resident.

5.5 Management

PA Housing will:

- Implement a risk-based approach to the periodic inspection of communal areas to ensure areas containing equipment that may impact water safety are locked and no visible signs of vandalism or damage exist.
- Maintain a clear staged access process to gain access to properties to undertake the activities described above. This shall include enforcement action when required. PA Housing will proactively assess available data for relevant information about the customer to help gain access (disability, vulnerability, local connections, etc.).

- Enforce resident responsibilities where required considering a balance of individual residents' rights with the need for effective, timely action where there is a risk to the safety of other residents.

5.6 Repairs and Maintenance Activity

There is a risk that repairs and maintenance activity unwittingly impacts water safety. Owing to the volume and nature of repairs works it is not practicable to undertake specific risk assessments of all jobs. PA Housing will manage this risk by ensuring that all R&M contractors (internal and external) have a general awareness of water safety to inform dynamic risk assessment when undertaking responsive repairs that may have an impact. Repairs will be carried out in accordance with the relevant British Standard, Approved Code of Practice or associated good practice guidance.

5.7 Planned and Major Works

Planned maintenance or upgrade programmes commissioned by PA Housing to buildings that require a LRA or scalding risk assessment will be subject to review by a competent person to consider their impact on water safety. PA Housing will ensure that any existing risk assessments are reviewed before and after major works programmes where required.

5.8 Construction

There are detailed requirements on PA Housing as a Client during construction projects and these are considered elsewhere. However, in general PA Housing will ensure:

- It cooperates and shares information with stakeholders at key stages prior to and during construction.
- that the people it employs are competent to do the work they are undertaking.
- compliance with the building regulations and specific regulatory requirements imposed upon it.
appropriate approvals are in place and that all information is handed to over to Operations prior to any occupation.

6. Communication with Stakeholders

6.1 Internal

Operate an HSC comprising of a cross organisation team of staff. Terms of Reference of the Group will be included in the WSMP.

6.2 Residents

PA Housing will encourage water safety by the following actions:

- Periodically inform residents of the importance of water safety and informing PA Housing of any concerns, through the provision of information via website, newsletters, leaflets, and information at sign-up.
- Maintain a clear approach to gaining access to carry out works and be clear that enforcement action may be taken when it is necessary to do so.
- Maintain a clear complaints process and monitor and record complaints that indicate a risk to safety.

6.3 Staff

Communicate key water safety advice to relevant staff through induction and refresher H&S training.

7. Monitoring and Assurance

7.1 Monitoring

7.1.1 The following Performance Indicators (PIs) and KPIs will be reported to the HSC, Executive Team or Board at the frequencies outlined in our Landlord H&S Compliance Strategy:

- Buildings with a valid LRA and/or scalding risk assessment (including a written scheme of control where required) renewed within its due date as a percentage of total buildings requiring one.
- Water safety remedial actions that are overdue.
- Buildings with no outstanding and overdue remedial actions as a percentage of total buildings subject to an LRA and or scalding risk assessment.
- Buildings where a written scheme of control is in place following an LRA and/or scalding risk assessment and all associated actions are not overdue as percentage of total buildings with a written scheme of control.
- Buildings where un-adopted water plant exists and all systems/equipment has been inspected/tested/maintained in accordance with this policy as a percentage of total buildings with un-adopted water plant.
-
- Number of safety occurrences - including any reported legionella or scalding related occurrence reporting (e.g., to the HSE or Regulator) during the reporting period.

7.1.2 These PIs or KPIs will be reviewed periodically by the HSC and additional/amended measures may be recommended.

7.1.3 Where appropriate, KPIs will include the total number of actions or buildings required and the total number within target as well as percentage figure.

- 7.1.4 Commentary will be provided for any properties or actions out of date to include the date they became overdue, days overdue, and the action proposed to bring them back into a compliant position. To provide additional context, commentary will also include information on the proportion of activities within the reporting period that were undertaken before and after their due date.
- 7.1.5 A detailed PI suite will be defined within the Management Plans and monitored by Operations Teams.

7.2 Assurance

The following assurance activity will be undertaken:

- Internal checking independent of the Operational Teams to provide additional assurance around the accuracy of data and reporting. The approach will be documented within the Data Management Protocol and will include sample testing of the accuracy of data and the operation of controls. The outcomes will be reported to the HSC.
- Internal audit to provide independent assurance on the operation and effectiveness of controls. Frequency agreed as part of the **Internal Audit Programme** and reported to Audit and Risk Committee.
- Works based quality assurance to test the quality of work delivered. This will be at levels detailed within the WSMP and reported to HSC.

8. Competence

- 8.1 It is not possible to succinctly define competence requirements for all roles and activities outlined in this Policy. In many areas, competence will be assessed based on skills, knowledge and experience as opposed to a single qualification or standard. As defined above, PA Housing has a system of Directors evaluating competence within their areas of responsibility and Competent Person(s) are required to highlight the limits of the competence.
- 8.2 However, in relation to water safety work PA Housing will appoint a competent person internally or, if the skills do not exist internally, appoint an external competent person to provide retained advice and support in relation to water safety.
- 8.3 Specific areas of competence relating to risk assessment, inspection and maintenance activity are listed within the WSMP along with a procedure outlining the reasonable steps PA Housing will take to ensure the competence of those carrying out work who are not under its direct control.

9. Consultation

9.1 This Policy is based on legislative and regulatory requirements and as such consultation with customers has not taken place. There has been consultation with Teams within PA Housing.

10 Equality Impact Assessment

10.1 An Equality Impact Assessment (EIA) will be undertaken on this Policy. See the full EIA document for further details.

11. Policy Review

11.1 The Policy will be reviewed upon any change to legislation or major guidance documentation, and at least every 36 months (or earlier if deemed necessary through the Monitoring and Assurance Process).

12. Amendment Log/Version Control

12.1 Revision Detail/Record:

Date of Revision:	Record of Amendments:	Reason for Revision:	By Whom: Name and Title