



GREAT YARMOUTH
BOROUGH COUNCIL

Legionella Control and Water Hygiene Policy

Revision Status

Details	Date	Revision Number
Legionella Control & Water Hygiene Policy	Draft issue 1 Oct 2006	01
New Logo and arrangement of appendices	Draft issues 27 Nov 2006	02
Updates following H and S (HODs) Working Group meeting	Draft issue 15 Dec 2006	03
Approved by CMT	20 December 2006	04
Amendments to structure etc. following the Legionella Audits Approved CMG	8 April 2009	05

Contents

1. INTRODUCTION AND BRIEF RESPONSIBILITY GUIDE	3
2 LEGAL IMPLICATIONS	4
3 GREAT YARMOUTH BOROUGH COUNCIL STATEMENT OF INTENT REGARDING THE WATER HYGIENE & THE CONTROL OF LEGIONELLA BACTERIA IN WATER SYSTEMS.	4
4 RESPONSIBILITY FOR IMPLEMENTING COUNCIL POLICY	6
5 ASSESSING RISK	10
6 WRITTEN SCHEME	10
7 TRAINING & QUALIFICATIONS	11
8 MONITORING REGIME	11
9 PREMISE LOGBOOK	11
10 DISINFECTION	12
11 AUDITING	12
12 ACTION IN THE EVENT OF A SUSPECTED OR CONFIRMED CASE OF LEGIONNAIRE'S DISEASE.	13
APPENDIX 1	14
APPENDIX 2	15

1. Introduction and Brief Responsibility Guide

- 1.1 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). Humidifiers, plumbing systems and hot water tanks, air washers, spa baths, pools, water softeners, showers, car washes, fire and sprinkler systems, air conditioning systems, cooling towers and many other systems using water and operating at temperatures in excess of 20°C can generate an aerosol presenting a legionella risk. High temperatures of 60°C and over will kill the bacteria.
- 1.2 Water system design and operation, methods of routine control, treatment and monitoring of the water contained in these systems and recommended cleaning and disinfection procedures must be considered if the risk is to be minimised.
- 1.3 The guide to the levels of responsibilities within the Council are:
- a) The **Managing Director** is the '**Duty Holder**' with ultimate responsibility for ensuring the Council complies with its obligations under current legislation. He is supported by the **Strategic Directors**, **Director of Community Housing** and the **Heads of Departments** to ensure there is an adequate system in place for managing the risks.
 - b) Technical, and health and safety advice will be provided by the **Technical Director** and the **Health and Safety Advisor**
 - c) The **Contract Manager** from within the Environment Services will manage the **Approved Contractor** appointed to undertake any assessments and on-going monitoring work and will be the contact person between the **Council** and the **Contractor**
 - d) **Service Unit Managers** are the '**Responsible Person**' as defined in the Approved Code of Practice under L8 for the overall management of all premises within their Service Plan to ensure that they are maintained in accordance with the current legislation relating to Legionella.
 - e) **Nominated Persons** or **Premises Managers** are appointed by the '**Responsible Persons**' for overseeing the regular monitoring, maintenance of records and supervision of all involved in the implementation of the Legionella management system.
 - f) **Appointed Persons** are those nominated as deputies for the '**Nominated Persons**' for carrying out the day to day monitoring and any work on site.

2 Legal Implications

- 2.1 It is the responsibility of the Council to ensure an adequate Risk Assessment of the water systems in its buildings is carried out with details retained on file for the assessment and ongoing monitoring.
- 2.2 Additionally the Council has a duty to ensure people involved with implementing the control of Legionella are adequately trained, qualified and experienced to fulfil their duties in executing the risk management programme.
- 2.3 The following legislation is applicable to the management and control of legionella;
- Health and Safety at Work etc Act 1974
 - Management of Health and Safety at Work Regulations 1999 (as amended)
 - Control of Substances Hazardous to Health Regulations 2002 (as amended)
 - The Notification of Cooling Towers and Evaporative Condensers Regulations 1992
- 2.4 Failure to comply with these laws is a criminal offence that could result in unlimited fines for the Council (e.g. Section 3 HSWA) and possibly fines and imprisonment for individuals found to be individually culpable (e.g. Section 7 HSWA).
- 2.5 The following approved code of practice and guidance has been issued to assist in compliance with the law:
- L8 The control of Legionella bacteria in water systems - approved code of practice and guidance ISBN 0717617726.
 - Legionnaires Disease - Essential information for providers of residential accommodation IND(G)376, and
 - Controlling Legionella in nursing and residential care homes IND(G)253L
- 2.6 It is important to note that a 'latent disease' such as Legionellosis is an uninsurable loss and cannot be offset against Employers or Public Liability Insurance. Therefore any civil claim would have to be met directly from Council funds.

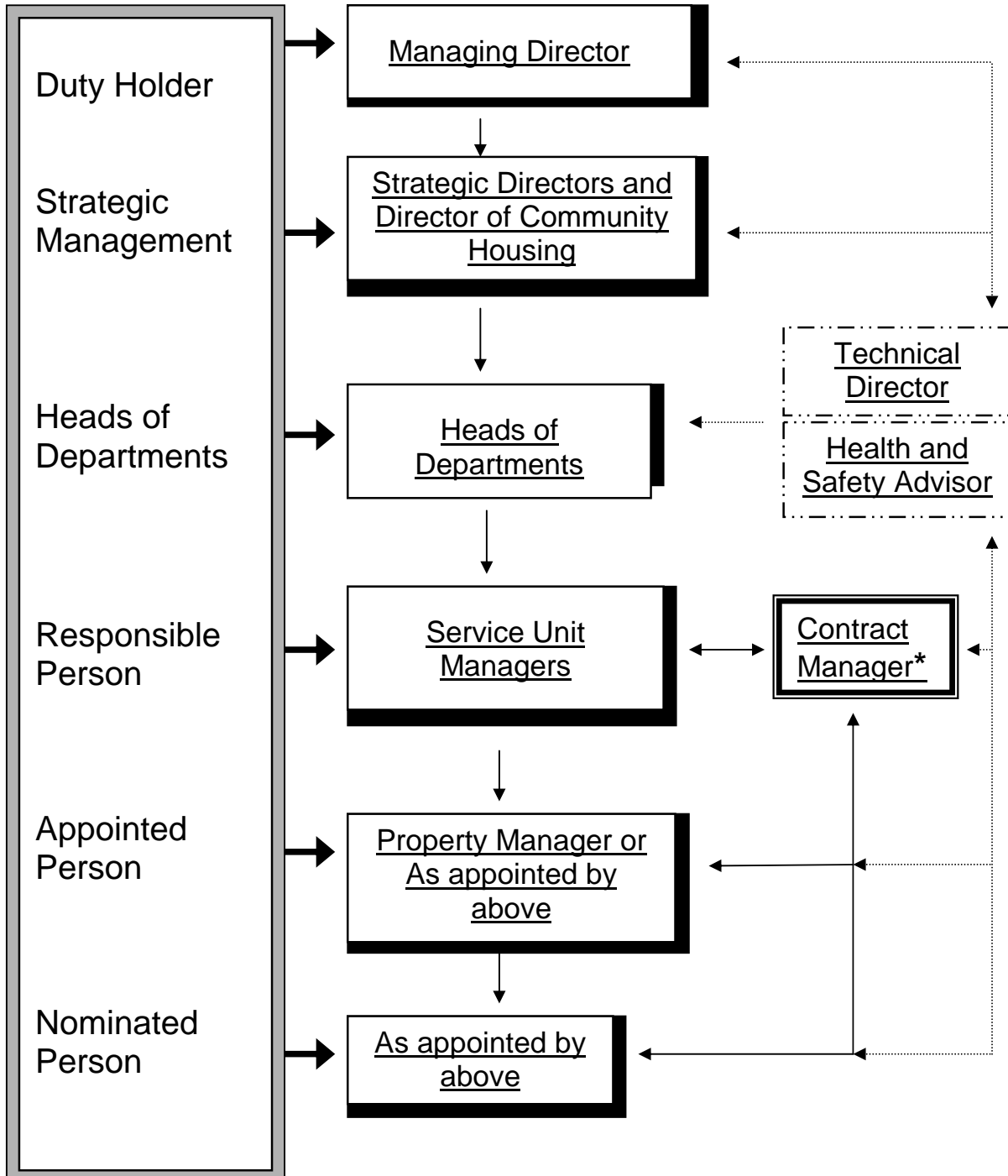
3 Great Yarmouth Borough Council Statement of Intent Regarding the Water Hygiene & the Control of Legionella Bacteria in Water Systems.

- 3.1 Great Yarmouth Borough Council accepts that under law it is the employer and in accordance with the Approved Code of Practice "*Legionnaires Disease: the Control of Legionella Bacteria in Water Systems*" acknowledges its responsibility to protect its employees and others from the risk of Legionellosis.

- 3.2 Great Yarmouth Borough Council will take all reasonably practicable steps to prevent exposure of employees and others to harmful levels of the legionella bacteria. To achieve this, the Council, through its management structure, will allocate specific responsibilities and functions to designated employees to manage and control the risk.
- 3.3 Controlling the risk is to be achieved in two stages.
- Firstly;
- a) Identification and evaluation of potential sources of risk in all premises for which the Council has a responsibility;
 - b) Development of a premises specific documented scheme for preventing or controlling the risks within those premises.
- Secondly;
- a) Implementation, management and monitoring of precautionary measures.
 - b) Maintaining detailed records of the precautionary measures.
- 3.4 The means by which the risk from exposure to the bacteria is to be controlled will be a joint function based upon external expertise and in-house management. Implementation will follow the completion of individual premise risk assessments and carried out in compliance with the agreed documented protocol.

4 Responsibility for Implementing Council Policy

4.1 Legionella Risk Management Organisation Chart



* Environmental Service Officer, Environment

4.2 The structure responsible for managing and controlling the risks on behalf of the Council is described below, see also diagram above:

a) 'Duty Holder '

The Managing Director of Great Yarmouth Borough Council is the 'Duty Holder' as defined in the "*Legionnaires Disease: the Control of Legionella Bacteria in Water Systems*" (L8) and will through the Council's management structure, take all reasonably practicable steps to protect employees and others persons likely to be affected from exposure to legionella bacteria in water systems owned under the control of the Council.

b) Strategic Management

The Strategic Directors and Director of Community Housing can be viewed as 'owning' all property, on behalf of the Council, and take on the chief role for managing the assets and ensuring that adequate provision is made to enable the Heads of Departments to establish a health and safety framework to manage their Services.

c) Technical Director

The Technical Director as the person having sufficient technical knowledge will provide training and guidance to all those undertaking responsibilities in relation to the management of water systems in their care and for any contractors or contracts placed for the management of the water systems.

d) Health and Safety Advisor

The Health and Safety Advisor has the responsibility for:

- reporting to the Executive on an annual basis via the Health and Safety (HODs) Working Group on how the duties relating to legionella are being met
- advising on the health and safety framework for the management of all Council property and
- carrying out an audit of this Policy at two yearly intervals.

e) Contract Manager (Environmental Service Manager)

The Contract Manager has the responsibility of Managing the Contract for all the properties given to him/her to manage under the contract and will:

- be the contact person between the Council and the Contractor and vice versa
- ensure risk assessments are undertaken and any work required passed promptly to the appropriate Responsible Person for action together with details of the risk assessments and log books
- undertake regular meetings with the Contractor to ensure that any issues with the Contractor or the work can be addressed quickly.

This person will not be checking the work on site or the log books unless under another role within his/her service unit as this is the direct responsibility of the Responsible Person or the Nominated/Appointed person as specified by the Responsible Person.

f) Heads of Departments

Heads of Departments have the responsibility of establishing a health and safety framework for the management of all Council property within their services and for ensuring that the duties relating to legionella are met by receiving reports on the performance of the management of their water systems from their Service Unit Managers and by providing adequate information, training, advice and resources to their Service Unit Managers..

Chief responsibility for ensuring that the duties relating to legionella are met will be overseen by the Health and Safety (HODs) Group and reported to Corporate Management Team (CMT) on a quarterly basis and to the Executive on a yearly basis or as necessary, by the Head of Community Services..

g) 'Responsible Person(s)' – Service Unit Managers

Each Service Unit Manager with responsibility for properties under the Service Plan will be the 'Responsible Person' (as defined in the Approved Code of Practice {L8}) and with the other Service Unit Managers with property responsibilities will have the direct responsibility for ensuring the implementation of this policy within all premises for which the Council retains ownership. Where leasing arrangements for any Council premise is in place the responsibilities for Legionella management will be clearly documented e.g. Borough Council or lessee/occupier.

The Responsible Person will be accountable to ensure:

- All maintenance work, including legionella risk assessments and specialist monitoring services are carried out to comply with the statutory requirements
- Premises are identified and assessed for risks of legionellosis by providing information of the premises to the Contract Manager
- The use of systems that present a foreseeable risk of legionellosis are to be redesigned, modified, and a written management scheme for minimising the risk from exposure is to be prepared and actioned.
- The scheme of management precautions, including the appointment of 'Appointed and or Nominated Person(s)', to take responsibility for the maintenance of relevant plant, equipment and systems and to provide supervision is implemented and managed.
- Appropriate statutory and documentary records are maintained for each of the premises within their portfolios.

- Appropriate, effective monitoring systems and compliance checks are in place and implemented to ensure that the risks are being effectively managed in accordance with current legislation
- The results of any assessments, monitoring and maintenance work undertaken by the Approved Contractor commissioned by the Contract Manager or by the 'Responsible Person', are recorded and reported in the log books as part of the compliance checks.
- Quarterly reports are provided to the Health and Safety (HODs) Group on the findings of the quarterly audits on the logbooks

h) The 'Appointed Person(s)'

The 'Appointed Person' is the 'Premises Manager', or the person(s) nominated by the 'Responsible Person' to monitor the implementation of the legionella management system for the premise(s) allocated to him/her/them His/her/their role is two-fold - firstly to assist the 'Responsible Person' to implement the written scheme through regular monitoring and supervision of everyone involved in related operational procedures and secondly, to maintain appropriate records, including details of:

- the person(s) responsible for conducting the risk assessment, managing, and implementing the written scheme; the 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, and
- recording all relevant details on the Council's data recording systems.

i) The 'Nominated Person(s)'

It may be necessary for the Appointed Person to nominate one or more deputies as 'Nominated Person(s)' with whom they can liaise to ensure the obligations under L8 are implemented. All managers or occupiers of Council owned/leased premises have a duty to co-operate with the Contract Manager and the Responsible/Appointed Persons to ensure the duties placed upon the 'Duty Holder' to control the risks of legionella can be fulfilled.

Where required, the 'Nominated Person(s)' are expected to implement a detailed premise scheme whereby a number of specified precautionary actions in accordance with the written scheme and L8 recommendations will be carried out and to undertake the monitoring functions required to be implemented on behalf of the 'Responsible Person/Duty Holder'.

5 Assessing the Risk

- 5.1 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).
- 5.2 Before any formal management system for water systems can be implemented, a risk assessment has to be carried out to decide the possible risks. The purpose of the assessment is to enable a decision to decide:
- a) the risk to health, i.e. whether the potential for harm to health from exposure is reasonably foreseeable unless adequate precautionary measures are taken, and;
 - b) the necessary measures to prevent, or adequately control, the risk from exposure to legionella bacteria.
- 5.3 The risk assessment enables the 'Duty Holder' (Managing Director) to show that all relevant factors, and the steps needed to prevent or control the risk, have been considered.
- 5.4 The extent of specialist knowledge and expertise required to carry out this initial and on-going assessments will likely be outside the capability and expertise of officers managed by the 'Duty Holder', therefore the 'Duty Holder' and the 'Directors' may arrange for this function to be undertaken by an external organisation with the advice from The 'Technical Director'. The 'Technical Director' will ensure the external organisation has the requisite knowledge, expertise and competency in accordance with the Approved Code of Practice (L8) and the Contract Manager will be the liaison person between the various Services and the Contractor appointed.
- 5.5 The risk assessment will provide information for the production of the documented action plan of maintenance work required; the written scheme; the monitoring programme and logbook requirements.

6 Written Scheme

- 6.1 Where the premise risk assessment identifies there is a reasonably foreseeable risk, steps must be taken to mitigate this risk so far as is reasonably practicable. When all the risks can not be eliminated there must be a written scheme for controlling the risk.
- 6.2 The 'Responsible Person' is responsible for any remedial works required and will either require this work to be carried out by the Approved Contractor through the Contract Manager or via the 'Appointed and Nominated Persons' to ensure the implementation and monitoring of the control measures is in strict compliance with maintenance programmes and timescales stipulated in the written scheme.

- 6.3 Items to be included in the written scheme are shown at **Appendix 1**.

7 Training and Qualifications

- 7.1 It is a function of each 'Responsible Person' to ensure that they and those who are appointed to carry out any form of control measure, whether or not internal employees or external organisations, are suitably trained and competent to perform the functions within respective areas of responsibility.
- 7.2 So far as internal employees are concerned, at least two people concerned with each premises shall be trained so that if one trained employee falls ill or leaves, there is another nominated, trained person to ensure that the relevant actions are completed. It is for the 'Responsible Person' to ensure suitable training, in conjunction with the premises manager, is arranged. Training must ensure employees are competent to an adequate standard of basic awareness relating to water quality and Legionnaires disease to enable them to undertake their specific functions.
- 7.3 The 'Technical Director' must ensure that the external organisation/s contracted to undertake the risk assessments and on-going monitoring are competent and suitably trained and able to carry out their duties in a safe and proper manner.

8 Monitoring Regime

- 8.1 The written Legionella Control Scheme will identify specific monitoring and maintenance regimes that need to be formulated and carried out on a localised basis. All premises will be monitored to ensure this regime is being implemented and all results from the monitoring must be entered into the site logbook.
- 8.2 All premises will have a competent person(s) to carry out the recommended monitoring regimes in-house although temperature checks, water sampling and the tasks requiring engineering skills may be done by an approved contractor/competent person.

9 Premise Logbook

- 9.1 On completion of the risk assessment, a building specific logbook will be formatted and delivered to the 'Responsible Person' via the 'Contract Manager', The 'Responsible Person' will validate the monitoring regime and in conjunction with the 'Appointed and Nominated Persons' put in place arrangements for it's implementation in agreement with the Contract Manager.
- 9.2 The logbook will detail clearly the:
- Full site address

- Name of site contact (managerial)
 - Name of risk assessor and the company name (if applicable)
 - Name of the 'Responsible Person' for the property
 - Date of assessment
 - Schematic drawing of water system, i.e. storage tanks and associated pipe work
 - Detail of operation, relevant to the controlling the risk
 - Controls to be implemented, complete with schedule
- 9.3 Chlorination and Legionella test certificates will be inserted into the premise' logbook within 28 days of the test being taken and copied to the appropriate 'Responsible Person' via the 'Contract Manager'.
- 9.4 A copy of the Risk Assessment will be given to the 'Responsible Person' via the 'Contract Manager', within 28 days of the assessment being received from the Contractor for inclusion in or with the log book.

10 Disinfection

- 10.1 Water services distribution pipe work will be disinfected in accordance with BS6700 for any of the following reasons:
- Any new installation before being commissioned into use to remove contamination which may have occurred during construction or installation
 - Before using installations which have been closed down for a period of time, e.g. before opening for winter or summer use
 - 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.
- 10.2 If a task cannot be carried out using the approved in-house personnel, an external competent contractor will be appointed.

11 Auditing

- 11.1 The 'Responsible Person' must ensure there are processes in place to undertake a regime of auditing of all logbooks and the monitoring of all risk assessments on at least a quarterly basis with information provided quarterly to the Council's Health and Safety Advisor for reporting to the Health and Safety (Heads of Department) Working Group.
- 11.2 After the Risk Assessments have been completed and the monitoring programme established, the record sheet will be updated in accordance with the programme for the individual site and all documentation will be kept in an accessible location on site for auditing.

- 11.3 To ensure that the duties relating to legionella are met, the Health and Safety (HODs) Working Group will monitor performance and provide an annual report to Corporate Management Team (CMT) to confirm that the required checks and monitoring systems within Council premises are being carried out. This will provide performance assurance that the Council is complying with its statutory responsibilities, and also demonstrate that the roles of the 'Responsible Person, Appointed and Nominated Persons' are being correctly and effectively undertaken.
- 11.4 The Council's legionella management system will be audited and reviewed every two years (or as necessary due to legislative changes) by the Health and Safety Advisor in consultation with the relevant Responsible Persons to ensure it remains effective and fit for purpose to manage the risks related to Legionella. Amendments are subject to approval by the Corporate Management Team (CMT)

12 Action in the Event of a Suspected or Confirmed Case of Legionnaire's Disease.

- 12.1 Details of the action 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 2**.

Appendix 1

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
- Mitigation measures to be taken to remove the risk
- Types and frequency of checks to be carried out to ensure the success of the scheme
- Actions to be taken 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 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 (plus allowable tolerances), 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 2

Action in the event of a suspected or confirmed case of Legionnaire's disease.

If an 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

It is necessary to put the following reporting procedure into operation and it must be adhered to.

- 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'
 2. Health and Safety Advisor
 3. In the event of (1 or 2) being unavailable, the message must be relayed to one of the Directors

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 Responsible Person he/she will ensure all necessary actions required to control the situation in accordance with L8 recommendations:

Note: An 'outbreak' is defined by the Public Health Laboratory Service as two or more confirmed cases of Legionella occurring in the same locality within a six month period. The Health and Safety Executive 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 co-operate in subsequent investigation of any plant, including;
 - tracing of all pipe work runs
 - detailed scrutiny of all operational records

- statements from plant operatives and managers statements from water treatment contractors/consultants

Any infringement of legislation may be subject to formal investigation by the HSE.

The Responsible Person in conjunction with Appointed and Nominated Persons will:

- Monitor that the appropriate action is being taken
- Determine whether further advice/assistance is needed
- Determine whether the incident is reportable to **HSE** and if so ensure that this is done via the Health and Safety Advisor
- Maintain a record of events and carry out an investigation into the cause.