

P042 Management of Building Water Supply Systems Estates Policy

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P042	Estates and Projects Manager	Quality and Standards Committee	3 Years

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1. Introduction

Avon and Wiltshire Mental Health Partnership NHS Trust Estate is managed in accordance with relevant legislation and good healthcare estate management practice. A suite of Trust policies exists to confirm the management approach to achieving statutory compliance in accordance with NHS guidance and initiatives.

The first policy in the group outlines the overarching structure of the management system. It signposts the associated Estates policies and procedures, and the related wider Trust documentation such as the Health and Safety policy. It also outlines the general responsibilities of Trust staff, Estates staff, contractors, and other third parties, and reminds them of their duties under the [Health and Safety at Work Act](#).

This policy is a part of the core suite of Trust Estates policies, and details the management, design and maintenance of water supply systems to buildings. It should be read in conjunction with other Estate Management policies and procedures.

There are a number of key risks associated with water supply systems, the main ones being water-borne infections and scalding by hot water.

Legionella bacteria and other microbial organisms are naturally present in water systems, despite water treatment by supply authorities. Some individuals are more susceptible to infection than others. Therefore it is important that appropriate measures are taken to guard against conditions which may encourage microbial multiplication. If water is derived from the public mains it can be regarded as being microbiologically acceptable for use without further treatment, provided that its quality is preserved in the storage and distribution system by correct design, installation and maintenance.

2. Purpose

The Trust has a statutory requirement to safely manage its water systems. This policy references key legislation and guidance, and states how the Trust ensures that it is working within these. It identifies responsibilities and assigns them to specific post holders within the Trust. It also establishes procedures which are used to discharge these responsibilities and manage the key risk areas.

3. Scope

The statutory requirements addressed in this policy apply to all the Trust's sites where there is a risk to any employee, service user, or member of public. This also applies to Trust activities on shared sites, where the Trust has a duty to ensure safe systems are in place. The Trust's duties also extend to people in the surrounding neighbourhood who might be inadvertently exposed to risks due to the activities of the Trust.

This policy applies to potable cold water, hot water and drinking water services, and does not apply to non-potable water services such as drainage. It addresses the management of risks from legionella bacteria, other water supply hygiene, and scalding. It does not cover hazards such as hot surfaces, or business continuity risks arising from failure of water systems.

The policy should be read in conjunction with relevant legislation and NHS guidance, and is not to be taken on its own as statement of Trust or individual responsibilities.

4. Legislation and Guidance

Key documents in relation to managing water systems are:

- [HSE Approved Code of Practice L8](#) (ACOP L8)

- HTM-04-01 The control of legionella hygiene, “safe” Hot Water, Cold Water and Drinking Water systems - ([Part A – Design and Validation](#), [Part B – Operational Management](#))

The Trust also makes reference in maintenance contracts to:

- HVCA Minimum Maintenance Testing

The policy is also relevant to how the Trust manages some of its responsibilities under legislation such as:

- The Health and Safety at Work Act
- [The Control of Substances Hazardous to Health \(COSHH\) Regulations](#)
- [The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations \(RIDDOR\)](#)

5. Definitions

5.1 Legionellosis

Legionellosis is the term used for infections caused by Legionella pneumophila and other bacteria from the family Legionellae. In particular, Legionnaires’ disease is a pneumonia that principally affects those who are susceptible due to age, illness, immune-suppression, smoking etc. and may be fatal or permanently debilitating, but which can affect all people.

5.2 Risk Assessment

A risk assessment involves identifying the hazards present in any undertaking, whether arising from Work Activities or from other factors e.g. the layout of the premises, and then evaluating the extent of the risks involved, taking into account whatever precautions are already being taken.

5.3 Hazard

A hazard is something with the potential to cause harm; this can include substances or machines, methods of work and other aspects of work organisation. Hence a hazard describes the discrete dangers associated with a process or chemical.

5.4 Risk

Risk is the likelihood that the hazard will be realised in terms of consequences, frequency and severity. Hence risk is quantitative, and is the probability of a hazard being manifested given local circumstances.

5.5 The Trust

This means Avon & Wiltshire Mental Health Partnership NHS Trust. However, it should be noted that the Trust may sub-contract certain responsibilities such as maintenance generally, and legionella risk assessments generally. Some responsibilities identified as Trust responsibilities under this policy may therefore lie contractually with other organisations. These contracts will change from time to time, and this policy seeks to be clear that the ultimate responsibility lies with the Trust to have appropriate arrangements in place.

6. Policy Statement

In order to meet statutory requirements, Trust objectives, healthcare requirements and best practice, the Trust will:

- Comply with statutory requirements for Water Services design and maintenance;
- Comply with best practice taken from ACOP L8;
- Comply with best practice from healthcare guidance (e.g. HTMs).

To achieve this Trust will ensure that:

- Premises and Trust activities are compliant with current Water Services legislation and guidance, and that the Trust is updated on relevant changes to these;
- Policy is in place to ensure management of legionella and other aspects of water systems, and that it is implemented, operated on ongoing basis, and updated at relevant intervals;
- Key persons are appointed in accordance with this policy;
- Relevant Trust staff and other persons, particularly those with roles identified in this document, are suitably trained to ensure competence for their duties;
- Risk assessments and written scheme/s are maintained covering all Trust premises;
- Clear lines of communication are in place for both routine management and foreseeable incidents;
- Relevant contractors and consultants are included and appointed in accordance with this policy, and made aware of its implications;
- Building services design is compliant with statutory requirements and other best practice guidance including ACOP L8 and HTMs;
- Systems are in place, and operated, to maintain water systems in a manner compliant with this policy;
- The required records are kept in accordance with ACOP L8 and HTMs;
- Action plans are in place to address unacceptable risks, and progressed to completion.

7. Management Responsibilities

7.1 Chief Executive

The Chief Executive, as Duty Holder, has ultimate management responsibility for the safe operation of this policy. The Chief Executive is responsible for:

- Ensuring there are clear policy and procedures to prevent and control Legionellae with the Trust;
- Ensuring that resources are made available to implement and maintain these procedures. Management of this is delegated to the Lead Director (Legionella and Water Systems);
- Formally appointing the Lead Director (Legionella and Water Systems). This is normally the Director of Operations;
- Formally appointing the Responsible Person (Legionella and Water Systems). This responsibility is delegated to the Lead Director;
- Formally appointing the Infection Control Officer (Legionella). This can be either by specific appointment/s, or as a specific part of a job description.

7.2 The Lead Director (Legionella and Water Systems)

The Lead Director has overall responsibility for enforcing this policy, and providing assurance to the Board on this area. The Lead Director is responsible for:

- Reporting to the Board at least annually on the management of Water Systems against Trust policy, and actions taken to remedy any significant risks arising;

- Formally appointing the Responsible Person (Legionella and Water Systems). This can be either by specific appointment, or as a specific part of a job description. If the Lead Director is to take this role, then appointment will be by the Chief Executive;
- Ensuring that resources are made available within the Trust to the Responsible Person for implementing and maintaining the systems described in this policy.

7.3 The Responsible Person (Legionella and Water Systems)

The Responsible Person is a person, suitably trained and experienced in the management of water systems, preferably professionally qualified, such as a Chartered Engineer or Microbiologist.

The Responsible Person (Legionella) is responsible for ensuring that arrangements are in place to keep the Trust compliant with all of its commitments under Section 5 above. He/she is expected to take specialist advice, both in-house and external, where necessary.

The Responsible Person will also:

- Ensure that one or more Deputy Responsible Persons (Legionella) are formally appointed;
- Advise the Lead Director on the potential areas of unacceptable risk, with recommendations for reducing the risk to the minimum acceptable level;
- Advise the Lead Director on areas where systems do not comply with legislation, with recommendations for eliminating non-compliance;
- Provide advice to Trust staff as required on the necessary continuing procedures for the prevention of Legionellae.

7.4 The Infection Control Officer (Legionella)

The Infection Control Officer will, taking specialist advice where necessary:

- Advise on microbiological or other testing regimes to be routinely implemented generally or on particular sites, taking into account legionella management guidance and risk categories of persons reasonably expected to use Trust water systems. Normally the regimes detailed in this policy and its associated procedures will be implemented;
- Advise on water treatment regimes to be applied by the Trust to particular sites. Normally Trust water systems will be configured to receive potable water, and deliver this to outlets safely without the need for additional treatment (excluding water hardness treatment or optional filtration at drinking water points);
- Put in place arrangements for reporting any outbreak or suspected outbreak of Legionella-based illness or other water-borne infections in line with regulations.

7.5 The Deputy Responsible Person (Legionella) (AWP Estates)

This person will:

- Act for the Responsible Person (Legionella) on occasions when the Responsible Person is unavailable;
- Support the Responsible Person (Legionella) as required for those Trust premises where an alternative Deputy Responsible Person does not exist.

7.6 The Deputy Responsible Person (Legionella) (Maintenance Provider)

These persons will act on behalf of the Responsible Person in matters pertaining to the Trust within their organisation, as applicable to properties for which their organisation has

responsibility. They are expected to take specialist advice, both in-house and external, where necessary. They will:

- Act for the Responsible Person (Legionella) on occasions when the Responsible Person is unavailable.
- Routinely carry out duties and responsibilities as delegated by the Responsible Person (Legionella) e.g. under the maintenance contract.
- Formally appoint Competent Persons to carry out duties under this policy for the premises under their remit. This can be either by specific appointment, or as a specific part of a job description.
- Ensure that works required by this policy and its associated procedures are carried out as regards maintenance of water systems, including keeping of records
- Ensure that works and communications required by this policy and its associated procedures are carried out when adverse incidents or risks arise related to water systems.
- Liaise routinely with competent persons carrying out work on the estate, providing direction and receiving feedback.

Note: the Trust does not directly employ various levels of estate maintenance and management staff. If the Deputy Responsible Person delegates authority for some tasks to others (such as maintenance supervisors) then the arrangement must be clear, the person must be competent for the task appointed, and the associated lines of communication must be clear. The Deputy Responsible Person takes responsibility for managing this delegation.

7.7 The Deputy Responsible Person (Legionella) (External Estates Advisor)

This person will:

- Provide competent advice at Responsible Person level to the Responsible Person and the Deputy Responsible persons, particularly on occasions when the Responsible Person is unavailable, and in dealing with incidents arising relating to water system management.
- Provide advice and audits to the Responsible Person and the Lead Director regarding the state of compliance of the Trust against legislation and this policy, and the associated procedures.

7.8 A Competent Person (e.g. Legionella Risk Assessor, Maintenance Technician or Contract Tradesperson)

An individual who has sufficient experience, training and knowledge to carry out technical duties related to water systems or legionella control may be appointed to carry out those duties. In carrying out their tasks the responsibilities of Competent Persons must:

- Comply with this Policy when carrying out work whether instructions are issued orally or in writing.
- Ensure that any non-conformances in water systems are reported using the communication lines in this policy, and any other communication system that may be in place (e.g. to supervisor or Trust site staff).
- Submit records of their work as required by procedures associated with this policy, including a record of corrective action for non-conformances.
- Use safe methods of work, safe means of access and personal protective equipment in accordance with Trust estates policies.
- Where the permit-to-work procedure applies, comply with the procedure and with the specific permit-to-work as issued.

7.9 Specialist Expertise (Specialist Service Providers, including External Estates Advisors)

- Where expertise on certain aspects of the management of water systems is not available in the Trust, it will be drawn from outside, for example, from consultants. The person or persons appointed under points 8.1 – 8.4 will take all reasonable steps to ensure the competence of those carrying out the work;
- Where a range of expertise not possessed by a single person is required, it may be necessary to engage a number of people to carry out the work. In such circumstances, responsibilities and lines of communication must be properly ascertained and clearly laid down by the person or persons appointed under points 8.1 – 8.4;
- Legionella risk assessments will be carried out by specialists who must be a member of the Legionella Control Association.

7.10 Maintenance Service Providers

The Trust requires all Maintenance Service Providers to manage Legionella risks in the Trust's properties, as far as reasonably practical, in accordance with this document, the ACOP (L8) and relevant HTMs including HTM-04-01 (Parts A & B).

7.11 Hotel Services Managers

Trust cleaning procedures require Domestic staff to make use of all outlets as part of the routine cleaning service. The Hotel Services Manager must ensure that the service continues. Any operational changes to this must be agreed with the knowledge of the Responsible Person.

Any outlet which is not regularly used or covered by routine cleaning at least twice weekly must be referred by the Hotel Services Manager to the local Trust Service Manager for appropriate action (see below).

If the little-used outlet cannot be removed or disconnected at source, the Hotel Service Manager should ensure that it is placed on a flushing schedule and flushed twice weekly.

7.12 Domestic Staff

Trust cleaning procedures require Domestic staff to make use of all outlets as part of the routine cleaning service. Domestic staff must work to the procedures, and report to the Hotel Services Manager any outlet which they are not able to use at least twice weekly while cleaning.

Outlets which are not regularly used or cleaned twice weekly will need to be flushed twice weekly and recorded.

7.13 Trust Service Managers

Service managers have a duty to ensure that procedures are operated to:

- Advise maintenance when water supply systems are not working as intended;
- Carry out appropriate specific checks (e.g. bath temperatures for assisted bathing, access control to very hot water taps);
- Ensure that any outlets which are not used at least once in a week are flushed through and details recorded. This is normally done by the domestic staff;
- Report little-used outlets that may be removed;

- Risk-assess access to water services for individuals who may fall outside normal risk categories associated with their unit.

Water services or Legionella risk assessments for service premises are undertaken based on information provided by local service staff on which outlets are regularly used, and on operational procedures of the unit. Any changes to this must be advised by the service manager to the Deputy Responsible Person (Maintenance) and the Responsible Person.

7.14 Project Managers (External)

Project managers will:

- Ensure that appropriate contracts are in place to ensure compliance with water systems statutory requirements and this policy;
- Ensure that records of the water systems design process and final design are held and available to the Trust in compliance with the necessary law (minimum 6 years);
- Ensure that O&M and H&S files and other handover information relevant to water services is complete and compliant prior to handover, taking specialist advice where necessary. Where handover is essential for other safety reasons, but formal documentation related to this policy is not available at handover, the Responsible Person is to approve the approach proposed supply of documentation, which must be compliant with the principles of this policy and have agreed timescales;
- Put in place processes to manage design compliance issues within the warranty period.

Trust internal Project Managers will be assumed to have a non-technical role and will not carry the above responsibilities (unless otherwise agreed for specific projects).

7.15 Designers, Suppliers and Installers

Organisations designing, supplying or installing systems for the Trust should note the Trust policy as they are required to comply with it, in addition to all relevant statutory requirements. In particular:

- The design and the commissioned installation is to be certified compliant with legislation. It is also to comply with the guidance and best practice outlined in this policy and any details agreed during the design/installation process with the Trust. This must be in place before handover.
- A water services risk assessment must be carried out as part of the design, commissioning and validation of new systems. The designer is responsible for carrying this out before handover, unless an alternative procedure is agreed with the Responsible Person. For existing systems being modified, the existing risk assessment may be updated before handover.

8. Identification and Assessment of Risk

The Trust will maintain a legionella risk assessment for each premise which it maintains, carried out in accordance with ACOP L8. This will be reviewed annually, and whenever significant changes occur to water systems or their use.

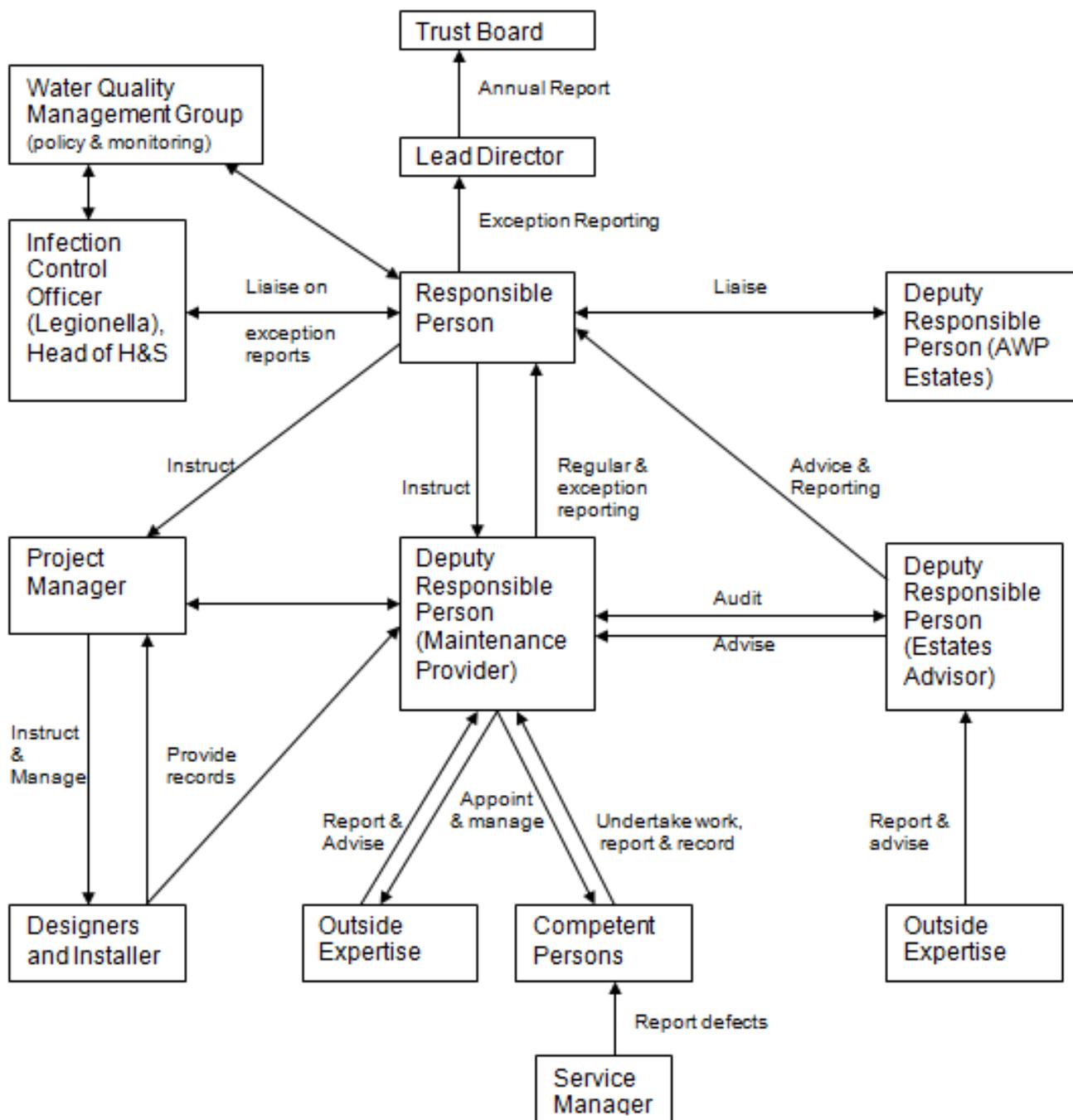
The Trust will devise and carry out action plans to eliminate unacceptable risks identified in the risk assessments, and to reduce risks where reasonably possible.

It is noted that the Trust does not normally expect “high legionella risk” healthcare categories of individual to access Trust services (such as immuno-suppressed or post-surgical patients). The use of “high risk” in the Trust context will often be used in relation to higher-than-normal risk categories such as older adults or individuals in an immuno-compromised condition (such as clients with eating or substance misuse disorders).

The Trust will also maintain operational plans detailing how residual risks will be managed. These plans will include written plans put in place by Deputy Responsible Persons (Maintenance Providers) which include schedules of work and detailed work procedures.

9. Communication

Under normal operational circumstances, communication will be as shown in the diagram below.



When significant adverse incidents or risks arise related to water systems, which are outside the realms of normal operational management, the diagram above still applies, but the following must take place in relation to the specific incident:

- Liaison between Responsible Person and Infection Control Officer and Deputies regarding infection risk
- Liaison between Responsible person and Deputies and any Project Manager appointed to deal with the problem, identifying options, action plan with timescales, and reporting progress.
- Responsible Person to report to Lead Director, identifying any resourcing issues which may require attention. Responsible Person to instruct use of outside expertise if appropriate for advice.

When significant issues arise related to non-compliance against this policy, creating a risk to Trust business, albeit without known Legionella risks, the diagram above still applies, but the following must take place in relation to the specific issue:

- The Responsible Person will ensure that the concerned individuals are formally reminded of their responsibilities
- Liaison between Responsible person and Deputies and any Project Manager appointed to deal with the problem, identifying options, action plan with timescales, and reporting progress.
- The Responsible Person will apply if appropriate any safeguarding mechanisms which may be in place (e.g. rights to engage independent advice or appoint others).

10. Record-Keeping and Monitoring

The persons appointed under section 7 shall ensure that appropriate records are kept in accordance with statutory requirements and the requirements of this policy, for at least 6 years. For clarity the general nature of some of these records, and the person whose role it is to ensure they exist and are kept, are listed below.

Record type	Kept by
Appointments under this policy	Responsible Person
Water system O&M, H&S information	Deputy Responsible Person (Maintenance Provider)
Risk assessments	Deputy Responsible Person (Maintenance Provider)
Cold water tank temperature, inspection and remedial work records	Deputy Responsible Person (Maintenance Provider)
Hot water heater or calorifier temperature, inspection and remedial work records	Deputy Responsible Person (Maintenance Provider)
Thermostatic Mixing Valve temperature and remedial work records	Deputy Responsible Person (Maintenance Provider)
Hot water and cold water distribution system temperature and remedial work records	Deputy Responsible Person (Maintenance Provider)
Routine planning of above works (e.g. PPM Schedules)	Deputy Responsible Person (Maintenance Provider)
Audits of compliance	Deputy Responsible Person (Estates Advisor)
Specialist reports and recommendations	Deputy Person who commissioned the report

Incident management action plans	Responsible Person
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11. Action in the Event of an Outbreak of Waterborne Infection

In the event of an outbreak of legionellosis or any other waterborne infection, the following process will be adopted. The communication network as detailed above will be used.

The Infection Control Officer (Legionella) and the Responsible Person and relevant Deputies, will usually liaise with the Public Health Laboratory and the local Medical Officer for Environmental Health to search for the source of the causative organism. This search is a specialist task which involves epidemiological studies and taking water samples for analysis. The Health and Safety Executive may be involved in the investigation of outbreaks under the Health and Safety at Work Act 1974. Local authority environmental health officers may also be involved.

It is essential not to drain or disinfect any water systems before samples have been taken. Disinfection of any system should be discussed with the investigative team and is likely to be recommended after the initial investigation has been completed. However additional control measures to prevent exposure to the infectious agent during the investigation should be taken, these could include:

- Shutting down any processes which are capable of generation aerosols, such as cooling towers, humidifiers, fountains and sprinklers;
- Ceasing to use specific outlets or water systems;
- Providing alternative water supplies for drinking or hygiene purposes;
- Ceasing to use the building on temporary basis.

The Responsible Person will liaise with relevant Deputies, the investigative team and any Project Manager appointed to deal with the problem, ensuring responsibilities and communication lines are clear. They will:

- Identify the problem/s, including taking TVC or legionella tests where appropriate;
- Identify options for solution;
- Formulate an action plan with timescales;
- Identify options for minimisation of risk while remedies are put in place;
- Report progress.

Where it is necessary to liaise with Trust Service Managers, the Responsible Person will ensure that it is clear who is to do this.

The Responsible Person will also report to the Lead Director, identifying any resourcing issues which may require attention.

12. Training

The Trust's overarching policy for training is the Learning and Development Policy and this should be read in conjunction with this policy. Attached as appendices to that policy are the Trust's learning and development matrices. These matrices describe the minimum statutory, mandatory and required training for all staff groups.

The Learning and Development Policy also describes the Trust's arrangements for training, in particular how there are processes in place to ensure staff receive the training they require and how non-attendance is followed up. These arrangements are further supported by management supervision and appraisal processes.

13. Monitoring and Management Control

The Trust has monitoring and audit processes to ensure the ongoing compliance with this policy.

The Deputy Responsible Person will ensure that annual reviews of risk assessments are undertaken, which will take into account operational use of the building, maintenance schemes and records, design information, and so on.

The Responsible Person will ensure that the Trust receives regular reports from the Deputy Responsible Persons (Maintenance Provider), at least quarterly, in which water systems management is included, indicating the level of compliance.

The Deputy Responsible Person (Estates Advisor) will oversee and submit an annual audit of compliance of Trust systems applicable to each premise. The audit shall be random and cover the full scope of the system, inspecting at least 5% approximately of all documentation Trust-wide. This will be done on a planned annual programme.

The Lead Director will put arrangements in place for the Estates Advisor organisation to submit quarterly reports which include a summary of compliance against this policy. This report will be used to inform reports to the Board, at least annually.

14. Policy Review

This policy is reviewed on a 3-year cycle. Amendments are approved by the Trust Quality and Standards Committee via the Safety Management Group. Earlier reviews may be carried out if deemed necessary by the Lead Director or Responsible Person.

Version	Date	Revision description	Editor	Status
1.0	28 Jan 2008	Approved by Board	NW	Approved
2.0	07 Sept 2010	Approved by the Quality and Healthcare Governance Committee	NW/PAD	Approved
2.0	11 May 2016	An extension until 30/09.2016 was agreed by the Quality and Standards Committee after assurance was received that the policy meets statutory compliance requirements	Senior Estates Manager	Approved