



Stockton-on-Tees  
BOROUGH COUNCIL

# LEGIONELLA CONTROL & WATER HYGIENE POLICY

SEPTEMBER 2018

Approved by: Jamie McCann

Signed:

Position: Director of Community Services

Date: 21<sup>st</sup> August 2018

BLANK PAGE

Contents	Page
1. Introduction	4
2. Legal Responsibilities	4
3. Position Statement	4 - 5
4. Roles & Responsibilities	5 - 6
5. Assessing and Managing Risk	6
6. Written Scheme	7
7. Training & Qualifications	7
8. Monitoring Regime	7
9. Auditing	7 - 8
10. Premises Log Book	8
11. Disinfection	8
12. Action in the Event of a Suspected or Confirmed Case of Legionnaire's Disease	9
Appendix 1 – Legionella Risk Management Organisation	10
Appendix 2 – Written Schemes	11
Appendix 3 – Reporting Procedure	12 - 13

BLANK PAGE

## 1. INTRODUCTION

The aim of this policy is to reduce and control the risk associated with Legionella by, correct system design & operation, methods of control monitoring, and water treatment.

Legionnaire's disease is a potentially fatal form of pneumonia. The bacteria reproduce to high numbers in warm, stagnant water (between 20°C and 46°C). Typically plumbing systems and hot water tanks, pools, showers, fire and sprinkler systems installed in Council buildings that use water and operate at temperatures in excess of 20°C can generate an aerosol containing Legionella bacteria and presenting a risk in particular to people aged over 45 years, smokers, drinkers and those suffering from chronic heart or respiratory disease, diabetes or with an impaired immune system. Higher temperatures of 60°C and over will kill the bacteria.

## 2. LEGAL RESPONSIBILITIES

The following legislation is applicable to the management and control of Legionella;

- Health and Safety at Work Act 1974,
- Management of Health and Safety at Work Regulations 1999,
- Control of Substances Hazardous to Health Regulations 2002,
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013,

It is the responsibility of the Council to ensure an adequate risk assessment of the water systems is carried out with detailed information held on file.

Additionally the Council has a duty to ensure people involved with the control of Legionella are adequately trained, qualified and experienced to fulfil their duties in executing the risk management programme.

The formal system of legionella control comprises the HSE's Approved Code of Practice ([ACoP L8 \(4<sup>th</sup> Edition\)](#)) and the Health and Safety Guidance (HSG) 274 Legionella guidance, which is split into three parts;

- [Part 1 – Cooling water systems. 2013](#)
- [Part 2 – Hot and cold water system 2014](#)
- [Part 3 – Other risk systems. 2013](#)

## 3. POSITION STATEMENT

Stockton-On-Tees Borough Council accepts its legal duties as an employer and in accordance with the [ACoP](#) "*Legionnaires Disease: the Control of Legionella Bacteria in Water Systems*" acknowledges its responsibility to protect its employees and others from the risk of Legionellosis.

Stockton-On-Tees Borough Council will take all reasonably practicable steps to prevent exposure to harmful levels of Legionella bacteria. To achieve this, the Council, through its managerial organisation, will allocate specific roles and functions to designated employees to manage and control the risk.

Controlling the risk is achieved in two stages;

Stage One;

- Identification and evaluation of potential sources of risk in all premises for which the Council has a responsibility;
- Development of a written scheme for preventing or controlling the risks within those premises.
- Provide advice and guidance when requested to mechanical design engineers regarding controlling risk of Legionellosis when designing new systems or system are refurbished.

Stage Two;

- Implementation, managing and monitoring precautionary measures.
- Maintaining records of the precautions.

## **4. ROLES & RESPONSIBILITIES**

### **4.1 Duty Holder – Chief Executive**

Responsibility for establishing a health and safety framework for the management of Legionella sits at the Corporate Management level. The Chief Executive as 'Duty Holder', as defined in "*Legionnaires Disease: the Control of Legionella Bacteria in Water Systems*" (L8) will therefore advise the Corporate Management Team on the process of delivering and ensuring the duties are met, through the framework detailed in **Appendix 1**. This includes ensuring adequate resources and funding is available.

### **4.2 Strategic Management – Director of Community Services**

The Director of Community Services can be viewed as purposefully 'owning' all property, on behalf of the Council, for the avoidance of any doubt in relation to the management of Legionella Control and Water Hygiene.

The associated corporate responsibility for ensuring that the duties relating to Legionella Control and Water Hygiene Management are met will be undertaken in consultation with the Corporate Management Team and the Council's Health and Safety Manager.

### **4.3 Management Agent – Construction & Facility Services Manager**

The Construction & Facility Services Manager is accountable for the day-to-day management of the Council's property. The Management Agent (or their designate) is responsible for ensuring that all obligations detailed in the Legionella Control & Water Hygiene Policy are met. Any issues identified through the management of Council owned assets, concerning potential legionella risk, will be notified to the Responsible Person.

### **4.4 The Responsible Person – Legionella Control Officer**

The Legionella Control Officer within Community Services (see **Appendix 1**) shall be the 'Responsible Person' as defined in Approved Code of Practice (L8):

The responsible person duties are as follows:

- All maintenance work regarding controlling the risk of Legionella, including Legionella risk assessments; Specialist monitoring services will be commissioned through the Responsible Person.

- Identifying premises and assess for risks of Legionellosis. Where expertise is not available internally the Responsible Person will appoint suitably qualified and competent external expertise to undertake this function.
- The use of systems that ensure foreseeable risk of Legionellosis is avoided or, where this is not reasonably practicable, a written scheme for minimising the risk from exposure is prepared.
- Appropriate statutory and evidential records are maintained for each of the premises within their portfolio.
- Appropriate monitoring systems are in place and implemented to ensure that the risks are being effectively managed.

To maintain appropriate records, including details of:

- The person(s) responsible for conducting the risk assessment, managing, and implementing the Written Scheme; the significant findings of the risk assessment;
- The Written Scheme and details of its implementation;
- The results of any monitoring, inspection, test or check carried out and the dates and by whom.
- Recording all relevant details on the Council's Asset Database.

#### **4.5 The Nominated Person – Premise Manager**

Premises managers or occupiers of Council owned/leased premises including schools have a duty to co-operate with the Responsible Person to ensure the duties placed upon the Duty Holder to control the risk of Legionella can be fulfilled.

Premises' Managers or occupiers will implement a local scheme whereby a number of specified precautionary actions in accordance with the Written Scheme and L8 recommendations will be implemented on behalf of the Responsible Person/Duty Holder.

It will be necessary for premises' managers or occupiers to nominate one or more deputies as 'Nominated Persons' with whom the Responsible Person can liaise to ensure these obligations are implemented.

#### **4.6 Deputy Cover**

For day-to-day operational requirements deputy cover is detailed as follows:

Responsible Person - SBC Principal Mechanical Engineer.

Nominated Person - Each premise will have a nominated deputy person.

### **5. ASSESSING & MANAGING RISK**

The specific requirements of the risk assessment can be found in the HSE publication, "*Legionnaires Disease: the Control of Legionella Bacteria in Water Systems*" (L8).

Before any formal management process for water systems can be implemented, a risk assessment must be carried out to identify the possible risks. The purpose of the assessment is to enable a decision and decide:

- The risk to health, i.e. whether the potential for harm to health from exposure is reasonably foreseeable, unless adequate precautionary measures are taken:

- The necessary measures to prevent, or adequately control, the risk from exposure to Legionella bacteria.

The risk assessment also enables the Duty Holder (Council) to show that all appropriate factors, and the steps needed to prevent or control the risk, have been considered. The extent of specialist knowledge and expertise required to carry out this initial assessment may be outside the capability and expertise of officers of the Duty Holder, therefore the Responsible Person may arrange for this function to be undertaken by an external organisation. The Responsible Person will ensure the external organisation has the requisite knowledge, expertise and competency and in accordance with the Approved Code of Practice (L8).

The risk assessment will identify the action plan of maintenance work required, together with the Written Scheme, monitoring programme and logbook requirements.

## **6. WRITTEN SCHEME**

Where the risk assessment shows that there is a reasonably foreseeable risk; steps will be taken to mitigate this risk wherever possible. Where residual risk remains then there must be a Written Scheme for control.

The “Responsible Person”, in conjunction with the appropriate Facility Manager, is to arrange for and implement remedial works via the Nominated Persons, to oversee the implementation and monitoring of the control measures in strict compliance with maintenance programmes and timescales stipulated in the Written Scheme.

Items to be included in the written scheme are shown at **Appendix 2**.

## **7. TRAINING & QUALIFICATIONS**

It is a function of the ‘Responsible Person’ to ensure that those who are appointed to carry out any form of control measure, whether or not internal employees or external organisations, are suitably trained and able to perform the functions within respective areas of responsibility.

So far as internal employees are concerned, at least two people within each premise shall be trained so that if one trained employee falls ill or leaves, there is another nominated, trained person to ensure that the line of communication is unbroken.

It is for the Responsible Person to ensure suitable training, in conjunction with the premises manager, is arranged. Training should ensure employees can interoperate the significant findings of the legionella risk assessment, appropriate precautions and actions they need to take to safe guard themselves and others, awareness relating to water quality and Legionnaires disease to enable them to undertake their specific functions.

On-line training is available from the Health and Safety Unit. To receive a log in for this training please contact Danielle Jolly on 01642 528197 or email: [danielle.jolly@stockton.gov.uk](mailto:danielle.jolly@stockton.gov.uk). The Legionella Control Officer will visit each premise to provide site specific training to the ‘Responsible Person and Deputy’.

The Responsible Person must ensure that reasonable enquiries are made to ensure that external organisation’s employees are competent and suitably trained and have the necessary equipment to carry out their duties within the written scheme in a safe and adequate manner.



## **8. MONITORING REGIME**

The Written Scheme will identify specific monitoring and maintenance regimes that will need to be formulated and carried out on a localised basis. Premises are periodically monitored to ensure this regime is being implemented and all results from the monitoring will be inserted into the site logbook.

Occupiers will have competent personnel to carry out the recommended monitoring regimes in-house although water sampling and the tasks requiring engineering skills will be done by an approved contractor/competent person.

## **9. AUDITING**

It is essential that the Responsible Person ensures that both the monthly auditing of all logbooks and the monitoring of all risk assessments is being carried out. This will be monitored through quarterly onsite checks and when cyclical maintenance is completed. Where duties are not fulfilled the Responsible Person will notify the Management Agent who will take any necessary corrective action they may deem necessary to ensure all control measures are effectively implemented.

After all risk assessments have been completed and the monitoring programme is established, the record will be continually updated in accordance with the programme for the individual site and all documentation shall be kept in an accessible location for auditing. The Risk Assessment and Logbook will be reviewed annually by the Responsible Person.

As part of the Council's compliance checks, annual reports will be presented to the Duty Holder and Management Agent confirming that the required checks and monitoring systems within Council premises are being carried out. This will not only provide assurance that the Council is complying with its statutory responsibilities, but will also demonstrate that the duties of the Responsible Person and Nominated Persons are being correctly and effectively undertaken.

## **10. PREMISES LOGBOOK**

On completion of the risk assessment, a bespoke logbook will be formatted by the Responsible Person who shall validate the monitoring regime and in conjunction with the Nominated Persons put in place arrangements for implementation.

The logbook will contain:

- Full site address,
- Name of site contact (Manager),
- Name of person completing risk assessment and the company name,
- Name of responsible person for the Council,
- Date of assessment,
- Schematic drawing of water system, i.e. storage tanks and associated pipework,
- Detail of operation, relevant to the controlling the risk,
- Controls to be implemented, complete with schedule.

Disinfection and Legionella test certificates shall be inserted into the premises' logbook within 28 days of the test being taken and copied to the appropriate 'Responsible Person' (see **Appendix 1**). A copy of the risk assessment will be given to the Nominated Person as detailed above.

## 11. DISINFECTION

Water services shall be disinfected thermally or chemically in accordance with [HSG 274 Part 2 P45](#) in the event of:

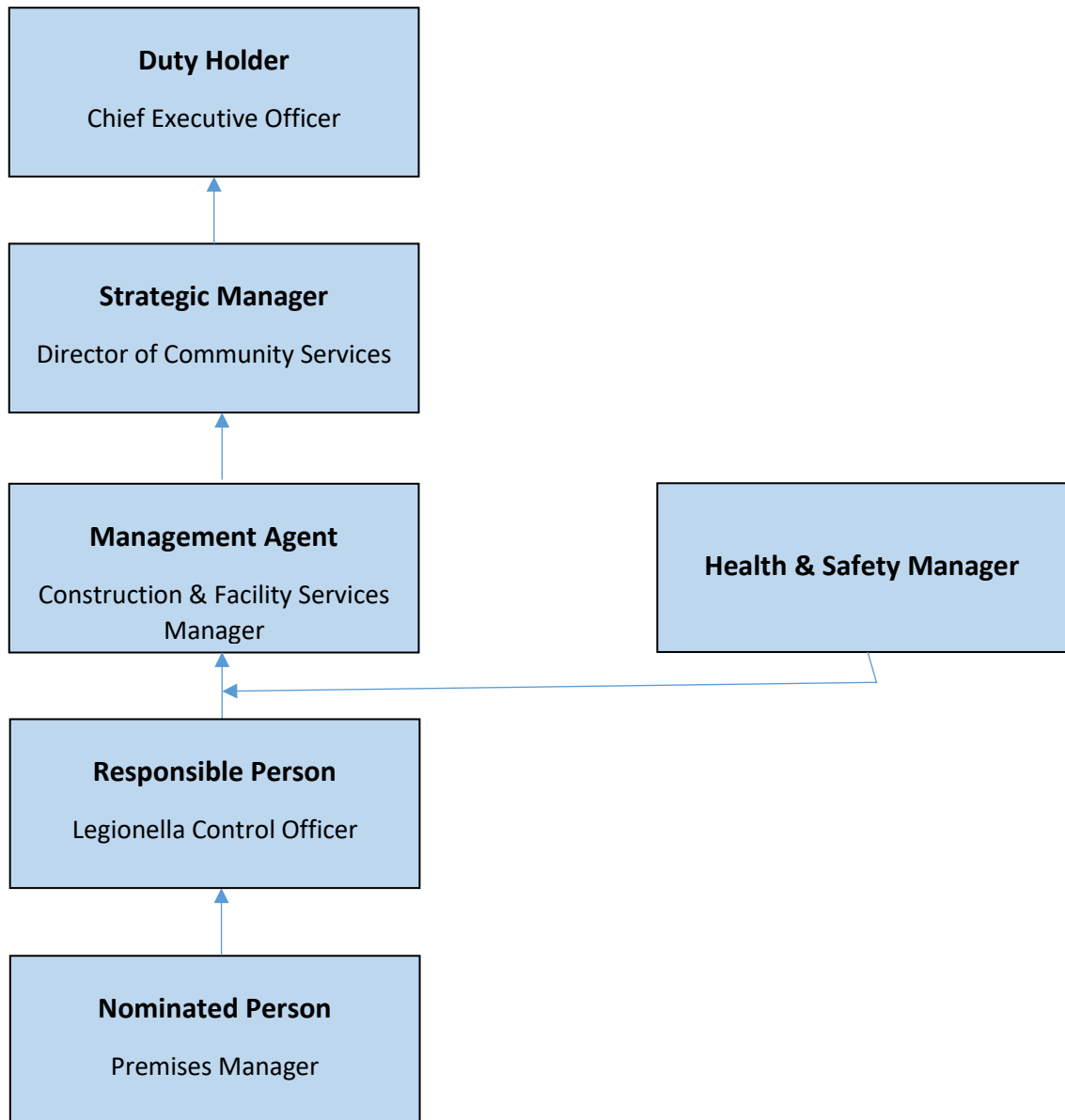
- New installations before being taken into use to remove contamination, which may have occurred during construction or installation.
- If a routine inspection shows it necessary.
- If the system or part of it has been substantially altered or entered for maintenance purposes in a manner that may lead to contamination.
- Following an outbreak or suspected outbreak of Legionellosis or any other water borne infection/disease.

If this task cannot be carried out in-house, an external contractor will be appointed.

## 12. ACTION IN THE EVENT OF A SUSPECTED OR CONFIRMED CASE OF LEGIONNAIRE'S DISEASE

Procedure to be taken if an outbreak is suspected or occurs, or where urgent action is required following routine inspections (e.g. high bacterial counts) is shown at **Appendix 3**.

## Appendix 1 - Legionella Risk Management Organisation Chart



## Appendix 2 – Written Scheme

### Items to be included in the Written Scheme are as follows:

- a) Plan of plant or system layout (a schematic plan is enough), which should contain:
- The latest up to date copy and parts, which are temporarily out of use,
  - A description of the safe and correction operation of the system,
  - Precautions to be taken,
  - Types and frequency of checks to be carried out to ensure the success of the scheme,
  - What to do if the scheme is found to be deficient.
- b) Details on how to use and/or carry out:
- The physical treatment programme (e.g. how to use temperature control for hot and cold water systems),
  - Chemical/Thermal treatment programme (including manufacturer's data on effectiveness; the concentrations and contact time required for the substance used),
  - Information on storage, handling, use and disposal of the chemical in use,
  - System control parameters, physical, chemical and biological parameters, and measurement methods and sampling location, test frequencies and procedures for maintaining consistency,
  - What to do in case the control limits are exceeded, including the channels of communications,
  - Procedures for cleaning and disinfection.
- c) The correct operation of the water system plant should be described so that faults are easier to identify:
- Procedures for commissioning and re-commissioning,
  - Procedures for shutdown,
  - Checks for warning systems and diagnostic systems in case of system malfunction,
  - Maintenance requirements and frequencies.

### **Appendix 3 - Procedure in the event of a suspected or confirmed case of Legionnaire's disease**

If any outbreak is suspected that may be attributed to the water system within a building, or where urgent action is required following routine inspections, the following course of action must be taken:

#### **Reporting Procedure**

- a) In the event of a Legionella positive water sample or TVC (Total Viable Counts) exceeding the action limit **or**
- b) Anything untoward being found during a risk assessment, must be notified to:
  1. The appropriate Responsible Person (see Appendix 1)
  2. The appropriate Managing Agent (see Appendix 1)
  3. The Health and Safety Manager
  4. In the event of (1 or 3) being unavailable, the message will be relayed to the Environmental Health Unit Manager.

The message will state:

- a) Water sample positive or nature of defect that requires action,
- b) Address of premises concerned,
- c) Location of water sample taken,
- d) Sero-group of organism isolated,
- e) Bacteria count.

When the issue is identified to the appropriate Responsible Person he/she will take all necessary actions required to control the situation in accordance with L8 recommendations:

**Note:** An 'outbreak' is defined by the Health Protection Agency as two or more confirmed cases of Legionella occurring in the same locality within a six month period. The 'Proper Officer' (appointed by the local authority under public health legislation and a Consultant in Communicable Disease Control) in conjunction with HSE may invoke the following actions in the event of an outbreak:

- Shut down any processes capable of generating and disseminating airborne water droplets and keep shut down until sampling procedures and remedial cleaning or other work has been done and final clearance is given to restart the system,
- Take water samples before any emergency disinfection takes place,
- Seek employee health records,
- Council to fully cooperate in subsequent investigation of any plant, including:
  - Tracing of all pipework runs,
  - Detailed scrutiny of all operational records,
  - Statements from plant operatives and managers' statements from water treatment contractors/consultants.

Any incidence of exposing people to risks to their health or safety may be subject to formal investigation by the relevant regulator.

The Responsible person in conjunction with Nominated persons will:

- Ensure that the appropriate action is being taken,
- Determine whether further advice/assistance is needed,
- Consult with the Health and Safety manager who will inform the relevant Regulator if the incident is reportable,
- Implement appropriate and proportionate measures to effectively reduce the risk of harm to people from Legionellosis,
- Establish causation of escalating or exceeded action levels where it is practicable to do so,
- Increase monitoring to confirm effectiveness of control measures,
- Maintain a record of events and document the investigation into the cause,
- Review and revise the premises risk assessment where necessary.