



Places to live. Space to grow.

Water Safety Policy

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1 Introduction: the purpose of this policy

- 1.1 This policy sets out our legal and regulatory obligations and how we will meet them. This policy applies to all our staff, residents, contractors, and other people who may work on, occupy, visit, or use our premises or who may be affected by our activities or services.
- 1.2 We must take suitable precautions to prevent or control the risk of exposure to Legionella by ensuring any stored water in our assets is suitably managed.
- 1.3 We will do this by:
 - Identifying and assessing the source of risk
 - Managing any risks
 - Preventing or controlling any risks
 - Keeping and maintaining accurate records.

2 Policy Statement

- 2.1 At West Kent, we are committed to keeping everyone safe. This policy explains our legal and regulatory responsibilities and how we manage and reduce risk. It applies to all staff, residents, contractors and anyone who works in, visits or is affected by our buildings or services.

3 Water Safety Measures

- 3.1 We will maintain control records for all communal assets that state if a water risk assessment is required.
- 3.2 We will ensure that a water risk assessment is undertaken for all non-domestic communal hot and cold-water systems, cooling plants, and any other systems that store water at least every two years or sooner where specified on the risk assessment.
- 3.3 We will ensure that written schemes of control are attached to every risk assessment detailing the action required for each site and that an overall action tracker is in place to monitor all water risks identified.
- 3.4 We will ensure that 250 properties containing water storage, for example, cold water storage tanks in loft spaces, are sampled each year with water risk assessments. Properties selected in the previous five years will not be selected again.
- 3.5 We will appoint a responsible person to take responsibility for legionella control, risk assessments, and implementation of remedial actions to prevent or control the risk in the form of a Contract Officer (Compliance), they will hold qualifications in P901 – Management and control of building hot and cold-water services, or equivalent.

- 3.6 We will use smart technology to support the monitoring of water temperature readings. The system will provide regular reporting, including weekly temperature reports, and alerts where readings fall outside required control ranges. We will take appropriate remedial action where needed.
- 3.7 We will conduct appropriate water safety checks on void properties before commencing works which may affect the hot and cold-water systems. These checks will help identify and manage risks from stagnation, system alteration or other water safety hazards.
- 3.8 Where properties are empty, we will manage water safety risks before reoccupation through appropriate flushing, draining, inspection or other control measures.
- 3.9 We will effectively contract manage our water safety contractor and conduct regular client-led meetings.
- 3.10 We will ensure that a third party consultant is appointed to audit and give specialist advice on water safety, and remedial works required.
- 3.11 We will obtain risk assessment records when properties are managed by others; if records are not provided we may carry out the examination and recharge the managing agent or freeholder for these costs.
- 3.12 We will act on any water safety incident and follow our Health and Safety Incident reporting procedure. All Water incidents will be led by the Contract Officer (Compliance) who manages Water Safety.

4 Roles and Responsibilities

- 4.1 West Kent is the duty holder for Water Safety.
- 4.2 West Kent's Board has overall governance responsibility for ensuring the Water Safety Policy is fully implemented to ensure full compliance with regulatory standards, legislation, and Approved Codes of Practice.
- 4.3 The Executive Team (ET) and Communities and Housing (C&H) will receive compliance dashboard reports concerning water safety testing and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified and decide on action needed, plus all follow-on action monitoring.
- 4.4 The Director of Property and Asset Management has strategic responsibility for the management of Water Safety.
- 4.5 The Head of Planned Works and Servicing will be responsible for the line management of the Contract Officer (Compliance), who will be the responsible person for overseeing the delivery of the Water Safety Inspection program and any remedial works required, who is competent in this area and holds relevant qualifications such as the P901 or similar. If this role does not hold this qualification, then they should work to obtain this within 6 months; otherwise probation cannot be granted.

- 4.6 The Head of Strategic Asset Management will report on compliance and ensure water safety data is kept up to date within the systems.
- 4.7 The Compliance Co-ordinator will ensure that a 3rd party consultant is appointed to give assurance.
- 4.8 Appendix 1 details roles and responsibilities and our 3 lines of defence for all compliance areas.

5 Record Keeping

- 5.1 We will hold accurate records against each asset we own or manage, identifying if water risk assessments are needed for blocks. This will be stored in our Housing Management System.
- 5.2 We will record when the water risk assessment was last inspected along with its period for review, this will be set to two years by default and amended if due before this. These will be stored in our Housing Management System.
- 5.3 This system will track and monitor any non-compliance in terms of the non-domestic block date being older than its next due timeframe.
- 5.4 We will ensure that all risk assessment reports are saved onto our electronic document management system.
- 5.5 We will maintain accurate records of any remedial works resulting from the risk assessment or smart monitoring through to completion.
- 5.6 The Contract Officer (Compliance) for water will ensure that all contractors' employees and public liability insurance are up to date on an annual basis and maintain a record of this.

6 Regulation

- 6.1 Regulatory standards must be complied with; these include the requirements of the Regulator of Social Housing (RSH). Tenant Satisfaction Measure requirements are needed for water safety Inspections. The measure will be based on the percentage of homes in buildings that have had all the necessary water safety Inspections carried out.
- 6.2 The principal legislation applicable to this policy:
 - Control of Substances Hazardous to Health Regulations 2002 (COSHH)
 - Approved Code of Practice L8 Legionnaires disease: The control of legionella bacteria in water systems.

6.3 This policy also operates in the context of additional legislation and standards detailed below:

- The Social Housing (Regulation) Act 2023
- Health and Safety at Work Act 1974
- HSE HSG274: Legionnaires' disease: Technical guidance
- The Management of Health and Safety at Work Regulations 1999
- Housing Act 2004
- Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- The Workplace (Health, Safety and Welfare) Regulations 1992
- The Building Regulations 2010
- Construction (Design and Management) Regulations 2015
- Equality Act 2010
- Data Protection Act 2018
- Decent Homes Standard including HHSRS Operating Guidance - Housing Act 2004

7 Reporting

- 7.1 Performance reporting will take place monthly in our compliance dashboard, generated from our housing management system which monitors all compliance. This system holds the control records for each asset and where a water risk assessment is required. A property that has not had its water risk assessment within the recommended timeframe, defaulted to two years, will become non-compliant. All reporting will be in line with TSM BS04 for water safety checks.
- 7.2 This dashboard and any non-compliance will be discussed by ET monthly and Communities and Housing (C&H) and Board quarterly. Non-compliance escalation will then be taken forward from these groups by the Head of Strategic Asset Management to ensure action is taken so that compliance is then assured.
- 7.3 Any incident which has resulted in a potential breach of legislation or regulatory standard or causes a risk to health or safety shall be immediately reported to the Director of Property and Assets as per the Health and Safety incident reporting procedure.

- 7.4 Where necessary, the board will be notified so they can consider the implications and seek legal advice on a breach. If required, West Kent will disclose the breach to the Regulator of Social Housing in the spirit of co-regulation, or any other relevant organisation such as the HSE, as part of the Regulatory Framework.

8 Communication

- 8.1 West Kent considers good communication and liaising with relevant parties essential. As such, we will:

- Share information clearly and transparently with residents.
- Undertake good communication with residents as part of the daily contract management for appointments.

9 Review

- 9.1 This Policy will be reviewed every two years or when there is a regulation and legislation change requiring it to be updated.