**Royal Borough Windsor and Maidenhead**

**Corporate Legionella Management Policy**

**2022/23**

**“Creating a sustainable borough of innovation and opportunity”**

**Our vision is framed around three key objectives:**

***Thriving Communities****: Where families and individuals are empowered to achieve their ambitions and fulfil their potential.*

***Inspiring Places****: Supporting the borough’s future prosperity and sustainability.*

***A Council trusted to deliver its promises***

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**Frequently used acronyms**

* CLT corporate leadership team
* COPs code of practice
* SOP standard operating procedures

1. **POLICY STATEMENT**
   1. This Policy has been developed to help ensure the Royal Borough of Windsor and Maidenhead (RBWM) complies with the requirements detailed in the HSE Approved Code of Practice and Guidance (ref. L8) “Legionnaires” disease: The control of legionella bacteria in water systems”.
   2. Compliance with this document should ensure compliance with the legislative requirements of the Control of Substances Hazardous to Health Regulations 2002 and other legislative requirements.
   3. The council recognises and accepts its responsibility as a building owner and the duty of care placed on it by legislation. It will take all reasonably practicable steps to ensure that the premises and facilities under its direct control and where it has the legal duty, are managed and operated to prevent the exposure of employees, visitors or members of the public 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 which are set out within this Policy.

**2. INTRODUCTION**

* 1. The aim of this document is to identify the risks from Legionella Bacteria, who may be adversely affected by the bacteria and detail the roles and responsibilities of managers and staff.
  2. Legionella bacteria are widely distributed in the environment and have been found in rainwater, puddles, ponds and rivers. Problems arise when they contaminate man-made water systems, such as the water in air conditioning cooling systems, hot and cold systems in buildings (including domestic systems), spa pools and other artificial water systems.
  3. The optimum growth temperature for Legionella is above ambient, usually between 20 and 45°C. *Legionellae pneumophila* is thermo-tolerant, in that it can withstand temperatures of 50°C for several hours, and has been isolated from hot-water systems up to 66°C. However, it is destroyed above 70°C. Water systems in the built environment, such as hot water plumbing systems, air-conditioners and spa baths use water in the temperature range that encourages Legionellagrowth, and many of these systems potentially produce aerosols.
  4. Using temperature as a means to control *Legionella* growth therefore means maintaining water systems above or below the optimum growth range, i.e. below 20°C for storage and distribution of cold water or at 60°C for stored hot water, with distributed water achieving 50°C within 1 minute at outlets.
  5. There are various strains of Legionella bacteria. Legionnaires’ disease is a potentially fatal form of pneumonia which can affect anybody; some people are more susceptible because of their age, having a pre-existing medical condition, having a suppressed immune system or smoking.
  6. The collective term used to cover the group of diseases caused by Legionella bacteria is Legionellosis.
  7. The incubation period for Legionnaires’ disease is usually between 2-10days and occasionally up to 19 days.
  8. The Duty Holder must carry out risk assessments on it’s water systems; identify where there are risks to the occupiers (or others) of the buildings; and to put in place controls to eliminate or control those risks.

**3. ROLES & RESPONSIBILITIES**

* 1. The requirements for managing Legionella bacteria are outlined the Approved Code of Practice L8 – ‘The Control of Legionella Bacteria in Water Systems.
  2. ACOP L8 details the various roles and responsibilities. Where the RBWM is the employer or either is a tenant or landlord that has maintenance responsibilities for the water systems within a building, then it is the ‘Duty Holder’ for the purposes of the ACOP L8 and the law.
  3. In other circumstances where the RBWM is not the employer nor is it the tenant or landlord of the building, then the duty to manage the risks from Legionella bacteria falls to others, for example for Voluntary Aided, Foundation or Academy Schools, the duty to manage falls to the Board of Governors, Diocese or Board of Trustees.
  4. The Royal Borough of Windsor & Maidenhead is the **Duty Holder**

The Duty Holder is responsible for:

* Identifying and assessing the risks
* Preparing a scheme for preventing / controlling the risk
* Implementing & managing the precautions
* Ensuring there are records of what has been done and that those actions and controls are effective
* Appointing a senior manager to take responsibility for the water management in the Royal Borough
* Ensuring that there are sufficient resources available to manage the risks.
  1. RBWM Property Services is the **Responsible Person**.

The Responsible Person:

* Will ensure that the RBWM complies with the requirements of the law as outlined in ACOP L8.
* Has overall management control of the risks from Legionella bacteria for premises that the RBWM has responsibility for.
* Will appoint a competent contractor to carry out risk assessments on all the premises that the RBWM has responsibility for. These risk assessments will be reviewed every two years or whenever the water system is changed or added to.
* Will ensure the contractor carries out 6 monthly inspections and audits.
* Will ensure that the contractor carries out proactive water sampling and disinfection where the risk assessment identifies it as necessary; whenever there have been substantial changes to the water system; or whenever a dynamic risk assessment requires it.
* Will ensure that each risk assessment includes a schedule for testing, monitoring and descaling.
* Will have sufficient systems in place to ensure that Building Managers and Head Teachers are carrying out and recording the controls and improvements that have been identified in the risk assessments, inspections and audits.
* Will act as the focal point for advice to Building Managers and Head Teachers.
  1. As budget holders for premises, **Building Managers and Head Teachers** must:
* Ensure compliance with this Code of Practice and ACOP L8.
* Ensure that any improvement works that have been identified in the risk assessment, annual audit, routine inspections or during the regular monitoring are undertaken and completed within the recommended timescales.
* Ensure that all equipment is maintained to the standard necessary for the control of Legionella.
* Keep records of servicing and maintenance.
* Ensure that appropriate monitoring or inspection work is undertaken.
* Ensure flushing of outlets is carried out, as required and records kept.
* Ensure that NO modifications/alterations or additions to water systems are carried out unless approved by Property Services.
* When covered by the Service Level Agreement to notify Property Services section of any equipment not on the testing schedule.
  1. **Staff with maintenance responsibilities or those who have delegated duties to carry out monitoring**
* Ensure compliance with Code of Practice and ACOP L8.
* Carry out weekly/monthly inspection/monitoring/maintenance tasks as instructed.
* Ensure any tasks allocated by testing are completed and remedial jobs created as necessary.
* Order works from providers as necessary.
* Facilitate any monitoring or inspection work.
* Facilitate and ensure completion of any remedial work identified
* Ensure all necessary documentation is completed and accurate.
* Ensure shower heads are cleaned and de-scaled as required
* Ensure flushing of outlets is carried out, as required and records kept

3.8 **Design Engineers, Project Managers, Project Officers and Surveyors**

* Ensure compliance with Code of Practice and ACOP L8.
* Ensure systems are designed to comply with ACOP L8.
* Ensure the systems are installed to comply with ACOP L8.
* Ensure all necessary documentation is completed.

3.9 **Specialist Water Treatment / Environmental Service Company**

**Contact Detail of current term contract: Healthy Built Environment (HBE) Ltd**

* Carry out Risk Assessments
* Carry out tests and disinfection of water systems as determined by the risk assessment; whenever there have been substantial changes to the water system; or whenever a dynamic risk assessment requires it.
* Carry out investigations and remedial works as instructed.
* Carry out training as instructed.
* Provide competent advice e.g. actions to be taken from positive samples and engineering solutions for legionella related system design faults.

**4. RISK ASSESSMENT**

4.1 **Risk Assessment Policy**

The RBWM buildings and plant are considered to fall into three categories for the purposes of precautions against Legionella infection, these are:

***Class A*** – Cooling towers associated with air conditioning (none).

***Class B*** – Large premises, usually with a large feed tank fed by either gravity or a circulation pump to a storage calorifier with a pumped distribution circuit including flow and return.

***Class C*** – Small premises, including large complexes with self contained living units. Typically here the water systems are of the “Domestic” type, i.e. with a gravity cold water feed tank to a conventional copper storage cylinder, distribution may or may not be pumped.

RBWM will conduct risk assessments in respect of Legionella bacteria and have them updated every two years, or when refurbishment takes place, or when a new building is commissioned.

RBWM will employ professionally qualified and competent people to carry out the risk assessment on its behalf, and ensure they are competent under the duty of care.

The Property Services department – in accordance with this document will instigate periodic reviews.

A site survey of all water systems will be conducted culminating in a schematic drawing and logbook for each system and site and held and updated by the relevant site.

4.2 ***Persons at Risk***

Risk assessment had identified that RBWM staff, occupiers of the building, visitors and the general public using adjacent buildings and thoroughfares may be at risk.

Areas of Risk Where Control is Necessary

1. Cooling Towers (none)
2. Showers
3. Domestic Hot Water Systems
4. Tank Fed Cold Water Systems
5. Infrequently used outlets
6. Drinking Water Distribution
7. Air Washes
8. Humidifiers
9. Ornamental water fountains
10. New Equipment/Alterations
11. Residences
12. Any other area of equipment that may create a tiny droplet of water spray

**5. CONTROL METHODOLOGY**

5.1 Property Services will design and monitor all controls necessary to manage Legionella bacteria within the Royal Borough’s estate.

5.2 Property Services will ensure that all Building Managers are aware of the controls necessary to manage Legionella bacteria.

5.3 Property Services will produce a Water Systems logbook for all buildings (in electronic or paper form) that will contain all records of control measures needed and implemented.

The logbooks are required to be kept on site and contain the following:

* Risk Assessment for the system
* Schematic diagrams of the system
* Records of control checks taken
* Records of any personnel or contractors visiting site connected with Legionella control or monitoring and activity undertaken on that visit.

5.4 Independent audits of the systems will be undertaken.

**6. TRAINING**

6.1 Staff involved in the management of water systems will be trained by a competent person to carry out their responsibilities.

6.2 The services of a specialist water treatment/environmental services company will be retained to advise as appropriate.

**7. FURTHER INFORMATION**

The RBWM recommended standards to be held in this policy have been prepared on the interpretation, understanding and practical application of legal requirements in conjunction with the following guidelines and legal documents:

1. HSE Approved Code of Practice ACOP L8 (rev) – *“The control of Legionella bacteria in water systems”.*
2. BS 6700:2006 + A1:2009 – “Design, installation, testing and maintenance of services supplying water for domestic use within buildings and their cartilages”.
3. Health and Safety at work act, 1974, etc
4. Control of Substances Hazardous to Health Regulations 2002.