



**CHESTERFIELD**  
BOROUGH COUNCIL

# Housing Service Water Safety Policy

Owner: Head of Housing Assets

Date: May 2025 (Approved by Cabinet 20<sup>th</sup> May 2025)

Review by: May 2028

## **1: Introduction, purpose and scope**

- 1.1 Chesterfield Borough Council (CBC) has a legal and moral duty to ensure that council tenants, employees and visitors are adequately protected from all foreseeable water safety related risks that may arise in homes owned and managed by the Council. The scope of this Policy includes legionella, scalding and un-adopted water systems.
- 1.2 This Policy sets out CBC's approach to ensuring that adequate resources are made available, suitable and sufficient water risk assessments are conducted, and appropriate preventive and protective measures are identified and implemented in all residential premises under CBC control.
- 1.3 Detailed practical information for housing employees and contractors is contained within a separate water safety management plan and operational guidance document.
- 1.4 This Policy applies to homes owned and managed by the Council, including communal areas, and housing assets which are leased to other organisations where there is a clear responsibility to perform the duties and role of Landlord for the purpose of water safety.

## **2. Legal duties and regulatory requirements**

- 2.1 The key regulations and reference documents are as follows:
  - CBC's Corporate Health and Safety Policy
  - Legionella Bacteria in Water Systems Technical Guidance (HSG 274) and Approved Code of Practice L8 (ACOP L8)
  - Control of Substances Hazardous to Health Regulations 2002 (COSHH)
  - The Building Regulations 2010
  - The Housing Act 2004
  - Health and Safety at Work Act 1974
  - Landlord and Tenants Act 1985
  - Management of Health and Safety at Work Regulations 1999
  - Building Regulations, Approved Document B (Water Safety) 2019
  - Reporting of Injuries Diseases & Dangerous Occurrence Regulations 2013
  - Regulator of Social Housing Consumer Standards
  - Construction Design Management Regulations 2015
- 2.2 CBC commits to the undertaking Legionella Risk Assessments (LRAs), and the remedial works and actions arising from such LRAs.

- 2.3 CBC will undertake cyclical maintenance / inspection of annual sampling of water systems, tank inspections, shower head cleans and mixer valve maintenance. These follow specific timeframes and may only be applied in specific stock, all these are set out in details in the water safety management plan.

### **3. Roles and responsibilities**

- 3.1 The Chief Executive is responsible for providing assurance to the Council that the policy is adhered to.
- 3.2 The Cabinet Member for Housing, as chair of the Housing Advisory Board, is responsible for ensuring performance on housing safety and compliance is reported to tenants and Members as appropriate.
- 3.3 The Service Director – Housing is responsible for ensuring that sufficient resources are provided for ongoing delivery of the policy and that staff have the appropriate competencies and qualifications, and for setting budgets that are sufficient to meet compliance requirements.
- 3.4 The Head of Housing Assets is responsible for overseeing the implementation of this Policy.
- 3.5 The Housing Compliance and Safety Manager is responsible for monitoring and performance management to ensure compliance with legislation, and for ensuring that relevant employees have the necessary qualifications and training to undertake their roles in respect of electrical safety.
- 3.6 The Contracts and Compliance Manager for Gas and Water Safety is responsible for interacting with Housing Property Services and contractors, for general management and performance of this aspect of the service and for ensuring that the relevant Housing Management team representative gives appropriate levels of co-operation and support where action is required against an individual's tenancy agreement to secure access.
- 3.7 It is the responsibility of all employees and those working on our behalf to ensure that their work is conducted in line with this policy and any related procedures.

## **4. Data Management**

### **4.1 We will:**

- Maintain an up-to-date database of all properties that have a requirement.
- Where a requirement exists, hold data and certification relating to as a minimum the last two safety checks and the next due date.
- Where a requirement does not exist, hold appropriate evidence.
- Maintain current and up to date records of remedial works for the entire portfolio, which will detail all recommendations from the safety checks. These records will include (i) address and risk profile of the property, (ii) detail of the work item required, (iii) priority and target completion date/s, (iv) person responsible, (v) date of when the work was completed and (vi) who it was signed off by, and (vii) evidence of completion.

4.2 CBC will undertake a monthly reconciliation of those properties included on the Landlord Water Safety programme against the database of Housing Property Services.

4.3 The approach to data control is detailed in the Water Safety Management Plan.

## **5. Performance reporting and assurance**

5.1 Performance monitoring and reporting is critical for CBC to always ensure compliance with the Regulations. To facilitate this there are various methods and frequencies for which reports must be made available to a range of strategic personnel including Executive and Service Directors as well as key operational staff. Performance reports take the shape of detailed monthly performance reports for Housing Property Services and the Housing Compliance and Safety Team as well as a summary report for the Strategic Housing Board.

5.2 The following Key Performance Indicators (KPIs) are reported to the Housing Strategic Board at monthly meetings:

- 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.

5.3 Reports are also presented to the Housing Advisory Board, shared with the Regulator of Social Housing, and published on the Council's website.

- 5.4 Monitoring, progress and actions agreed and discussed are resolved through joint liaison meetings between Housing Assets, Housing Management and Housing Property Services teams at monthly Landlord Compliance Meetings.
- 5.5 The following quality assurance activity is undertaken and reported in line with the Water Safety Management Plan:
- Internal checking independent of the operational teams to provide additional assurance around the accuracy of data and reporting.
  - 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 the Standard and Audits Committee.
  - Works based quality assurance to evaluate the quality of work delivered are carried out by both Housing Property Services and the Housing Assets Team and discussed at monthly progress meetings.
  - Additional quality assurance is undertaken by external, independent organisations as and when required, as set out in the Water Safety Management Plan.

## **6. Incidents**

- 6.1 CBC is responsible for Health and Safety performance and reporting, and any RIDDOR incident will be dealt with in accordance with CBC's policies and procedures including reporting to the Health and Safety Committee. A full investigation will be undertaken by the Project Safety Team with the Contracts and Compliance Manager for Gas and Water Safety advising, and if necessary the Policy and Management Plan will be revised to take account of any lessons learned.

## **7. Equality and diversity**

- 7.1 This Policy will be implemented in accordance with CBC's Equality and Diversity Policy.
- 7.2 Particular consideration will be given to vulnerable tenants where there is likelihood that the work has not been undertaken due to a tenant's medical condition, general wellbeing, or involves situations of domestic abuse or harassment. Furthermore, we will be sensitive to the specific needs of older tenants, those with a disability and other vulnerabilities. We will seek to ensure such circumstances are considered when

applying this Policy whilst always being mindful of the risks associated with ensuring compliance.

## **8. Review**

- 8.1 We will undertake a review of this Policy every three years, and whenever there are any relevant changes to legislation, regulatory requirements, case law or good practice that would impact on this policy or in light of any required service improvements identified through internal audits, service reviews, learning from complaints or regulatory judgements.