

Rotherham Metropolitan Borough Council

Legionella Management Policy

December 2024

Owning Manager:

Department:

Approved By:

New Review Date:

Compliance Monitoring and Contracts Manager

Property and Facilities Services

Cabinet

December 2025



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Rotherham Metropolitan Borough Council (RMBC) is committed to equality and diversity. This policy has considered the Equality Act 2010 and its protected characteristics which are: race, gender, gender reassignment, disability, religion or belief, sexual orientation, age, marriage, civil marriage and partnership, and pregnancy and maternity explicitly.

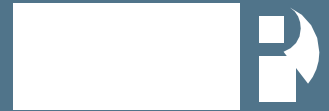
We will make sure that all of our communication is fully accessible and to achieve this if a policy or document needs to be available in other formats we will provide them.



AUDIT LOG

Date of Change	Who updated	Details of the change

DRAFT



1. Introduction

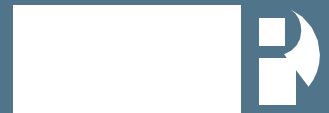
- 1.1 Legionella bacteria can cause Legionnaires' disease, a group of pneumonia-like illnesses which can prove potentially fatal to those at higher risk including those over 50, smokers and heavy drinkers, people with diabetes, chronic respiratory, heart, liver or kidney disease, or whose immune system is impaired.
- 1.2 For Legionnaires' disease to develop, the Legionella bacteria (specifically Legionella pneumophila) is water borne and is usually transferred by inhalation of water droplets. Under normal conditions, the disease cannot be passed from one person to another.
- 1.3 Rotherham Metropolitan Borough Council (RMBC) acknowledges the health hazards associated with exposure to Legionella bacteria and will minimise exposure through the use of control measures and work methods in relation to the management of water systems as detailed in the Approved Code of Practice L8.
- 1.4 This Policy should be read in conjunction with the Legionella Management procedure plan.

2. Objectives

- 2.1 The purpose of the Policy is to set out how RMBC will manage Legionella bacteria to reduce the risk of potential exposure as part of its duties under the Health & Safety at Work Act 1974 and all relevant guidance as detailed in section 3.1 for all properties where we have a duty to manage.
- 2.2 The Policy is intended to ensure that RMBC provides safe asset conditions for all residents, building users & public and safe working environments for all staff and contractors.

3. Legislation

- 3.1 The Policy conforms to the four main statutes which apply to the control of Legionella bacteria:
 - Health & Safety at Work Act 1974
 - Management of Health & Safety Regulations 1999
 - Control of Substances Hazardous to Health Regulations (COSHH 2002) Approved Code of Practice L8 and Guidance HSG274.
- 3.2 In the event of an incident, as defined by the HSE, a Reporting of Injuries, Diseases and Dangerous Occurrence Regulation (RIDDOR) form will be completed and sent to the Health & Safety Executive (HSE) by RMBC's Health and Safety Manager.



4. Definition of Terms

Legionella	A potentially dangerous type of bacteria when inhaled with water vapor. Bacterium grows best in warm, nutrient rich water.
Legionella Risk Assessment	A specific risk assessment carried out to determine the risk level of Legionella proliferation, and exposure from a specific water system.
H.S.E	The Health and Safety Executive (HSE) is the national independent watchdog for work-related health, safety and illness. It acts in the public interest to reduce work-related death and serious injury across all workplaces.
Duty Holder and Responsible Person (RP)	As defined with the Corporate Health and Safety Policy, the Chief Executive should specifically appoint a competent person or persons to take day-to-day responsibility for controlling any identified risk from legionella bacteria, known as the 'responsible person or Duty Holder'. 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.
Maintenance	Cleaning, repair, tests etc. required to minimise bacterial growth.

5. Key Points of Policy

- 5.1 The Health & Safety at Work Act 1974 and Care of Substances Hazardous to Health (COSHH) require employers to conduct their work in such a way that their employees will not be exposed to health and safety risks and provide information to other people about their workplace, which might affect their health and safety. RMBC will comply with its duties under the Act by:
- Effectively reducing associated risks to the lowest level reasonably practicable for all customers, visitors, staff and contractors.
 - Reducing to the lowest reasonably practicable level the spread of Legionella disease from any RMBC premises.



- 5.2 RMBC will comply with the Management of Health & Safety Regulations 1999 by ensuring that a monitored programme of adequate controls is in place. This will be implemented through:
- Identification, assessment and regular review of risks.
 - preparation of a written scheme to reduce, eliminate or control the risks Identified.
 - Implementation and management of the written scheme by appointing adequately trained people who have managerial responsibility.
 - Maintaining all relevant records and monitoring controls.
- 5.3 The risk assessment programme will be prioritised on a two-yearly rotation and the water systems likely to present the highest risks.
- 5.4 RMBC will also comply with the Control of Substances Hazardous to Health Regulations 2002 by taking reasonable steps to safeguard people from hazards associated with water supplies, particularly waterborne bacteria.
- 5.5 RMBC will comply with the duties of the Approved Code of Practice L8 and Guidance HSG274 by:
- Undertaking an initial risk assessment to identify the risk level of each property. This will identify whether the possibility exists of conditions.
 - Suitable and reliable management to facilitate the growth of legionella bacteria and this will determine where a site-based water risk assessment is required.
 - Site-based risk assessment to determine for each property the inspection frequency, remedial works and management actions required.
 - Only suitably competent and experienced legionella/water treatment persons being permitted to carry out risk assessments and remedial works.
 - Appointing a responsible person for the prevention and control of risk from Legionella.
- 5.6 The main procedures for the implementation of this policy are given in the Legionella Management procedure plan, which details how RMBC will:
- Take reasonable steps to identify and locate all potential exposure risks.
 - Devise a scheme to eliminate or control all identified risks.
 - Maintain written or electronic records of all Legionella assessments and when they are reviewed.
 - Monitor water systems where required according to the risk assessment.



- Ensure that relevant staff are kept up to date with matters associated with Legionella.
- In the event a Legionella bacterium is identified in our water systems, will reduce and eliminate the Legionella bacteria as far as practicably possible in accordance with our Legionella Management Procedure Plan.
- Control the risk of Legionella if detected in our water systems or supplies as detailed in the procedure.

6. Training

- 6.1 Where significant risk has been identified, and control measures need to be in place, RMBC will ensure suitable and sufficient training of staff to support them with their responsibilities in water hygiene e.g. maintenance operatives and scheme support staff.
- 6.2 Managers responsible for premises must ensure the Competent Person nominated to manage/perform temperature checks etc., fully understands their responsibilities and relevant procedures.
- 6.3 Employees will receive suitable instruction and awareness training appropriate to their job role and place of work. A training record will be kept. Competent persons will provide awareness training that meets the requirements of L8.

7. Monitoring and reporting

- 7.1 The following will be monitored and reported, as required, to the Health, Safety and Welfare Panel:
- RIDDOR notifiable incidents
 - Number of properties where:
 - A risk assessment is required
 - A risk assessment has been completed
 - Remedial works have been completed
 - Management procedures currently operate
 - The routine water testing date has been missed.