

## Control of Legionella Bacteria within Water Systems Policy

<b>Operational Owner:</b>	<i>Clive Parkinson, Director of Health and Safety</i>
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<b>Effective date:</b>	<i>October 2018</i>
<b>Review date:</b>	<i>October 2021</i>
<b>Related documents:</b>	<i>Health and Safety Policy; Hazardous working policy, Control of Hazardous Substances Policy</i>

### Approval History

<b>Version</b>	<b>Reviewed by</b>	<b>Amendment history</b>	<b>Approved by</b>	<b>Date</b>
1.0	Derry Caleb, Director Estates & Facilities Management	First Draft (old format)	Health and Safety Committee	20 March 2015
2.0	Clive Parkinson, Director of Health and Safety, and Legionella Management Group	Minor revisions (2018 format)	Health and Safety Committee	19 October 2018

<b>1</b>	<b>Introduction</b>
<b>1.1</b>	<b>Purpose</b>
1.1.1	<p>The University has a duty to assess the risks posed to the health and safety of its employees and to anyone else who may be affected by its activities. Significant risks identified by this process have to be reduced to a tolerable level.</p> <p>This policy defines the responsibilities and procedures for managing the control of Legionella bacteria within University of Surrey water systems and equipment, to demonstrate compliance with legal requirements, and to ensure effective management of risk.</p>
<b>1.2</b>	<b>Scope</b>
1.2.1	This policy applies to all areas of activity associated with the University and applies to all staff, students, contractors and all University of Surrey controlled premises and activities.
<b>1.3</b>	<b>Definitions</b>
1.3.1	<p><b>Duty Holder.</b></p> <p>The person in control of the premises, where man-made water systems are used that could be a potential source for legionella bacteria growth. To comply with their legal duties they should:</p> <ul style="list-style-type: none"> <li>• identify and assess sources of risk.</li> <li>• prepare a written scheme for preventing or controlling the risk</li> <li>• implement, manage and monitor precautions</li> <li>• keep records of the precautions</li> <li>• appoint a competent person with sufficient authority and knowledge of the installation to help take the measures needed to comply with the law</li> </ul> <p>Responsible person - a competent person or persons to take day-to-day responsibility for controlling any identified risk from legionella bacteria, known as the 'responsible person'. It is important for the appointed responsible person to have sufficient authority, competence and knowledge of the installation to ensure that all operational procedures are carried out effectively and in a timely way.</p>
1.3.2	<p><b>Competent person</b></p> <p>A competent person has the necessary skills, knowledge, attitude, training and experience to undertake the role effectively.</p>
1.3.3	<p><b>Training and Briefing</b></p> <p>Training is equipping staff, students (and others where the University has a duty-of-care) with relevant skills to deal appropriately with a given Health and Safety situation.</p> <p>Briefing is informing such persons of relevant knowledge in relation to Health and Safety.</p> <p>Training and briefing will be made available in a range of formats according to the needs of the trainee and different groups of staff, students and others.</p>
1.3.4	<p><b>Occupational Health, Safety and Environment</b> is defined as “the measures and systems aimed at preventing harm and ill health to those at work, whilst protecting the environment from damage that could result from work practices.”</p>
1.3.5	<p><b>Accessibility</b></p> <p>The duty to make reasonable adjustments, as far as possible, to ensure that all staff and students (and others where the University has a duty-of-care) with a disability have equal access to everything they need to do a job or studies as those persons without a disability.</p>

<b>2</b>	<b>Policy</b>
<b>2.1</b>	<b>Principles</b>
2.1.1	<p>The University will adopt the principles of control and management identified in HSE Approved Code of Practice and Guidance Document HSG274 Parts 1 to 3 published 2013/14 “The Control of Legionella Bacteria in Water Systems”.</p> <p>To comply with its legal duties the University will:</p> <ul style="list-style-type: none"> <li>• Identify and assess sources of risk</li> <li>• Prepare a scheme for preventing or controlling the risk.</li> <li>• Implement, manage and monitor all precautionary control measures identified</li> <li>• Keep records of precautionary measures</li> <li>• Identify responsibilities of employees and contractors within the University establishment</li> <li>• Put in place an escalation process to advise appropriate management as necessary</li> </ul>
	<p>The University will adopt the principles of control and management identified in the current edition of the H.S.E Approved Code of practice and Guidance Document HSG274 Parts 1 to 3 published 2013/14 “The Control of Legionella Bacteria in Water Systems”.</p> <p>To comply with its legal duties the University will:</p> <ul style="list-style-type: none"> <li>• Identify and assess sources of risk. This includes checking whether conditions are present which will encourage bacteria to multiply, e.g. is the water temperature between 20°C and 45°C, is there a means of creating and disseminating breathable droplets e.g. the aerosol created by showers; and if there are susceptible people who may be exposed to the contaminated aerosols.</li> <li>• Prepare a scheme for preventing or controlling the risk</li> <li>• Implement, manage and monitor all precautionary control measures identified</li> <li>• Keep records of precautionary measures</li> <li>• Identify responsibilities of employees and contractors within the University establishment</li> </ul>
2.1.2	<b>Policy Procedures</b>
	<p>Detailed procedures are contained and maintained within the Control of Legionella Bacteria within Water Systems Policy and Procedure; hosted on the E&amp;FM intranet site.</p> <p>This document is the responsibility of the Director of Estates and Facilities.</p>
<b>2.2</b>	<b>Roles and Responsibilities</b>
2.2.1	<p><b>Director of Health and Safety</b></p> <p>This Policy is monitored and regularly reviewed by the Director of Health and Safety, and Legionella Management Group, reporting to the Health and Safety Committee.</p> <p>The Director of Health and Safety is also responsible for reporting any incidents under RIDDOR</p>
2.2.2	<p><b>Director of Estates and Facilities Management (E&amp;FM)</b></p> <ul style="list-style-type: none"> <li>• To be the Duty Holder (defined above)</li> <li>• To appoint a responsible person and delegate authority to ensure compliance</li> </ul>

2.2.3	<p><b>Responsible Person</b></p> <p>To be the Responsible Person as appointed by the Duty Holder and has delegated authority to ensure compliance</p> <ul style="list-style-type: none"> <li>• To develop and produce procedures and good practice guidelines where appropriate on the control of legionella and water systems</li> <li>• Ensure compliance with policy and procedures</li> <li>• Order works from appropriate suppliers and providers as necessary</li> <li>• Ensure the Monitoring and Testing Regime is adhered to</li> <li>• Ensure the Inspection Regime is adhered to</li> <li>• Facilitate any monitoring or inspection work</li> </ul>
2.2.4	<p><b>Maintenance Team Leaders and Fitters</b></p> <ul style="list-style-type: none"> <li>• Carry out weekly/monthly inspection/monitoring maintenance tasks as instructed</li> <li>• Ensure all documentation is completed and returned to appropriate person</li> <li>• Report any possible area of risk observed whilst completing other duties</li> </ul>
2.2.5	<p><b>Specialist Water Treatment Contractors</b></p> <ul style="list-style-type: none"> <li>• Carry out Risk Assessments as instructed and deemed necessary by University staff – every two year</li> <li>• Carry out tests and inspections on water systems as necessary</li> <li>• Carry out specific investigations and remedial works as instructed</li> <li>• Complete fully documented report with any recommendations clearly indicated</li> <li>• Follow up any actions indicated as necessary not undertaken by the University</li> <li>• Report any areas of non-compliance to the University Policy or recommendations under HSG274 Parts 1 to 3 published 2013/14 that are present through inadequate resource, lack of training, inadequate performance of individuals or limitation in policy. Initially discussions should be with the Mechanical Engineer but if no change or improvement is observed within a reasonable period (max. 1 month) then the issue should be escalated to the Maintenance Engineer and/or The Principal Mechanical Engineer. The issue should also be reported and any remedial actions taken fully discussed at the regular Legionella Review meeting.</li> </ul>
2.2.6	<p><b>General Contractors</b></p> <ul style="list-style-type: none"> <li>• Ensure compliance with Policy and Procedures</li> <li>• Develop appropriate Risk Assessments and Method Statements for working on water services systems</li> <li>• Ensure all appropriate documentation is completed and forwarded to the appropriate person</li> </ul>
2.2.7	<p><b>Designated Persons (Faculties and Directorates)</b></p> <p>To assist the Duty holder in fulfilling their obligations under the Approved Code of Practice and Guidance Document HSG274 Parts 1 to 3 published 2013/14 “The Control of Legionella Bacteria in Water Systems” and were applicable Departments/ Faculty’s will nominate a Designated person.</p> <p>See <b>Appendix 1 for a list of Designated persons.</b></p>

	<p>The Designated person is required to:</p> <ul style="list-style-type: none"> <li>• Ensure compliance with Policy and Procedures</li> <li>• Ensure NO modification/alteration or addition to water services are carried out without the approval of the E&amp;FM Department</li> </ul>
<b>3</b>	<b>Governance Requirements</b>
<b>3.1</b>	<b>Implementation / Communication Plan</b>
3.1.1	<p>The policy is communicated to all staff as part of the University Policy website – and through specific, relevant training – including: inductions and special training sessions for staff and contractors ‘Green Book’ training (repeated every 12 months).</p> <p>Relevant Health and Safety Committees and Estates Committees will be notified and information disseminated through line management.</p> <p>The Policy and Legionella Management Plan are communicated through the ‘Green Book’, available on E&amp;FM site/H&amp;S Intranet site.</p> <p>Relevant information is also published on the University Health and Safety intranet site and Health and Safety Handbook, as appropriate.</p>
<b>3.2</b>	<b>Exceptions to this Policy</b>
3.2.1	There are no exceptions
<b>3.3</b>	<b>Review and Change Requests</b>
3.3.1	<p>This Policy is regularly reviewed by the Director of Health and Safety; and Legionella Management Group.</p> <ul style="list-style-type: none"> <li>➤ Minor changes will be reviewed and agreed through Legionella Management Group and approved by Health and Safety Committee;</li> <li>➤ Major changes will be reviewed through Legionella Management Group, via Estates Health and Safety Committee, and approved by Health and Safety Committee and, if required, submitted to Executive Board for approval.</li> </ul> <p>Review will generally be every three years or in line with any relevant changes to Legislation, if sooner. Health and Safety Consultative Committee will be consulted during the review process, as required.</p>
<b>3.5</b>	<b>Legislative context</b>
3.5.1	This Policy complies with the requirements of the Health and Safety at Work Act 1974 and other associated legislation, noted in <b><u>Appendix 2</u></b> .
3.5.2	<b><u>Health and Safety Policy legal statement</u></b>
	<p>This policy sets out to comply with the required ‘duty of care’ placed upon the University. Under Health and Safety Law a ‘duty of care’ is generated between organisations and individuals when carrying out activities that could foreseeably cause harm.</p> <p>The primary duty of care is owed through the employer-employee relationship in which the employer owes a duty of care to ensure that work activities that could result in harm to the employee are assessed and controlled. That duty of care is put into practice by the line management responsibilities as set out in the hierarchy of the organisation.</p> <p>This duty of care cannot be delegated away; instead the act of delegation must be accompanied by a realistic and workable system of monitoring or supervision to ensure that the delegated task has been adequately implemented (i.e. the responsibility is not met by giving directions; it is met when those directions have been confirmed as carried out). The result is a cascade of delegated accountability that runs through the organisation via the line management network, accompanied by a system of monitoring, supervision and feedback.</p>

	<p>The duty of care extends to assurance that services provided by others (be they another department of the University or contractors) are undertaken safely. The level of assurance required should be commensurate with the risk of the activity.</p> <p>In addition, anyone carrying out an activity owes a duty of care to anyone who may be put at risk by the activity, such as students, staff and visitors.</p>
<b>3.6</b>	<b>Stakeholder Statements</b>
3.6.1	<p><b>Equality:</b> Consideration is given to the protected characteristics of all people groups identified in the Equality Act 2010. The protected characteristics are gender, age, race, disability, sexual orientation, religion/belief, pregnancy and maternity, and marriage/civil partnership.</p> <p>The University recognises the need for specific measures to ensure the health and safety of each of these groups. This policy and all other associated Health and Safety related policies take this into account.</p>
3.6.2	<p><b>Health &amp; Safety:</b> This Policy forms part of the overarching statement on health and safety for the University.</p>
3.6.3	<p><b>Executive Board, Health and Safety Committee, Legionella Management Group reporting to Estates Health and Safety Committee and the Health and Safety Consultative Committees (as required)</b></p> <p>Changes to this policy will be consulted, reviewed and approved at the appropriate level; in line with policy guidance.</p>

## Appendix 1

### FACULTY AND DEPARTMENT DESIGNATED PERSONS

	<b>Designated Persons</b>
	The positions listed below from each faculty/department have been selected due to their responsibility for works in relation to the fabric of the University's buildings.
	<ul style="list-style-type: none"><li>• Faculty of Arts &amp; Social Sciences: Facilities Manager</li><li>• Faculty of Engineering &amp; Physical Sciences: Facilities Manager</li><li>• Faculty of Health &amp; Medical Sciences: Facilities Manager</li><li>• Professional Services/Accommodation: Facilities Manager</li><li>• Student Union Chief Executive Officer</li><li>• Library &amp; Learning Centre: Facilities &amp; Information Officer</li><li>• EFM Project Managers</li><li>• EFM Team Leaders</li><li>• Estates Services Manager</li></ul>

## Appendix 2

### List of Associated Legislation

In addition to the Health and Safety at Work Act, 1974 – the Legionella Safety policy will comply with the requirements of the following:

- **Control of Substances Hazardous to Health Regulations, 2002.**  
This is supported by
- **HSE Approved Code of Practice and Guidance Document HSG274 Parts 1 to 3**, published 2013/14, "The Control of Legionella Bacteria in Water Systems". This ACoP provides a practical regime for controlling legionella in water systems and complying with statutory requirements.