



EKAYA HOUSING ASSOCIATION

Water Safety Policy

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1. Introduction

Ekaya Housing Association (Ekaya) acknowledges its legal responsibility to ensure the health, safety and welfare of its employees at work as well as protecting others who may be affected by our activities. This policy demonstrates Ekaya's commitment to ensuring the effective inspection, maintenance and management of all communal water systems within a building or facility to prevent harm from various forms of exposure. We are committed to water safety and to protecting our residents from the risk of Legionella.

Legionellae are bacteria that are commonly found in rivers, lakes and artificial water systems, including hot and cold-water storage tanks, pipe work, taps and showers. Legionella is commonly associated with larger water systems which exist in places such as factories and hospitals. However, it can also exist in domestic homes and residential accommodation. Legionella thrives in temperatures between 20°C and 45°C and are killed by temperatures in excess of 50°C.

Legionnaire's disease is a potentially lethal form of pneumonia caused by the Legionella bacteria. Some people who already have health issues and / or a weaker immune system may be more at risk.

In addition to the risk in the growth of Legionella bacteria, the temperature of water is also a risk. To prevent bacteria growth, it is recommended to have water stored at higher temperatures. Unfortunately, these higher water temperatures may create a scalding risk to young children and vulnerable adults. As the risk of scalding is greater in our supported housing, we ensure proper and appropriate assessment and management of water is undertaken to remove the risk of scalding.

The bacteria also require a supply of nutrients to multiply such as:

- Algae, amoebae and other bacteria within the water itself
- Sediment, sludge, scale and other material within the water system

1.1. References to water safety are included in the following:

- Landlord and Tenant Act 1985, Housing Acts 1985, 1988 and 2004
- Health and Safety at Work Act 1974
- Notification of Cooling Towers and Evaporative Condensers Regulations 1992
- Health and Safety legislation, including the Management of Health and Safety at Work regulations 1999 and the Workplace (Health, Safety & Welfare) Regulations 1992 (as amended)
- Control of Substance Hazardous to Health Regulations 2002 (COSHH)

- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- The Water Supply (Water Fittings) Regulations 1999
- Private Water Supplies Regulations 2016
- Regulator of Social Housing Home Standard
- The Social Housing (Regulation) Act 2023
- Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025
- Housing Health and Safety Rating System (England) Regulations 2005
- The HSE's Approved Code of Practice and Guidance L8 "Legionnaires' disease: the control of legionella bacteria in water systems"

This policy outlines the commitment and positive approach to health and safety and outlines Ekaya's actions to ensure fulfilment of those duties to manage water safety. There are also statutory duties to report certain prescribed incidents to regulatory bodies.

These requirements will be met by our policy and are outlined.

1.1. Policy Objective

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

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

1.2. Policy Scope

This policy is applicable to all non-domestic buildings managed and maintained by the group. The following buildings are deemed to be non-domestic premises:

- Offices & administrative buildings
- Nursery facility
- Sheltered/Supported Housing – communal facilities
- Common parts of multi-let buildings

- Void properties currently undergoing works
- Void buildings / premises

2. Policy Requirements

2.1. Ekaya acknowledges and accepts its responsibilities under the Health and Safety at Work Act 1974 and the HSE Approved Code of Practice L8, 'The control of Legionella bacteria in water systems'. (HSG 274) to ensure that associated risks are minimised.

Ekaya will ensure it complies with these standards by:

2.2. Legionella Risks

- a) Identifying the requirement for water management by reviewing all property and housing stock to highlight those with communal water systems
- b) Ensuring that a suitable programme to assess, prevent, control, monitor and review these sites is in place
- c) Ensuring that all risk assessments are renewed at least every two years
- d) Ensuring that the required risk control / monitoring programme is adhered to.
- e) Ensuring that all remedial actions noted in the risk assessment are reviewed and works undertaken within a reasonable time, appropriate to the risk posed
- f) Ensuring that all non-compliance identified during the course of routine inspections is acted upon within a reasonable time, appropriate to the risk posed
- g) Appointing responsible person(s) who will be responsible for managing and monitoring compliance with the water risk assessment schedule, monitoring regimes and remedial works
- h) Appointing a competent contractor who will be responsible for undertaking risk assessment, monitoring and remedial works as directed by the responsible person
- i) Ensuring that staff are appropriately trained before being expected to manage water systems and, as required, annual refresher training is undertaken
- j) Communicating with residents as soon as issues are identified with regard to water quality which may affect them directly
- k) Retaining a record of the water risk assessment for the period it is valid (up to two years) plus an additional two years

- l) Retaining records of all monitoring, inspections, testing or checks for five years

2.3. Scalding Risks

Ekaya will ensure that it seeks to identify and manage specific obligations to prevent burns and scald injuries by:

- a) Identifying all required actions from associated legislation and implementing appropriate controls and monitoring for water safety
- b) As far as is practicable prescribing the use of Thermostatic Mixer Valves (TMV's) in all identified areas of risk
- c) Undertaking and documenting risk assessments to existing properties identified at risk, to establish whether additional controls are required to prevent scald risks and implementing controls as identified
- d) Where identified, so far as is practicable install, or arrange installation of TMV's to regulate and control the temperature of the water provided to the property ensuring legionella growth restriction but reduced temperatures at draw points
- e) Ensuring that where installed, Thermostatic Mixer Valves are serviced and maintained in accordance with the manufacturer's requirements
- f) Keeping detailed records of Risk assessments, repairs or servicing and the dates completed

2.4. Risk Assessments

Ekaya will carry out and hold information on the following legionella risk assessments:

- a) Supported or Houses in Multiple Occupation (HMO) housing properties: individual risk assessments for each scheme
- b) Communal areas / facilities: individual risk assessments for each area, or, where there is more than one area in one building or scheme, one risk assessment for the building or scheme
- c) Happy Nursery Days Day Nursery: individual risk assessment
- d) Risk assessments will be completed by a Competent Person. Ekaya will instruct a suitably qualified and experienced consultant to carry out risk assessments to ensure that all relevant properties have been assessed
- e) Once an initial risk assessment has been undertaken it will be reviewed regularly as part of a risk-based approach to Legionella Management, but at least every two years, or whenever the situation may have changed. Ekaya will keep a record of

the significant findings of each risk assessment as well as the results of routine monitoring for a minimum of five years

- f) Risk assessments contain direction as to how the risk is to be eliminated, or where this is not possible how the risk is to be managed

3. Action To Be Taken in the Event of an Outbreak

3.1. An outbreak is defined as two or more cases where the onset of illness is closely linked in time and where there is epidemiological evidence of a common source of infection.

3.2. In this case, we will to notify the HSE. Director of Operations is responsible for Co-ordinating activities with the HSE and other relevant bodies and for providing instruction to our staff.

4. Awaab's Law

4.1. The Social Housing (Regulation) Act 2023 seeks a more effective regulation regime for social housing. This includes the implementation of the Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025 (also known as 'Awaab's Law') on 27 October 2025. This policy is subject to change as full details or amendments are published. The requirements are as follows:

- From October 2025, social landlords have to address damp and mould hazards that are considered significant hazards within fixed timescales. "Significant hazard" means, in relation to a social home, a relevant hazard that poses a significant risk of harm to the health or safety of an occupier of the social home. In 2026, requirements will extend to apply to a wider range of hazards where they present a significant risk of harm. These include excess cold and excess heat, falls associated with baths and surfaces including stairs, structural collapse and explosions, fire and electrical hazards, and domestic and personal hygiene. In 2027, requirements will extend to all remaining Housing Health and Safety Rating System hazards other than overcrowding, where they present a significant risk of harm. The full list of 29 hazards can be found in Schedule 1 to the Housing Health and Safety Rating System (England) Regulations 2005, which includes water supply.
- From October 2025, social landlords also have to address all hazards that are emergency hazards as soon as possible and within no longer than 24 hours. "Emergency hazard" means a relevant hazard that poses an imminent and significant risk of harm to the health or safety of an occupier of the social home.

4.2. We will adhere to the proposed timescales set out within the new legislation.

4.3. The legislation requires that the following timescales will be adhered to where we determine there is a significant hazard:

4.3.1. An investigation will be carried out within 10 working days. Where the investigation confirms an emergency hazard, we will follow the process for emergency hazards outlined below.

4.3.2. Where an investigation confirms a significant hazard, we will:

- (i) Provide a written summary of the investigation to the resident within 3 working days of conclusion;
- (ii) Complete relevant safety works and begin, or take steps to begin, any further works to prevent reoccurrence within 5 working days of concluding the investigation;
- (iii) Where further supplementary works are required and it is not possible to begin them within 5 working days, we will start these as soon as reasonably practicable and within 12 weeks of the investigation concluding

4.3.3. If the property cannot be made safe, we will offer suitable alternative accommodation until the significant hazard is fully resolved.

4.4. The legislation requires that the following timescales will be adhered to where we determine there is an emergency hazard:

4.4.1. An investigation will be carried out within 24 hours.

4.4.2. Where an investigation confirms an emergency hazard, we will:

- (i) Complete all relevant safety works and make the property safe within 24 hours;
- (ii) If the property cannot be made safe within 24 hours, we will offer suitable alternative accommodation until the works are completed;
- (iii) Provide a written summary of the investigation within 3 working days of conclusion.

5. Prevention and Control

- 5.1. Wherever practicable we will remove the potential source of future contamination including the removal of cold water storage tanks and conversion of blocks to rising mains cold water supplies.
- 5.2. On new developments, refurbishments and when carrying out planned improvements we will, where possible design out risks, for example by installing a combination boiler instead of a storage tank system.
- 5.3. On-going controls shall be implemented in line with the Approved Code of Practice including the following:
 - a) Avoiding water temperatures and conditions that favour the growth of Legionella and other micro-organisms
 - b) Ensuring water cannot stagnate within a system by keeping pipe lengths as short as possible and by removing redundant pipe work and dead legs
 - c) Avoiding materials that encourage the growth of Legionella
 - d) Keeping the water systems clean
- 5.4. Our preferred means of controlling Legionella in our properties is by storing hot water above 60°C and distributing it at no less than 50°C. Where this is not possible or where temperatures are not consistently achieved, we would seek the advice of the competent contractor regarding alternative control measures.

6. Voids

- 6.1. Where we have re-lets, Legionella should be considered as part of the void specification where required. Void checks will ensure, as a minimum that the water tank is clean, has a lid, and is adequately supported.
- 6.2. Normally systems can be left filled with water and not drained down as moisture will remain within the system enabling biofilm to develop where there are pockets of water or high humidity.
- 6.3. Having water in the system also helps to avoid other problems associated with systems drying out, including failure of tank joints and corrosion in metal pipework. The system should be re-commissioned as though they were new (i.e. thoroughly flushed, cleaned and disinfected) before returned to use.
- 6.4. Voids of less than 2 weeks only need flushing through. Voids beyond 2 weeks will be subject to either weekly flushing through as part of the void works or cleaning and disinfection before the property is re-let.

- 6.5. Persons undertaking the flushing of potentially stagnant systems will have received training and instruction on how to conduct this task whilst minimising any aerosol.

7. Inspections

- 7.1. Ekaya will publicise key information to residents through appropriate resident communications in order to discharge the Duty of Care to inform residents of the risks that may exist within their own dwelling such as maintaining adequate water temperatures, flushing low use outlets and cleaning and disinfecting shower heads regularly.
- 7.2. In supported and HMO housing properties we will implement regular checks and maintenance in line with the Approved Code of Practice and the recommended management programme contained within the site specific risk assessment to ensure systems are correctly used and maintained through regular documented inspection and cleansing routines. This includes but is not limited to:
- a) Recording tank and communal sentinel outlet temperatures
 - b) De-scaling or replacing of shower heads and taps, and general cleaning of system
 - c) Bi-annual inspection of water services
- 7.3. Ekaya will implement additional sampling where:
- a) Biocides are used to control Legionella rather than temperature
 - b) Where temperature is not achieved consistently
 - c) Where an outbreak is suspected or identified
- 7.4. Any samples will be taken by an appropriately trained person, and analysed by a UKAS accredited laboratory.

8. Supported & HMO Tenures

- 8.1. This policy applies to all higher risk properties by virtue of the client group and support needs.
- 8.2. Shared owners are responsible for their own water tanks. However, where water is stored in a communal part of a building, we are responsible for the maintenance and up-keep through the parameters outlined in this policy and in accordance with the lease.
- 8.3. Where Ekaya manages leased temporary housing units, the responsibilities are set out in the management agreement. However, we are responsible for checking and enforcing compliance with this policy.

9. Training

- 9.1. Ekaya will ensure that all employees who work with or are responsible for water systems have relevant competency and will have acquired competence through training and instruction. Refresher training should be undertaken at appropriate times.

10. Monitoring & Reporting

- 10.1. The Property Services and Asset Manager has responsibility to ensure that contractors are compliant with all relevant health and safety legislation. All appointed contractors are required to act and behave and cooperate with Ekaya in pursuance of their duties and work in line with our contractor standards.
- 10.2. Where contractors carry out risk assessments, works or checks, they will be required to meet Ekaya's health and safety standards and will be appropriately qualified and accredited.

11. Roles and responsibilities

- 11.1. The board is ultimately responsible for providing the resources and monitoring the results of safety. They pass authority to the Chief Executive and Director of Operations for implementation of this policy.
- 11.2. The Director of Operations is responsible for ensuring that this policy is implemented and that all staff and contractors responsible for water safety are aware of their responsibilities under this policy and any associated procedures. The Director of Operations will periodically monitor the performance of the policy and demonstrate compliance to the Board and Committees as required.
- 11.3. The Property Services & Asset Manager is responsible for:
- a) day to day implementation of this policy
 - b) the procurement of suitably trained and qualified contractors
 - c) ensuring staff are suitably training
 - d) providing appropriate information to residents
 - e) monitoring performance of contractors and responding to issues as they arise
- 11.4. Where any issues arise, they must immediately be brought to the attention of the Director of Operations or in their absence the Chief Executive.

12. Review

- 12.1. This policy will be reviewed every three years or where there is any change in legislation or regulation that requires this policy to be updated.

13. Policy Approval

Approval Date:	15/07/2026
Approval By:	Policy & Performance Committee
Policy Owner:	Director of Operations
Consultation Completed:	July 2026
Next Review Date:	November 2029