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Legionella Health and Safety Policy

#HS13

**Last amended 19th June 2025**

**To be reviewed no later than August 31st 2026**

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**Common abbreviations and acronyms**

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| **AA** | Admissions Authority | **GIAS** | Get Information about Schools |
| **AAI** | Adrenaline Auto-Injector (Epi Pen) | **GPA** | Government Procurement Arrangement |
| **ACM** | Asbestos Containing Materials | **HASH** | Herefordshire Association of Secondary Heads |
| **AFH** | Academies Financial Handbook | **HBV** | Honour Based Violence |
| **AHT** | Assistant Headteacher | **HR** | Human Resources |
| **AIR** | Attendance Intervention Reviews | **H&S** | Health and Safety |
| **APIs** | Application Programme Interfaces | **HoS** | Head of School |
| **BAME** | Black, Asian and Minority Ethnic Backgrounds | **HSE** | Health and Safety Executive |
| **BCP** | Business Continuity Plan | **ICO** | Information Commissioners Office |
| **BFR** | Budget Forecast Return | **IHP** | Individual Healthcare Plan |
| **CAMHS** | Child and Adolescent Mental Health Services | **IRMS** | Information and Records Management Society |
| **CEO** | Chief Executive Officer | **IWF** | Internet Watch Foundation |
| **CFO** | Chief Financial Officer | **KCSIE** | Keeping Children Safe in Education |
| **CIF** | Condition Improvement Fund | **KS1/2/3/4** | Key Stage 1/2/3/4 |
| **CIN** | Child in Need | **LAC** | Looked After Child |
| **CLA** | Children Looked After | **LADO** | Local Authority Designated Officer |
| **CMIE** | Child Missing in Education | **LGB** | Local Governing Body |
| **COO** | Chief Operating Officer | **LLC** | Low-Level Concerns |
| **COSHH** | Control and Substances Hazardous to Health | **LSA** | Learning Support Assistants |
| **CP** | Child Protection | **MASH** | Multi-Agency Safeguarding Hub |
| **CPD** | Continuing Professional Development | **MAT** | Multi-Academy Trust |
| **CSCS** | Children’s Social Care Services | **MFA** | Multi-Factor Authentication |
| **CSE** | Child Sexual Exploitation | **MFL** | Modern Foreign Language |
| **CTIRU** | Counter-Terrorism Internet Referral Unit | **NCSC’s** | National Cyber Security Centres |
| **CWD** | Children with Disabilities | **NPQEL** | National Professional Qualification in Executive Leadership |
| **DBS** | Disclosure and Barring Service | **PA** | Persistent Absence |
| **DDSL** | Deputy Designated Safeguarding Lead | **PAN** | Published Admission Number |
| **DfE** | Department for Education | **PECR** | Privacy and Electronic Communications Regulations |
| **DHT** | Deputy Headteacher | **PEP** | Personal Education Plan |
| **DSE** | Display Screen Equipment | **PEEP** | Personal Emergency Evacuation Plan |
| **DSL** | Designated Safeguarding Lead | **PEx** | Permanent Exclusion |
| **DPO** | Data Protection Officer | **PLAC** | Previously Looked After Child |
| **EAL** | English as an Additional Language | **PP** | Pupil Premium |
| **ECT** | Early Career Teacher | **PSHE** | Personal, Social and Health Education |
| **EHA** | Early Help Assessment | **PSED** | Public Sector Equality Duty |
| **EHCNA** | Education, Health and Care Needs Assessment | **PTFA** | Parent, Teacher and Friends Association |
| **EHCP** | Education, Health and Care Plan | **RHE** | Relationships and Health Education |
| **EHE** | Elective Home Education | **RSHE** | Relationships, Sex and Health Education |
| **ELSA** | Emotional, Literacy and Support Assistant | **SALT** | Speech and Language Therapist |
| **ELSI** | Executive Leader for Safeguarding and Inclusion | **SARC** | Sexual Assault Referral Centre |
| **ESFA** | Education and Skills Funding Agency | **SBM** | School Business Manager |
| **EVC** | Educational Visit Coordinator | **SCCs** | Standard Contractual Clauses |
| **EWO** | Education Welfare Officer | **SDQ** | Strengths and Difficulties Questionnaire |
| **EYFS** | Early Years Foundation Stage | **SEMH** | Social, Emotional, and Mental Health |
| **FBV** | Fundamental British Values | **SENCO** | Special Educational Needs Coordinator |
| **FGM** | Female Genital Mutilation | **SEND** | Special Educational Needs and Disabilities |
| **FOI** | Freedom of Information | **SLA’s** | Service Level Agreements |
| **FSM** | Free School Meals | **STEM** | Science, Technology, Engineering and Maths |
| **FTS** | Find a Tender Service | **TA** | Teaching Assistant |
| **GAG** | General Annual Grant | **TCAT** | Three Counties Academy Trust |
| **GDPR** | General Data Protection Regulation | **VSH** | Virtual School Headteacher |
| **RIDDOR** | Reporting of Injuries, Diseases and Dangerous Occurrences Regulations |  |  |

**Statement of intent**

Three Counties Academy Trust (TCAT), understands its responsibility to assess, prevent and control any risks from harmful bacteria, like legionella, and to implement suitable precautions across the TCAT estate to ensure the health and safety of our staff, pupils and school community. To meet this duty, we have developed this policy, which outlines how TCAT will keep the entire TCAT community safe from legionella.

Legionnaires’ disease is a potentially fatal form of pneumonia caused by the inhalation of water droplets infected with the legionella bacteria. Legionella bacteria can occur naturally in lakes, rivers, etc. and in the water systems of buildings, such as schools. The bacteria thrive between temperatures of 20ºC and 45ºC; however, it can be killed by elevated temperatures or chemical treatment methods. This policy outlines how TCAT aims to mitigate any risks involving legionella bacteria.

# Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

* Health and Safety at Work etc. Act 1974
* Management of Health and Safety at Work Regulations 1999
* Control of Substances Hazardous to Heath Regulations 2002
* Safety Representatives and Safety Communities Regulations 1977
* Health and Safety (Consultation with Employees) Regulations 1996
* Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
* Notification of Cooling Towers and Evaporative Condensers Regulations 1992

Where legislation has been passed or updated during the shelf life of this policy, we will always apply the latest version available irrespective of the version quoted here.

This policy operates in conjunction with the following policies:

* Health and Safety Policy (HS1)
* COSHH Policy (HS7)
* Records Management Policy (FI2)
* Data Protection Policy (FI20)

Central TCAT policies have the policy number identified, e.g. “SG1”. Where no policy number is identified this indicates the policy is a school specific policy available from an individual TCAT school’s website.

# Roles and responsibilities

As the employer, the Trust Board will be responsible for:

* Ensuring that risks pertaining to legionella are managed so far as is reasonably practicable
* Being legally responsible for all employees regarding health and safety
* Putting sensible and robust procedures in place to manage legionella risks that do not encourage unnecessary paperwork
* Implementing procedures that manage legionella risks to staff, pupils and visitors
* Informing all employees about legionella risks and the precautions they need to take to manage them
* Ensuring all employees have the relevant information and training necessary to manage legionella risks
* Ensuring that legionella control measures have been implemented and are still appropriate and effective

Furthermore, the Trust Board will work with Local Governing Bodies to:

* Ensure that the overall health and safety provision in each TCAT school is effective and sufficient, by following TCAT’s policies and procedures
* Work closely with Trust Estate Manager, Headteachers/Heads of School and their SLTs to ensure health and safety provision in each TCAT school is effective
* Identify and assess sources of risks relating to legionella, e.g. checking the water systems
* Prevent and control any risks that arise following a legionella risk assessment
* Keep and maintain up-to-date records of any legionella risks and the control measures implemented
* Ensure all staff receive adequate training to enable them to carry out their responsibilities
* Designate a competent person who will be responsible for ensuring TCAT schools meet their health and safety duties, including in relation to legionella – the competent person will be the Trust Estate Manager
* Review this policy and its effectiveness annually, in liaison with the competent person

Headteachers/Heads of School will be responsible for:

* Ensuring their school is following TCAT’s health and safety policy and procedures
* Ensuring the day-to-day development and implementation of safe working practices and conditions for all staff, pupils and visitors
* Making sure that staff have the appropriate training in order for them to deal with risks in their areas of responsibility
* Introducing management systems and practices that ensure risks are dealt with sensibly, responsibly and proportionately
* Maintaining effective communication with the Trust Board, Local Governing Bodies, trade union safety representatives and school staff, and give pupils and visitors clear information about on-site risks

The Trust Estate Manager will be responsible for:

* Assisting with the creation and implementation of this policy
* Investigating accidents and incidents, understanding the causes and amending risk assessments as required
* Be the designated contact with the Local Authority (LA) and the HSE where necessary
* Supporting staff with any queries or concerns regarding health and safety
* Identifying hazards by conducting risk assessments
* Implementing the specific measures needed to comply with the law
* Liaising with competent help when applying the provisions of health and safety law, e.g. external health and safety organisations
* Reporting cases of legionnaires’ disease to HSE, if necessary
* Consulting with trade union representatives, other employee representatives, or employees where there are no representatives, regarding health and safety matters
* Checking water temperatures during climatic changes
* Monitoring the general bacterial numbers within water systems to ensure safe levels
* Arranging expert microbiological sampling of water systems when elevated bacteria levels have been identified
* Preparing a written scheme for preventing and controlling the risk of legionnaire’s disease
* Checking risks of contaminated water supplies
* Checking systems for deposits of rust, sludge, scale or biofilms

All staff will be responsible for:

* Acting in accordance with this policy at all times
* Reporting any concerns regarding legionella to the Trust Estate Manager as soon as possible
* Cooperating with their employers on health and safety matters
* Carrying out their work in accordance with training and instructions
* Familiarising themselves with the Health and Safety Policy and aspects of their work related to health and safety
* Following the instructions of the Trust Estate Manager in respect of health and safety
* Ensuring the health and safety of pupils

# Identifying and assessing risks

The Trust Estate Manager will conduct a risk assessment to identify and assess any risks regarding legionella.

Where required, the Trust Estate Manager will seek advice when conducting the risk assessment, e.g. from external consultancies.

The Trust Estate Manager will understand, and ensure any other relevant staff understand, how to use the water systems and equipment associated with the systems, e.g. pumps.

By understanding the systems and related equipment, the Trust Estate Manager will ensure that any associated risks from exposure to legionella are identified. In each TCAT school, Trust Estate Manager will establish whether:

* The water temperature in all or some parts of the system is between 20ºC and 45ºC
* Water is stored or re-circulated as part of the system
* There are sources of rust, sludge, scale, organic matter and biofilms
* The conditions are likely to encourage bacteria to multiply
* It is possible for water droplets to be produced and, if so, whether they can be dispersed over a wide area, e.g. showers and aerosols from cooling towers
* It is likely that any of the school’s community are more susceptible to infection due to age, illness or a weakened immune system, and whether they could be exposed to any contaminated water droplets

The risk assessment will include the following:

* Management responsibilities, including the name of the competent person and a description of the water system installed
* Details of the competence and training of all key personnel
* Any identified potential risk sources
* Any controls in place to mitigate these risks
* Details of monitoring, inspection and maintenance procedures
* Records of the monitoring results, inspections and checks carried out
* Arrangements to review the risk assessment annually, particularly when there is reason to suspect it is no longer valid

When undertaking the risk assessment, if the Trust Estate Manager deems that the risks are low and are being properly managed in accordance with the law, the assessment will be considered complete.

Where the assessment is considered complete, the Trust Estate Manager may deem that no further action is required; however, any existing control will be maintained, and the assessment will be regularly reviewed in case anything in the system changes.

The risk assessment will be reviewed annually, following any known changes to the system or when a concern over the system has been raised.

If the risk assessment raises any concerns, the Trust Estate Manager will inform the appropriate members of staff, e.g. the CFO and control measures will be implemented.

# Managing risks

The Trust Estate Manager operates in the capacity of the Health and Safety Officer, and has the authority, competence, understanding and skills to fulfil this role.

Where contractors are used to undertake water treatments, the Trust Estate Manager will ensure that the treatment meets all legal obligations.

# Preventing risks

Following a risk assessment, the Trust Estate Manager will consider whether the risk of legionella can be prevented by reviewing the type of water system that is installed and assessing whether it is fit for purpose.

TCAT will ensure that the design, maintenance and operation of water services are in a condition that prevents or controls the growth and multiplication of legionella.

If risks that cannot be prevented are identified, the Trust Estate Manager will develop a written control scheme, which will help TCAT to manage the risk of legionella in any TCAT school.

The control scheme will implement effective control measures by outlining the following:

* The water system, e.g. develop a schematic diagram
* Who is responsible for carrying out the assessment and managing its implementation
* The safe and correct operation of the system
* What control methods and other precautions will be used
* What checks will be carried out, and how often they will be carried out, to ensure the controls remain effective

To ensure the health and safety of the TCAT and school communities regarding preventing legionella, TCAT, through the Trust Estate Manager will:

* Ensure that the release of water spray is sufficiently controlled
* Avoid water temperatures and conditions that favour the growth of legionella and other microorganisms
* Ensure water cannot stagnate anywhere in the system by keeping pipe lengths as short as possible or removing redundant pipework
* Avoid materials that encourage the growth of legionella
* Keep the system and the water in it clean
* Treat water to either control the growth of legionella (and other microorganisms) or limit their ability to grow
* Monitor any control measures applied
* Keep records of control measures and other actions taken, such as maintenance or repair work

TCAT will consult with employees or their representatives on the identified risks and the measures and actions that will be taken to prevent and control the risks.

# Record keeping

The Trust Estate Manager will maintain an up-to-date record of any significant legionella findings, including any individuals who are identified as being particularly at risk and the steps taken to prevent or control risks.

TCAT is required to keep records of the following:

* The person(s) responsible for conducting the risk assessment
* Any significant findings that were identified from the risk assessment
* Any written control scheme and details of its implementation
* Details of the state of operation of the system, i.e. in use or not
* Any results following monitoring inspections, including the dates of these

Records will be retained by the Trust Estate Manager while they are in date, and for at least two years afterwards. Additionally, any records of monitoring inspections will be kept for at least five years.

In addition to the previous list, TCAT should keep records of the following items:

* Names and positions of people, and their deputies, responsible for carrying out the various tasks under the written control scheme
* Names and positions of people responsible for implementing the written control scheme, their respective responsibilities and their lines of communication
* A risk assessment and a written scheme of actions and control measures
* Schematic diagrams of the water systems
* Details of precautionary measures that have been implemented including enough detail to show that they were implemented correctly, and the dates on which they were carried out
* Remedial work required and carried out, and the date of completion
* A signature of the person who carried out the work
* A log detailing visits by contractors, consultants and other personnel
* Cleaning and disinfecting procedures and associated reports and certificates
* Results of any chemical analysis of the water
* Results of any biological monitoring
* Information on other hazards, e.g. treatment chemicals
* Cooling tower and evaporative condenser notifications
* Training records of personnel

Records will be retained in line with TCAT’s Records Management Policy and Data Protection Policy.

# Incident reporting

All incidents of legionella will be reported as soon as possible to the Trust Estate Manager, who will be responsible for informing the CEO, CFO and Headteacher/Head of School – the notification will cover:

* Details of the sample
* The organism present in the sample
* The location
* Advice on appropriate remedial measures

If a member of the TCAT community is taken ill following exposure to legionella, the Chair of the Trust Board will be notified immediately.

# Reporting procedure

Should an incident require [reporting](http://www.hse.gov.uk/riddor/), the Trust Estate Manager, or a person appointed on their behalf, will file a report as soon as is reasonably possible.

The designated person will complete the [relevant online form](https://www.hse.gov.uk/forms/incident/).

Alternatively, the designated person can report fatal, specified and major incidents via telephone on 0345 300 9923 (Monday to Friday 8:30am to 5:00pm).

TCAT will notify the LA, in writing, if a cooling tower or evaporative condenser is present on site and include details about where they are located. TCAT will also inform the LA if and when such devices are no longer in use.

# Accident investigation

All occurrences of legionella, however small, will be investigated by an appointed party and the outcomes recorded.

The length of time dedicated to each investigation will vary on the seriousness of the occurrence.

After an investigation takes place, a risk assessment will be carried out, or the existing risk assessment will be amended, to avoid reoccurrence.

Where appropriate, the Trust Estate Manager will complete the relevant form as outlined above.

# Implementing a control scheme

TCAT will avoid using water systems, parts of water systems or systems of work that lead to exposure of legionella as far as reasonably practicable. The Trust Estate Manager will establish a written control scheme in instances where it is not reasonably practicable to avoid these.

The implementation of any written control scheme will be monitored by the Trust Estate Manager.

The Trust Estate Manager will supervise anyone involved in any related procedure of the written control scheme.

The Trust Estate Manager will ensure all responsibilities are defined in the written control scheme and all staff understand these responsibilities.

Staff with any responsibilities within the written control scheme will have the necessary skills and experience needed to carry out their roles.

The Trust Estate Manager will ensure that there is an appropriate number of site staff available during all hours that the water system is operating – this will be established depending on the risks the water system poses.

The Trust Estate Manager, or other designated site staff, will be contactable during all hours that the water system is in operation.

There will be established methods for communication and management when there are several people who are responsible for the control scheme.

TCAT will be responsible for the health and safety of the TCAT community, regardless of if contractors are employed for any reason.

The written control scheme will include details of the following:

* An up-to-date plan showing the layout of the plant or water system, including parts temporarily out of use (a schematic diagram is sufficient)
* A description of the correct and safe operation of the system
* The precautions that have been implemented
* Checks to carry out to ensure the written control scheme is effective and the frequency of such checks
* The remedial action to take if the written scheme is shown not to be effective

The written control scheme will give details on how to use and carry out the various control measures and water treatment regimes, e.g. health and safety information regarding storage.

The written control scheme will also provide details on the correct operation of the water system, including:

* Commissioning and recommissioning procedures
* Shutdown procedures
* Checks of warning systems and diagnostic systems in case of system malfunctions
* Maintenance requirements and frequencies
* Operating cycles – including when the system plant is in use or not

# Monitoring and review

This policy will be reviewed in line with the published schedule at the front of this document and at any point material changes require it by the Executive Headteacher/CEO in collaboration with the Board appointed Trustee, the Trust Board and Executive and Senior Leadership.

Any changes made to the policy will be amended by the Executive Headteacher/CEO and will be communicated to Executive Leaders, the TCAT Central Team and to Headteachers/Heads of School, who, in turn, will alert school-based staff.

The next scheduled review date for this policy is 31st August 2026.

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| --- |
| Signed by: |
|  | Executive Headteacher/CEO | Date: |  |
|  | Board appointed Trustee | Date: |  |