

PA Housing Limited

PA Housing

WATER SAFETY

POLICY

February 2025

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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 **PA** 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 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 undertakes.
 - Maintaining competent staff and contractors.
 - Communication internally and with residents and other stakeholders
 - How the PA 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 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).
 - Health and Safety at Work etc. Act 1974
 - Landlord Tenant Act 1985
- 1.4 In addition, PA must meet the requirements of both the Regulator for Social Housing's (RSH) Homes Standard and the requirements of the Care Quality Commission (CQC).
- 1.5 Our primary objective is to ensure that residents, contractors, staff, and visitors remain safe in their homes or 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.
- 1.6 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. The overarching roles and responsibilities are as follows:

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

The **Director of 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 **Executive Director of Asset Management** will take overall responsibility for planning and implementing the assurance activities described in this Policy and for the effective upward reporting of performance. The **Executive Director of Asset Management** will attend the Audit & Risk committee meeting and ensure that any issues arising from assurance activities are discussed, and that areas of non-performance are reported and escalated where required.

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 will maintain a Water Safety Management Plan (WSMP) 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 residents to help gain access (disability, vulnerability, local connections, etc.). Tenancy enforcement action will be used when 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 acknowledges that to meet its obligations it must maintain a robust approach to identifying the Assets and components for which it has responsibility. PA will:

- 4.2 PA acknowledges that to meet its obligations it must maintain a robust approach to identifying the assets and components for which it has responsibility. PA 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); 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 has no responsibility but has an interest (e.g., a blocks managed by third parties but PA has a leasehold interest) or sites where there is more than one responsible person.
 - 4.1.2 For schemes that require a water risk assessment or a written scheme of control, we will hold full copies of the current and previous assessment along with key reportable and auditable information 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, detail of the control activities required, the recommend frequency; date of last activity; and date of next activity. These assessments will be held electronically.
 - 4.1.3 Where PA has thermostatic mixing valves that require inspection and testing in accordance with this policy, we will 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.
 - 4.1.4 Where un-adopted water systems exist and PA 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 completions of each activity/equipment type will be held.
 - 4.1.5 Maintain a tracker of all actions arising from water risk assessments, maintenance inspections or any other water safety related inspections 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.
 - 4.1.6 Where PA 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 will write to the responsible person requesting a copy of the water risk assessment. Where PA 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 year.

4.1.7 The approach to data control will be documented in the WSMP.

5. Key Activities to Manage Risk

5.1 PA adopts a two-stage process to the assessment of legionella risk. PA will undertake a desktop risk assessment of all its assets. This assessment will be reviewed annually to identify new buildings that require a water risk assessment. 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 operates other controls to manage the risk, as described 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 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 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 prolonged period 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 will appoint a competent person to undertake any site-based risk assessment required. Site based risk assessments will be reviewed as follows:
- 5.1.5 For higher risk schemes, the reassessment period will be no longer than 12 months. For other schemes the reassessment period will be no longer than 24 months.
- 5.1.6 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.
- 5.1.7 All water risk assessments (WRAs) 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.
- 5.1.8 For higher risk sites, the WRAs shall include an up-to-date schematic diagram showing the water service layout and plant, including areas temporarily out of use.
- 5.1.9 Where the WRA identifies a reasonably foreseeable risk of exposure to legionella bacteria, the WRA review will identify any necessary remedial actions to reduce or remove the risk within the property as far as reasonably practicable. All remedial actions will be risk rated and time-bound. Any proposed changes to the agreed completion targets will be documented, agreed by a Competent Person, and signed off by the Director of Compliance. The decision will be recorded to provide an audit trail.
- 5.1.10 Where it is not reasonably practicable to adequately reduce the risk through remedial actions alone, a written scheme for controlling the risk from exposure is required. A written scheme will specify the control measures to be taken. PA will implement and monitor this written scheme.

5.2 Scalding

- 5.2.1 The WRA will identify the sources of potential risk and controls needed to reduce the risk of water scalding as is reasonably practicable. This may identify the need for management controls – for example signage or training – and/or mechanical controls including thermostatic mixing valves (TMV).

5.2.2 PA will not typically undertake site-based risk assessment of general needs dwellings for scalding risk. However, PA will control the risk in these dwellings by:

- Considering any risk assessments undertaken by a third party (e.g., an Occupational Therapist). In such circumstances, PA 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.
- Planned preventative maintenance (PPM) checks of the effective operation of TMVs.
- Hot water systems which include an immersion heater, and a plastic cold water storage tank located in the roof space will have a thermostatic cut off valve installed.
- Providing information to occupiers on the potential risks of hot water systems and the importance of checking the effective operation of TMVs and reporting an issue.

5.3 Un-adopted water systems

Where PA is responsible, we will undertake a WRA of un-adopted water systems that include cesspits, septic tanks, sewerage treatment plants; pumping stations; storm attenuation tanks; water harvesting schemes; and private water distribution networks and appropriate inspection and maintenance activities will be put in place. The risk assessments will identify any licensing requirements that PA needs to comply with.

5.4 Resident Commissioned Works

PA 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 will take the appropriate action to remove or remedy the risk. The cost of doing so will be recovered from the resident.

5.5 Management. PA 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 will proactively assess available data for relevant information about the residents 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 repair works it is not practicable to undertake specific risk assessments of all jobs. PA 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 works undertaken by PA to buildings that require a WRA will be subject to review by a competent person to consider the potential impact on water safety.

6. Communication with Stakeholders

6.1 Residents. PA will encourage water safety by:

- Periodically inform residents of the importance of water safety via website, newsletters, leaflets, and at the start of new tenancies.

6.2 Staff

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

7. Monitoring and Assurance

7.1.1 The following KPIs will be reported to the Investment Committee and the PA Board at each meeting cycle.

- Buildings with a valid WRA renewed within its due date as a percentage of total buildings requiring one.
- Water safety remedial actions that are overdue.
- 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 Assurance

The following assurance activity will be undertaken:

- 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.

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.
- 8.2 In relation to water safety work PA 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.

9. Consultation

- 9.1 This Policy is based on legislative and regulatory requirements and as such consultation with residents has not taken place.

10. 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).
- 11.2 **Monitoring and reporting**
- The Director of Compliance has overall responsibility for monitoring and reviewing the operation of this policy to ensure it meets legal requirements, is fit for purpose and reflects best practice.
 - All managers have a specific responsibility for operating within the boundaries of this policy and procedure, ensuring that colleagues understand what is expected of them.
 - All colleagues are responsible for reading, understanding, and adhering to the policy and any questions regarding its content or application should be directed to their line manager or the HR team.

Advice and Guidance

Advice, guidance, and support will be provided by the Building Services Team to all colleagues on the Electrical Safety Policy. The policy will also be made available to all colleagues via the company SharePoint site to ensure that they are aware of its existence.