

TODMORDEN TOWN COUNCIL

Legionella Policy

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1. Introduction

- 1.1. This policy covers the requirement to ensure that the Bandstand and Pavilion are managed to prevent the spread of legionella bacteria and any subsequent outbreak of Legionnaires Disease
- 1.2. Todmorden Town Council has direct responsibility for the Bandstand and Pavilion by virtue of leases granted by CMBC on the 11th November 2024
- 1.3. Legionella pneumophila (legionella bacteria) can cause Legionnaires' disease, a potentially fatal form of pneumonia. Infection is normally caused by the inhalation of an aerosol of water droplets (that may be so small that they are not visible) contaminated with legionella bacteria.
- 1.4. All systems for the storage and distribution of water, including cold feeds to hot water services, plant and/or systems may create and transmit water droplets (that may be inhaled), potentially carry the disease.
- 1.7 A water system includes all plant/equipment and components associated with that system, e.g. all associated pipework, pumps, feed tanks, valves, showers, heat exchangers, quench tanks, chillers, humidifiers, air washers, spa baths and pools, vehicle washes, wet scrubbers, indoor fountains, and water features.
- 1.8 Any water system that has the right environmental conditions could potentially be a source for legionella bacteria growth. There is a reasonably foreseeable legionella risk in your water system if:
 - water is stored or recirculated as part of your system
 - the water temperature in all or some part of the system may be between 20° and 45°
 - there are deposits that can support bacterial growth, such as rust, sludge, scale and organic matter;
 - it is possible for water droplets to be produced and, if so, they can be dispersed;
 - it is likely that any of your employees, contractors, visitors etc could be exposed to contaminated water droplets.

2. Management Of the Risk

- 2.1 Todmorden Town Council aims to minimise and control the risk from Legionnaires disease by implementing processes and procedures based on the Health and Safety Executive [HSE] Approved Code of Practice and Guidance [L8: Legionnaires' disease. The control of legionella bacteria in water systems. Approved Code of Practice and guidance](#) Supplemented by [HSG274: Legionnaires' disease - Technical guidance](#)
- 2.2 This policy and guidance has been formulated to help Managers to understand and manage the risk of Legionnaires disease.
- 2.3 The Town Clerk will arrange for an external contractor to carry out monthly checks. Weekly checks, including tap run off, will be carried out by a competent person

3. Legionella Policy

3.1 Todmorden Town Council aims to minimise and control the risk from Legionnaires disease and will: -

- Appoint a Responsible Person (Town Clerk) and Deputy (Deputy Clerk/Responsible Financial Officer) who will have a duty to put in place an action plan to minimise the risk of legionella and to manage the necessary work systems and procedures.
- Identify and assess sources of risk, e.g. where conditions are present that may encourage legionella bacteria to multiply or where there is a means of creating and disseminating breathable droplets and establish any items of non-compliance.
- Arrange a programme of routine inspection and testing of water systems, including where needed a program of modification to any deficient systems and equipment, to work toward compliance.
- Implement, amend, and monitor precautions for all relevant systems and equipment: -
 - a) To ensure the design of relevant building services for new, refurbished, or modified systems is such that the HSE guidance is followed;
 - b) To maintain record drawings of relevant water pipe work systems;
 - c) To maintain operation and maintenance manuals of relevant water plant and equipment;
- Maintain records of maintenance, inspection and testing for a period of at least five years.
- Keep all relevant personnel adequately trained in practices and procedures with respect to the control of legionella.

This policy will be reviewed every 2 years or earlier if new knowledge on the subject evolves and new guidance is issued.

4. Health And Safety Law

- 4.1 Duties under the Health and Safety at Work Act [HSW] 1974 apply to the risks from exposure to legionella bacteria that may arise from work activities.
- 4.2 The Management Regulations provide a broad framework for controlling health and safety at work.
- 4.3 As well as requiring risk assessments, they also require employers to have access to competent help in applying the provisions of Health and Safety law; to establish procedures for workers if there are situations presenting serious, imminent danger; and for co-operation and co-ordination where two or more employers or self-employed people share a workplace.
- 4.4 More specifically, the Control of Substances Hazardous to Health [COSHH] regulations provide a framework of actions designed to control the risk from a range of hazardous substances, including biological agents.

5. Identification And Assessment of the Risk

- 5.1 COSHH regulation 6; Management Regulations, regulation 3; HSW Act, sections 2, 3 and 4. require employers to make a suitable and sufficient assessment of the risks from any work liable to expose employees to any substance hazardous to health, before that work is carried out.
- 5.2 Employers are also required to assess the risks to other people not in their employment who may be affected by the work activity. They are also required to regularly review the risk assessment and make any necessary changes as a result of the review.

6. Responsible Person

- 6.1 It is the Council's responsibility to provide sufficient information, instruction, training and supervision relating to the control of legionella, in order to provide and maintain a healthy and safe working environment.
- 6.2 The Town Clerk, as the Duty Holder, has overall accountability for all aspects of the quality and safety of water supplies and systems throughout Council owned and occupied properties.
- 6.3 However, the Health and Safety Executive [HSE] guidance requires that someone should be appointed to take managerial responsibility and to provide supervision for the implementation of precautions.

The Responsible Person for the Council shall be the Town Clerk.

- 6.4 The function of the Responsible Person, in association with suitable staff/ external expert advisors, contractors and maintenance staff as needed, will be –
- to advise on the potential areas of risk and also identify any systems that do not comply with the HSE guidance document [L8](#) and [HSG 274](#).
 - to advise on the necessary (continuing) procedures for the prevention of legionella;
 - to monitor the implementation and efficiency of those procedures;
 - to review all risk assessments
 - to approve and identify any changes to those procedures;
 - to maintain adequate appropriate records such as water temperature monitoring reports, cold feed, hot and cold-water tank disinfections certificates and cold-water inspection sheets;
 - if any outbreak of legionnaires' disease is suspected or confirmed in a Council Property, to notify the Duty Holder and take all appropriate measures, in accordance with the requirements of the Health Protection Agency. e.g. a contaminated system must immediately be shut down, isolated, cleaned, and chlorinated (or treated with a biocide) in accordance with the latest HSE guidance.

7. Risk Assessment

- 7.1 The Town Clerk will appoint an expert competent external contractor from the accredited or registered with the Water Management Society (WMS), the Legionella Control Association (LCA), or the British Association for Chemical Specialities (BACS) where chemical treatment is undertaken to carry out risk assessments of the water systems in all Council premises on at least a two-yearly basis and make recommendations.

- 7.2 Risk assessments will be prioritised by:

- High Risk – type of system, showers and storage vessels [e.g. above 50 litres]
- Medium Risk – smaller numbers of electric showers and storage vessels [e.g. 15-50 litres]
- Low Risk – sinks, toilets, point of use water heaters, storage vessels [e.g. less than 50 litres]

Copies of the assessment will be retained by the Town clerk who will then arrange (if needed) for any remedial action to be carried out.

8. Routine Testing and Inspection of Water Systems

8.1 An external expert water hygiene service contract comprising of testing, cleaning, sterilisation, and bacteriological sampling will be arranged by the Responsible Person.

8.2 Details of all maintenance, inspection and testing will be retained on file by the Responsible Person.

8.3 Each main building and building type will have its own 'file' from which checks will highlight any deteriorating conditions in the water systems and include:

8.3.1 Monthly

- Monthly check of temperatures in flow and return pipes at calorifiers
- Monthly check of supply near hot taps reaching 50°C
- Monthly check of if temperature at cold taps is below 20C after 2 minutes
- Monthly checks of descaling on taps
- Monthly checks of weekly run offs and completed records / documentation

8.3.2 Quarterly

- Dismantle, clean, and disinfect all showerheads and hoses on site
- Biological monitoring of water samples
- Review of risk assessments documents where premises are considered high risk e.g. those including showers.

8.3.3 Six monthly

- Check of cold-water tank temperatures – if in place
- Check mains water temperatures at ball valves
- Flush through hose reels- if in place

8.3.4 Annual

- Review risk assessment
- Check representative taps on hot water system on a rotational basis
- Visual inspection of cold-water tanks and suggest any remedial work – **if in place**
- Check representative taps on cold water system on a rotational basis
- In house audit of Legionella control systems

9. Building Responsibility

- 9.1 Weekly checks must be carried out by member of staff. These comprise of flushing all taps in low use areas for a period of not less than three minutes to ensure that no stale water is left in the pipes (including shower heads).
- 9.2 For any buildings that are closed for more than two months, a full draw-off of water should be carried out prior to activities recommencing.
- 9.3 Details of the checks [including evidence of the monthly descale of taps where necessary after visual checks in relevant buildings] should be retained in the file.

10. Training

- 10.1 The Town Clerk will arrange for relevant personnel to be trained when appropriate on legionella and all preventative measures that should be taken. The training course will be provided in accordance with the Water Management Society <https://www.wmsoc.org.uk> / British Association for Chemical Specialists (WMS/BACS) Code of Conduct and Legionella Control Association].

11. Competence

- 11.1 The duty holder should also ensure that all employees involved in work that may expose an employee or other person to legionella are given suitable and sufficient information, instruction, and training.
- 11.2 This includes information, instruction, and training on the significant findings of the risk assessment and the appropriate precautions and actions they need to take to safeguard themselves and others. This should be reviewed and updated whenever significant changes are made to the type of work carried out or methods used.
- 11.3 Training is an essential element of an employee's capability to carry out work safely, but it is not the only factor: instructions, experience, knowledge, and other personal qualities are also relevant to perform a task safely.

12. Implementation Of Precautions

- 12.1 Recommendations for remedial work / procedures etc, that arise within the risk assessments, will be arranged by the Responsible Person according to the degree of risk.

13. Audit And Review

- 13.1 The Responsible Person shall ensure that all risk assessments and remedial actions are carried out in accordance with current legislation, the HSE's Approved Code of Practice L8 and HSG274, and by contractors who are accredited with the Water Management Society (WMS) and/or the Legionella Control Association (LCA).

Contractors are directly responsible for reporting defects to The Responsible Person at the time of testing.

13.2 Review meetings will be held with the contractor on a quarterly basis to discuss progress with risk assessments and remedial actions including any action plans.

13.3 Minutes of these meetings will be taken by the Responsible Person and a copy of the minutes will be kept in the legionella file and also electronically.

14. Record Keeping

14.1 Records should include details about:

- a) The appointed responsible person(s) for conducting the risk assessment, managing, and implementing the written scheme;
- b) Any significant findings of the risk assessment;
- c) The written scheme and its implementation;
- d) Details about the state of operation of the water system, i.e. in use / not in use;
- e) The results of any monitoring inspection, test or check carried out, and the dates.

These records should be retained throughout the period for which they remain current and for at least two years after that period. Records kept in accordance with the last bullet point above should be retained for at least five years.

15. Other Duties

15.1 If you have a case of legionellosis in an employee who has worked on cooling towers or hot water systems that are likely to be contaminated with legionella, you must report this to the Health and Safety Executive [HSE] under the Reporting of Injuries, Diseases, and Dangerous Occurrences Regulations [RIDDOR] 2013.

16. Implementation of the Policy

16.1 This policy will be implemented by:

- Appointment and monitoring of an expert external contractor by the Responsible Officer
- Training for relevant staff which will be arranged by Town Clerk and provided by an external competent contractor at least every two years.
- Communication of the policy through report to the Resources Committee.
- Availability of the policy on Todmorden Town Council web site

17. Further Advice And Information

HSE website www.hse.gov.uk

Useful publications

Approved Code of Practice and guidance on regulations




[\(L8\) “Legionnaires’ Disease – the control of legionella bacteria in water systems”](#)

Legionnaires’ disease - A brief guide for duty holders

<http://www.hse.gov.uk/pubns/indg458.pdf>

Legionnaires' disease - Technical guidance

<http://www.hse.gov.uk/pubns/books/hsg274.htm>

- [Part 1: The control of legionella bacteria in evaporative cooling systems](#) 
- [Part 2: The control of legionella bacteria in hot and cold water systems](#) 
- [Part 3: The control of legionella bacteria in other risk systems](#) 

Appendix A – Management of Water Hygiene Procedure

Purpose of Water Hygiene Management:

The management of water and water systems to

- ensure that the quality of water is safe
- used appropriately
- to prevent the development of legionella or other harmful bacteria

Water Hygiene Responsible Officer Responsibility – Town Clerk

- a) Providing technical advice regarding all requirements in respect of water hygiene
- b) Taking responsibility and undertaking the required action in the event of a legionella outbreak or suggestion of a legionella outbreak
- c) Organising and supervising new WHRA with the appointed contractor
- d) Compiling Method Statements
- e) Auditing the Water Hygiene Procedures to ensure process is being complied with by Contractors and Staff.

Deputy Water Hygiene Responsible Officer Responsibility- Deputy Clerk/RFO

The Deputy is responsible for undertaking the role of the Responsible Officer in the event of their absence and supporting the Responsible Officer as required.

Site Manager (Town Clerk) and responsibility

Site Manager is responsible for: -

- a) Ensuring that the water hygiene procedure is complied with to ensure that the premises are compliant for the purposes of water hygiene management
- b) Ensuring that any changes to the use of the site are noted and confirmed to the Mechanical Specialist if a review /new Water Hygiene Risk Assessment is required
- c) Ensuring that any changes to the water system /use of the premises are noted /recorded on the Water Hygiene Risk Assessment and confirm with the Mechanical Specialist if a review /new Water Hygiene Risk Assessment is required

WATER HYGIENE COMPLIANCE PROCESS

1. Identify Latest Water Hygiene Risk Assessment (WHRA)

- Original assessments: File held at: *[insert location]*
- New assessments (Company Name): File held at: *[insert location]*

2. Upload WHRA to Shared Folder

Location: *[insert file path]*

i) Review the WHRA document

a) Update standard information

- Record all remedial actions already completed.

b) Determine status of outstanding remedial actions

- If completed:
 - Check logbook / file.
 - Add record confirming completion.
- If completed and verifiable via inspections:
 - E.g., MWS monthly temperature checks confirm issue resolved.
 - Add reference to latest inspection.
- If *not* completed:
 - If main log cannot confirm, take photo evidence (e.g., sticker) and add adjacent to the remedial action.
 - Note whether the risk is Category A or B.
 - If simple to resolve, raise a helpdesk call.
 - Once works are complete, update the WHRA and link to evidence.
- If unsure:
 - Consult the Responsible Officer.

ii) Conduct a site visit (internal and external) to confirm:

- The asset list/schematic includes all water outlets.
- No dead legs are present.
 - Pavilion: new build – no dead legs.
 - Bandstand: single pipe run to toilet area only – no dead legs.
- Any issues with the current water system.
- Any changes in use.
- Whether site has undertaken any works since the last review.
- Review works order history for relevant changes.

iii) Update asset list/schematic

- Add any missing outlets resulting from new pipework or changes.

iv) Liaise with Responsible Officer

- Report WHRA issues or system concerns.
- Confirm required actions.

v) Sign off

- Add date and name to confirm the review has been completed.

3. Finalise WHRA and Update Records

- Archive previous WHRA.
- Upload new WHRA to: *[file location]*
 - Use consistent naming convention: YYYY-MM-DD WHRA <Site>
- Add completion date and next review date (minimum 12 months ahead).
- Confirm who will undertake the next review.
- Contact *[name/organisation]* to provide a written statement.

4. Annual Inspection (Post-Initial Update)

Once the first full WHRA update is complete, subsequent years require an Annual Inspection, similar to PAMPS.

Use: Water Hygiene Review Template

- Annual Inspection requirements
 - Involve site manager/contact to confirm:
 - i) any changes in use
 - ii) alterations to water systems
 - iii) staff changes → confirm legionella training/awareness
 - Confirm works undertaken since the last inspection by checking the WH Log.
 - Ensure work was completed correctly.
 - Update Asset List with any missing amendments.
 - Upload Annual Review to WH Log.
 - Add review date (minimum 12 months ahead).

5. Ad Hoc Review

If a review occurs within a 12-month period due to site changes or incidents:

- Adjust the next review date so it is no more than 12 months from the ad hoc review.

6. When a New Risk Assessment is Required

A new WHRA is required when:

- a) There is a change in the use of premises affecting legionella risk
- b) There is major refurbishment or a change to the water system

The Responsible Officer will arrange a new assessment.

7. Water Hygiene Compliance Criteria

A building is considered Water Hygiene Compliant when:

- WHRA is complete and all remedials are actioned or reasons recorded.
- All water hygiene enquiries are closed.
- Method Statement has been completed.
- An inspection has taken place within the last 12 months and recorded in the WH Log.
- All system changes are documented, and WHRA amended accordingly.
- All works have been monitored to ensure compliance with required standards.
- On-site Water Hygiene Log is up to date, contains required information, and obsolete items are archived.

Appendix B – Water Health Review Template

| | | |
|---|------------|-------------------------|
| UPRN | | |
| Persons Undertaking Review | Town Clerk | Site Contact Town Clerk |
| Date of Review: | | |
| Date of Last Water Hygiene Risk Assessment | | |
| Assessment Undertaken by | | |

| | | Please Tick ✓ | | |
|--|--|------------------|-----------|------------|
| DOCUMENTATION | | YES | NO | N/A |
| Site: | | | | |
| Was the Water Hygiene risk assessment available for review? | | | | |
| Have all the identified remedial works been completed? | | | | |
| Was the Water Hygiene log book available for review and is it up to date? | | | | |
| Has the Water Hygiene risk assessment been uploaded to xxxxxx | | | | |
| Comments / Recommendations E.G. Risk assessment held in boiler room. | | | | |

| USE OF THE BUILDING | YES | NO | N/A |
|---|------------|-----------|------------|
| Has the use of the whole or part of the building changed? | | | |
| Is the building used by vulnerable people? | | | |
| Does the water hygiene risk assessment/ regime reflect the current use of the building? | | | |

| ASSET LIST/SCHEMATIC DRAWING | YES | NO | N/A |
|---|------------|-----------|------------|
| Have there been any changes to the building/ water supply/ equipment /fixtures connected to the water supply? | | | |
| Has anything been disconnected from /connected to the water supply since the last review? | | | |

| | | | |
|---|--|--|--|
| Is the Asset/Schematic List Correct? If not amend accordingly. | | | |
| Are relevant responsible persons details in Assessment? | | | |
| Is a new Risk Assessment Required? If yes refer to AFM who will discuss with Mechanical Lead. | | | |
| <u>Comments / Recommendations</u> | | | |

| SYSTEM OPERATION AND PLANT INSPECTION | YES | NO | N/A |
|---|------------|-----------|------------|
| Are there details of start-up and shut-down arrangements (e.g. drain down and reinstatement of changing rooms), or flushing requirements for infrequently used outlets? | | | |
| Are personnel completing flushing of the infrequently used outlets and documenting?(Add comment in comment responsible person / recommendations box e.g. cleaners) | | | |
| Have the personnel received appropriate training and understand why they are undertaking ? | | | |
| Are showers or spray taps in a clean condition? | | | |
| Are the showers used regularly? If no check against the infrequently used outlet list and consider removal. | | | |
| Is the pipe insulation satisfactory? | | | |
| Are monitoring checks being carried out and documented in accordance with the monitoring regime in a timely manner? | | | |
| Date of Last Check | | | |
| <u>Comments / Recommendations</u> | | | |