

FERRYHILL TOWN COUNCIL



POLICY

LEGIONELLA PRACTICES AND PROCEDURES

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1. Introduction

Ferryhill Town Council accepts it has a responsibility to protect employees, members of the public and others who may be affected by its business operation against the risk of Legionella infection (legionellosis), arising from plant, equipment, facilities, work or work-related activities and will implement the procedures in this document to ensure this responsibility is met.

2. Purpose and Scope

This Policy and Procedure sets out the strategy Ferryhill Town Council will follow and includes the framework of the procedures for achieving and maintaining it. This framework defines the stages and describes the objectives at each stage, specifies the management, operational and specialist responsibilities, and lays down a clear management and communication structure to ensure that it is effective and that it fails safe, wherever practicable.

3. Legislation

It is the Policy of Ferryhill Town Council to comply in full with the HSE guidance entitled Legionnaire's Disease: The Control of Legionella bacteria in water systems, Approved Code of Practice and Guidance (known as L8).

It is the Policy of Ferryhill Town Council to comply with the following other applicable Legislative controls;

- Health and Safety at Work Act 1974
- Control of Substances Hazardous to Health Regulations 2002
- Management of Health and Safety at Work Regulations 1999
- Reporting Injuries, Disease and Dangerous Occurrences Regulations 1995
- Notification of Cooling Towers and Evaporative Condensers Regulations 1992
- Safety Representative and Safety Committee Regulations 1977
- The Health and Safety (Consultation with Employees) Regulations 1996
- British Standards and all applicable guidance for the control of Legionella and the installation of water systems.
- The Corporate Manslaughter and Corporate homicide Act 2007

4. Definitions

For the purposes of this policy and procedure, the following definitions apply.

Aerosol means minute droplets of water or the residue from their evaporation, which are so small as to remain suspended in air with negligible falling velocity.

Cooling tower and evaporative condenser mean heat rejection devices as defined in the Notification of Cooling Tower and Evaporative Condensers Regulations 1992:

“cooling tower means a device whose main purpose is to cool water by direct contact between that water and a stream of air”.

“evaporative condenser means a device whose main purpose is to cool a fluid by passing that fluid through a heat exchanger which is itself cooled by contact with water passing through a stream of air”.

L8 means the combined Health and Safety Commission approved code of practice and Health and Safety Executive guidance Legionnaires' disease the control of legionella bacteria in water systems.

Duty Holder is an individual appointed with the legal responsibility and the management responsibility, for and on behalf of an organisation, for ensuring the activities of that organisation do not constitute an undue risk to health, safety and welfare and that the organisation does not breach any related legal duties.

Responsible Person is an individual appointed and who has responsibility under, the authority of the duty holder, for ensuring that the organisation's responsibilities for the control of legionella are met and that all individuals and organisations assigned to carry out tasks in the preventative scheme are competent to do so.

Competent Person refers to the individual who is suitably informed, instructed and trained with their suitability assessed in relation to ensuring that their assigned tasks are performed in a safe and technically competent manner.

Fail Safe means a practice, procedure, precaution or other stratagem, which is designed to default to a safe condition.

Legionella means any bacteria of the Legionella genus

Legionellosis means an infection caused by Legionella and includes Legionnaire's Disease, Pontiac Fever and Lochgolihead Fever.

5. Responsibilities

Lines of Responsibility

Ferryhill Town Council holds a wide ranging property portfolio and the duty to maintain and implement the Legionella policy falls under the remit of the Duty Holder.

Duty Holder – Town Clerk

His/her responsibility is to support this policy by ensuring the allocation of resources including an adequate budget, suitable and sufficient equipment, personnel, time and training.

In particular he/she will:

- Eliminate Risk where possible
- Appoint appropriate „Responsible Persons“ to oversee, control and coordinate the control of the risk of legionellosis
- Ensure that there are adequate resources available to control the risk of legionellosis

The Responsible Person – Works Manager

The Responsible Person has been given their authority by the Duty Holder. The position carries with it the authority to put into effect such measures as are required to control the risk of legionellosis, both as a matter of routine and in the event of a crisis. The Responsible Person has a duty to ensure that Document L8 and all relevant legislation associated with the management and control of legionellosis are adhered to. The Responsible Person also has a responsibility to ensure records are kept to confirm that this policy has been implemented.

The Responsible Person has the overriding authority for the control of Legionella. They have the authority to instruct and enforce where necessary the Competent Person to ensure that all Ferryhill Town Council sites meet the requirements of Legislation and this policy. The Responsible Person is required to ensure that the Competent Person is trained and competent to carry out the prescribed task on their behalf and to ensure that the Responsible Persons tasks and requirements are duly met.

The Competent Person – Maintenance Officer

refers to the individual who is suitably informed, instructed and trained with their suitability assessed in relation to ensuring that their assigned tasks are performed in a safe and technically competent manner.

Operators

May be designated site staff and/or contractors with designated duties.

Operators have responsibility for the safe operation of plant, equipment and facilities, implementing the scheme of precautions and doing so using safe working practices.

In particular they will:

- Perform with integrity the given tasks that they have been trained to perform
- Maintain records as required
- Inform the Responsible Person of any problems, discrepancies or anomalies
- Attend regular training events to maintain the required level of competency to perform their given tasks.

Water Treatment Service Provider

The Water Treatment Service Provider has responsibility for the supply of water treatment chemicals, information on their application, an analytical service and such advice and support as may be necessary to ensure safe and effective water treatment.

The Water Treatment Service Provider also has responsibility for carrying out routine cleaning and disinfection of relevant plant, equipment and facilities, or accepting that this has been carried out satisfactorily by others.

The Water Treatment Service Provider may also be requested to carry out the routine tasks such as temperature recording or flushing of little used outlets. They will record these findings and submit them to the Responsible Person to maintain the records for Ferryhill Town Council.

Advisors who are directly employed by Ferryhill Town Council, provided by a contractor with other responsibilities or appointed separately in an independent capacity have responsibilities to supply relevant, accurate and up to date information within their field of expertise via the established lines of communication to facilitate and support the control of legionellosis.

6. Assessment of the Risk of Legionellosis

The Duty Holder will commission a risk assessment in line with **BS 8580:2010. Water quality. Risk assessments for Legionella control. Code of practice.** with an appropriately competent contractor to assess the risk of legionellosis, on all plant, equipment, facilities, and, as appropriate, work and work-related activities. This risk assessment shall provide the information required by the Duty Holder to decide:

- Where the risk is negligible and likely to remain so.
- Where the risk is significant but can be eliminated.
- Where the risk is significant but can be controlled.
- Where the risk is significant but cannot be controlled.

IF THE RISK ASSESSMENT IDENTIFIES SIGNIFICANT RISK OF LEGIONELLOSIS, WHICH CANNOT BE CONTROLLED, THE PLANT, EQUIPMENT, FACILITY, WORK OR WORK-RELATED ACTIVITY SHALL BE SUSPENDED UNTIL A SAFE MEANS OF OPERATION HAS BEEN DEvised AND IMPLEMENTED.

Where suspension of the plant, equipment, facility, work or work related activity is required, the Duty Holder will issue formal notification to the Responsible Person of any required remedial actions required. The Responsible Person and the Competent Person will formulate an action plan to manage site conditions, including staff and public awareness as required. The requirement of both site management and staff to adhere to both the Responsible Person and the Competent Person instructions is absolute. The Responsible Person will issue further formal notification that any suspended plant, equipment, facility, work or work related activity can be re-used, once any issues are satisfactorily resolved.

The legionellosis risk assessment shall be carried out in a methodical and structured way in full adherence to **BS 8580:2010. Water quality. Risk assessments for Legionella control. Code of practice.** and shall include consideration of the following:

- The likelihood of Legionella contamination at source, or on site;
- The conditions prevailing to take account of the likelihood of Legionella proliferating;
- Aerosol generation, dissemination and exposure; and
- The likely susceptibility of those exposed

- A full schematic drawing of the water system.

7. Elimination of the Risk of Legionellosis

Where the risk assessment identifies a risk that is significant, all reasonably practicable (see HSE website for further definition reasonably practicable) measures shall be taken to eliminate that risk.

Reasonable practicability includes consideration of what is practicable (feasible) and, in relation to all actions that are practicable, whether they are reasonable when the quantum of the assessed risk is measured against the sacrifice (whether in money, time or trouble) involved in the feasible measures necessary to eliminate the risk.

8. Control of the Risk of Legionellosis

Where the risk assessment identifies a risk that is significant and it is either not practicable (not feasible) or practicable but not reasonable to eliminate that risk, a written scheme of precautions shall be devised and implemented to control that risk.

Domestic Cold and Hot Water Systems

Risk

The ideal growth temperature range for Legionella bacteria is 20-45°C.

Temperatures between 20-45°C are not unusual in poorly managed or poorly specified water systems. The combination of the above temperature range with the presence of scale, debris and stagnation within a hot water system will result in Legionella growth.

Other water Systems

In other water systems, specifically designed legionellosis control schemes are required depending on the findings of their risk assessments.

Legionella Testing

The testing for Legionella bacteria will not be carried out as a standard measure except for cooling towers and properties that have increased or perceived greater risk of being colonized and/or where there is a recognised higher risk group of users within or using those premises. Legionella testing will also be carried out at properties where the usual control measures have failed and/or at premises which have had a previous test result returned as positive for the Legionella bacteria.

9. Management Control

The risk assessment, elimination of risk, devising and implementing the scheme of precautions and co-ordinating competent individuals for each aspect shall be effected by the Responsible Person who will also be the keeper of the records generated on behalf of the Duty Holder.

All foreseeable contingencies are to be considered and procedures are to be devised which fail safe, rather than unsafe, wherever practicable. (For example, unused plant may be drained, not stored full of stagnant water, which requires remedial rather than precautionary disinfection prior to re-commissioning).

For each foreseeable significant deviation from normal and satisfactory operation, there is to be a plan of action for correcting the fault and demonstrating that this has been effective.

Competent Person Quarterly Management Review Meetings

The Competent Person will hold regular meetings with the Responsible Person to formally understand any issues that have arisen and to sanction where appropriate, remedial actions that may be required. Meetings will be held on a quarterly basis in the first instance, but may be extended to a maximum of six monthly as local conditions dictate. Similarly time periods may also significantly shorten to weekly or less as conditions dictate.

Training

The Responsible Person will ensure that time and allocation of resources are provided to the Competent Person to keep up to date with all current legislation and recommendations of statutory responsibility.

The Responsible Person will ensure that the Legionella Policy, Practices & Procedures are distributed to all within Ferryhill Town Council who have a duty to manage premises or may have cause to carry out works or actions that may affect water systems or the management thereof.

The Responsible Person will organise refresher training at least every two years for all personnel involved in the control of Legionella to ensure they are appropriately trained.

Ad hoc one to one training will also be carried out by the Duty Holder and their team, as well as the employed Water Treatment Service Provider, as is deemed appropriate for all Ferryhill Town Council staff engaged in Legionella control.

The Duty Holder will also ensure that their management team is appropriately trained to undertake Legionella management on behalf of Ferryhill Town Council.

10. Monitoring and Review

Where the risk assessment identifies a risk, which is negligible and likely to remain so, that risk assessment shall be reviewed in two years.

Where the risk assessment identifies a risk which is significant and can be eliminated, that risk assessment shall be reviewed once the elimination has been effected.

Where the risk assessment identifies a risk, which is significant and can be controlled, that risk assessment shall be reviewed once the controls have been implemented or whenever there is a change, which may affect the risk.

Where elimination of a negligible risk is practicable (feasible) but not reasonable for reasons of cost, that reasonability study shall be reviewed whenever significant expenditure (such as for renovation) is considered.

Risk assessments, practicability studies and schemes of precautions where there is no reason to suppose there has been any relevant change shall be reviewed (but not necessarily repeated or redrafted) in two years.

Those with responsibilities within this policy (Operators, Water Treatment Service Provider, Advisors, Duty Holder, Responsible Person and Competent Person) shall report via the lines of communication to ensure that control measures are implemented, monitored to confirm their effectiveness and managed to maintain control of the risk of legionellosis and that risk assessments, practicability studies and schemes of precautions are reviewed in accordance with this policy.

Unless particular local conditions or findings of the risk assessment demand otherwise, monitoring shall be as advocated by The HSE in L8.

11. Emergency Procedures

The following procedures are to be followed in the event of the following occurrences-

1. Failing Temperature control: Where it has been recorded that the temperature control for water systems have fallen outside the agreed parameters the Responsible Person will investigate and action. Where a one off fault has been identified and the rectification has resulted in the correct temperatures being achieved no further action will be taken. If temperature control consistently fails and the fault cannot be rectified the

Responsible Person will report to the Duty Holder. Legionella sampling will be instigated and maintained until the system fault can be rectified or until an approved alternative control measure has been implemented and shown to be working.

2. Shutdown/mothballing of premises: Where premises are not used for prolonged periods then they should not be occupied again until a recommissioning process has occurred
3. Legionella Bacteria associated with a system: Where a test for the Legionella has been carried out and returned as positive for a premises then the responsible manager shall notify the responsible person immediately they are aware. They will carry out a risk assessment of the building and its users to determine the next course of action which could be but not limited to, a complete flush through of the water system, pasteurization of the water system, chlorination of the water system, engineering solutions to remove potential problem to the system. Where a positive result has occurred sampling for the Legionella bacteria will continue until at least two clear samples have been received. The amount and intervals between the samples will be as directed by the Responsible Person following the risk assessment of the premises and its users

12. Record Keeping

The Responsible Person (on behalf of the Duty Holder) shall keep appropriate records to confirm that the risk assessment; elimination or control of the risk has been effected fully by competent individuals. All records shall be signed by the person who did the work and dated.

13. Procedures for Projects

All new water systems or modifications will be designed, constructed and installed in accordance with current legislation.

In order to ensure a consistent and compliant standard of delivery for all alterations to the council's property portfolio, all projects that affect water services will be notified to the Responsible Person. Works that constitute a material change to the water services/system will require a new Legionella risk assessment to be carried out as part of the project

14. Policy Monitoring and Review

The Duty Holder has overall responsibility for taking all reasonable steps to ensure that this policy is complied with and will conduct audits on a yearly basis to measure compliance on all Ferryhill Town Council sites and record

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the results. An update report, following the annual audit, will be presented to the Property, Environment and Recreation meeting of the Council for information only.

The policy will be formally reviewed and updated every two years by the Duty Holder, or sooner if deemed appropriate, or by reasonable request.

Any subsequent amendments brought about by a review will be submitted to Council for sanction.