

 WARWICKSHIRE POLICE		POLICY
Security Classification	OFFICIAL	
Disclosable under Freedom of Information Act 2000	Yes	

POLICY TITLE	Water Hygiene The Control of Legionellosis
REFERENCE NUMBER	WP117
Version	3.2

POLICY OWNERSHIP	
DIRECTORATE	ENABLING SERVICES
BUSINESS AREA	ESTATES, FACILITIES AND HEALTH AND SAFETY

INITIAL IMPLEMENTATION DATE	August 2022
NEXT REVIEW DATE:	December 2028
RISK RATING	LOW
EQUALITY ANALYSIS	LOW
TIER	3

Warwickshire Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy. Please e-mail policiesandprocedures@warwickshire.police.uk

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1.0 POLICY OUTLINE

Warwickshire Police are committed in so far as reasonably practicable to ensuring the health safety and welfare at work of all its staff, visitors and members of the public, to minimise any risk presented to our staff, other persons on site, the public and the environment, with regard to water hygiene and scalding and to provide such resources, information, training and supervision as is needed for this purpose.

To comply with the requirements of the Approved Code of Practice (L8) – Legionnaires Disease (The control of legionella bacteria in water systems and the HTM 04-01. The control of Legionella, hygiene, “safe” hot water, cold water and drinking water systems (Part A and Part B) are taken as the primary source of guidance on matters relating to legionellosis and scalding risk management.

To manage the water systems such that conditions under which legionella can proliferate are designed out of systems. The policy of Warwickshire Police is to use the control of water temperatures as the main control measure for the prevention of Legionellosis together with good system design; maintenance and proactive management of water temperatures to prevent the proliferation of legionella within systems.

Warwickshire Justice Centres – For the Avoidance of Doubt

This policy does apply to the Warwickshire Justice Centres as Warwickshire Police has responsibility for the running and maintenance of both Leamington and Nuneaton Justice Centres.

1.1 Compliance

The policy has been prepared considering existing legislation and the working practices of the force. New legislative requirements or changes in current legislation or the Approved Code of Practice may necessitate a review of this policy.

The policies of Warwickshire Police are intended to promote equality, eliminate unlawful discrimination and actively promote good relationships regardless of:

- a. Age
- b. Disability
- c. Gender Reassignment
- d. Race,
- e. Religion or Belief
- f. Sex
- g. Sexual Orientation
- h. Marriage & Civil Partnership
- i. Pregnancy & Maternity

The policy has been assessed as having a LOW potential impact using the equalities impact assessment template, by incorporating equality considerations into the policy process, has allowed both forces to identify any actual or potential equalities and reduce them as much as possible, by applying the policy differently or looking for alternatives.

1.2 Freedom of Information

On behalf of the Warwickshire Police and the Police & Crime Commissioner, the Enabling Services Directorate maintains a list of owned and leased property.

Inappropriate disclosure of such information has the potential to undermine the effectiveness of the service in its provision of law enforcement and to jeopardise the Health and Safety of staff and the public.

Disclosure of this detail will only be made to authorised personnel.
(Freedom of Information Act 2000, sections 31 and 38)

2.0 PURPOSE OF THE POLICY

This policy is required to manage the risk of exposure of staff to Legionella bacteria on Police premises. This is required to comply with the Health and Safety duties placed on employers under:

- a. Sections 2,3 & 4 of the Health and Safety at Work Act 1974
- b. Regulation 6 of the Control of Substances Hazardous to Health Regulations 2002 (as amended)
- c. Regulation 3 of the Management of Health and Safety at Work Regulations 1999

2.1 This document should be used in conjunction with current legislation and associated codes of practice.

2.2 This policy is supported in its implementation by the Forces Working Practices Management of Water Hygiene – Control of Legionellosis [Policy Guidance Note 1 & Policy Guidance Note 2]

3.0 IMPLICATIONS OF THE POLICY

The Estates and HSQE Manager will be required to make provision from within the budgets for the cost of the Water Hygiene – Control of Legionellosis management program.

The Estates, Facilities and Health and Safety Department will provide advice and support on the operation of the Legionella management program.

Occupational Health can provide advice on communicable diseases.

If the need is identified, external consultants will provide specifically targeted training and advice.

3.1 Legal

The legal basis for this policy is found in the following legislation:

- a. The Health and Safety at Work Act 1974
- b. The Management of Health and Safety at Work Regulations 1999
- c. The Control of Substances Hazardous to Health Regulations 2002 (as amended)

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- d. This policy will also recognise any directly related future amendments of the identified legislation.

and underpinned by:

- a. The Approved Code of Practice for the control of Legionella bacteria in water systems (L8), issued by the Health and Safety Commission.
- b. HTM 04-01. The control of Legionella, hygiene, “safe” hot water, cold water and drinking water systems (Part A and Part B).

3.2 Financial

There are additional financial implications for the Police and Crime Commissioner of Warwickshire Police in applying this policy.

3.3 Staff / Training

To ensure the competency of the Enabling Services representative(s) to effectively manage the procedures of this policy and in respect to the management and implementation of this policy and Health and Safety requirements, the Estates and HSQE Manager shall identify and coordinate the relevant training required via the Force Learning & Development Department.

3.4 Bureaucracy

The minimal additional bureaucracy created by this policy is necessary to safeguard police premises and persons working on or those visiting those premises.

Supporting Intranet Documents:

[Water Hygiene Policy Guidance Part 1](#)

[Water Hygiene Policy Guidance Part 2](#)

4.0 CONSULTATION

The draft policy (v1.0) was circulated for consultation, prior to consideration by the Joint Negotiating Consultative Committee (JNCC) at time of writing

- 4.1 Consultation included all interested groups and their comments were addressed and where appropriate included in the policy.

5.0 DOCUMENT HISTORY

The policy will be subject of regular annual review.

The history of the policy will be recorded using the chart below:

Date	Author / Reviewer	Amendment(s) & Rationale	Approval / Adoption
Nov 2013	Kim James	Harmonisation	JNCC 27/11/2013
Feb 2015	Kim James	3.06 and Guidance note 2 item 16.0 added.	05/02/2015
Feb 2017	C Griffiths	Amended to include the role of PPL replacing Estates	February 2017
May 2018	C Griffiths	Review – No changes	May 2018
Oct 2021	H Minett	Review – update to reflect the end of the Alliance and PPL	August 22
June 2023	H Minett	Review – update reference to the Estates, Facilities & Health and Safety Manager and the Facilities Manager to reflect the changes to their job titles – Senior HSQE & Facilities Manager and HSQE & Facilities Manager	
Nov 2023	H Minett	Review – change references to – Senior HSQE & Facilities Manager to Strategic HSQE & Estates Manager	Jan 2024
Feb 2025	Shane Wilton	Review – change references from Strategic HSQE & Estates Manager and HSQE & Facilities Manager.	
Nov 2025	Nathan Moore & A Roede ARK H&S	Title change to Estates and HSQE Manager and compliance check	Approved by Business Manager 27/11/25. Republished 19/12/25.
May 2026	Mandy Harvey	Section 1.0 amended to include both Justice Centres.	Republished 23/06/2026

6.0 GUIDANCE

In 2000 the Health and Safety Commission published *Legionnaires' disease The control of Legionella bacteria in water systems – Approved Code of Practice and guidance L8 (ACoP)*.

The ACoP gives practical guidance to employers on how to comply with the law. Although the ACoP isn't the law, compliance with all of the requirements of the ACoP will demonstrate compliance with the law.

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The ACoP applies to the risk from Legionella bacteria and is applicable to all work premises that have:

- a. Water systems incorporating a cooling tower;
- b. Water systems incorporating an evaporative condenser; Hot and cold-water systems; and
- c. Other plant and systems containing water which is likely to exceed 20°C and which may release a spray of aerosol (i.e. a cloud of droplets and/or droplet nuclei) during operation or when being maintained.

The ACoP identifies the need for the following key actions:

- a. A suitable and sufficient assessment must be carried out to identify and assess the risk of legionellosis from work activities and water sources and any necessary precautions.
- b. Produce an action plan for the management of risk in the form of a written risk minimisation scheme.
- c. Implement and manage the precautions to control risk.
- d. Ensure that adequate records are maintained.
- e. To appoint someone to be managerially responsible for the implementation of the risk control scheme.

Staff responsibilities need to be clearly defined, operators need to be adequately trained and provision needs to be made to allow for absence or staff leaving.

Management and communication procedures should be periodically reviewed as appropriate.

Records should include details about:

- a. the person or people responsible for conducting the risk assessment, managing and implementing the written scheme.
- b. any significant findings of the risk assessment.
- c. the written control scheme and its implementation.
- d. the results of any 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.

Under the Notification of Cooling Towers and Evaporative Condensers Regulations 1992 the force must notify the relevant local authority, in writing, if it has any cooling tower or evaporative condenser on any site and to include details about its location.

7.0 MANAGEMENT RESPONSIBILITY

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The Office of the Police and Crime Commissioner for Warwickshire Police – will delegate to the Deputy Chief Constable the overall responsibility to ensure that this policy is implemented and that appropriate funding is made available.

In practice the Duty Holder will delegate the day-to-day implementation of the policy to the nominated Responsible Person.

7.1 Deputy Chief Constable - acting as The Duty Holder

The Chief Officer with functional responsibilities for estates, building matters and staff training.

7.1.1 Under the legal requirements of L8 the Authority requires the following personnel to be present within the management structure.

- a. Implementation of Force policy and procedures.
- b. Implementation of relevant Health and Safety policies.
- c. Provision of adequate resources for training.
- d. Specific responsibilities regarding Water Hygiene the Control of Legionellosis
- e. ensure a Suitable and Sufficient Risk Assessment is carried out.
- f. appoint a "Responsible Person" for the delivery of the ACoP L8
- g. ensure access to "Competent Help"

7.2 The Responsible Person

The person who is appointed by the Duty Holder to manage the day-to-day issues of complying with L8.

- a. Measures to be adopted for protection of people concerned
- b. Measures to ensure that controls remain effective
- c. Auditing
- d. Implementation of precautionary measures
- e. Ensure competence of contractors, sub-contractors
- f. Ensure competence and training of staff involved in L8
- g. Manage Records
- h. Appoint able deputies as required
- i. Ensure monitoring and checks on site are completed in a timely and effective manner.
- j. Ensure that the risk assessment is up to date and factually correct
- k. Program any recommendations highlighted in the risk assessment
- l. Ensure any non-conformances are dealt with in a timely and correct manner.
- m. Programming surveys and annual monitoring
- n. Advising on staff training
- o. To monitor and update the policy to take into account changes in legislation
- p. To implement a strategy of continuous improvement and best practice in the control and management of legionellosis
- q. Ensuring all contractors / companies used for the control & management of legionellosis have the appropriate insurance and accreditation

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- r. Providing advice on legionella matters to colleagues and to establishments within Warwickshire Police.
- s. Being a point of contact for reports of problems with temperature control/foreign bodies etc. in water systems and arranging remedial action.
- t. Visiting those sites that are not checked by a specialist contractor on an annual basis to ensure that these sites are carrying out their responsibilities to comply with ACoP L8, to countersign the log and to give advice as required by the site.
- u. Updating and producing legionella surveys and risk assessments for properties in accordance with ACoP L8, updating existing surveys/risk assessments, all in accordance with the programme.
- v. Inspecting any changes to the water systems and updating the risk assessment and legionella site management logbook.

The competent Person / Organisation / Legionella Officer, the organisation appointed to supply the background or technical support to Warwickshire Police.

7.3 Deputy Responsible Person

- a. Compile the Risk Assessment in conjunction with others.
- b. Draw up precautionary measures.
- c. Supply Technical Advice.
- d. Develop the written scheme in conjunction with others.
- e. Make interpretation of L8
- f. Give guidance on Sources of Risk.
- g. Give advice on ensuring competence of contractors, subcontractors
- h. Help develop the Action Plan.
- i. Re-evaluate Risk Assessment
- j. Interpret water Sample Results Inspecting any changes to the water systems and updating the risk assessment and legionella site management logbook.
- k. Ensuring that planned works for which they are responsible consider the requirements of L8 such that conditions that encourage the proliferation of legionella do not exist and that the works comply with any water authority local conditions or requirements and seeking advice where necessary.
- l. Ensuring that designs consider the guidelines of L8 and that appropriate test and chlorination certificates are provided by the contractors.
- m. Ensuring that any changes to the water systems (including additions/extensions) are notified so that an inspection of the changes may be made and the risk assessment and legionella site management logbook can be updated.
- n. Ensuring, by means of audits, that procedures are being followed.
- o. Providing advice on legionella to sites for inclusion within the Health and Safety manual.
- p. Ensuring the nominated person(s) carry out the checks detailed in the legionella site management logbook and countersigning the requisite checks have been carried out.
- q. Ensuring that any problems noted during the regular inspections are reported to the Estates and HSQE Manager.
- r. Carrying out such work on all tenant items to ensure that the proliferation of legionella is prevented.

(Contract Management)

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- a. Responsibilities
- b. Ensure the contract is correctly administered
- c. Ensure Technical advice is available to Responsible Manager.
- d. Ensure that Non-Conformances are dealt with.
- e. Ensure all information is available for Quarterly meetings
- f. Coordinate all the relevant people and organisations.

7.4 Appointed Specialist Contractor – Service Provider

Legislative requirements for the control of *Legionella* put the responsibility for compliance clearly with the owner/operator of water systems. Under the Health and Safety at Work etc Act 1974, the Control of Substances Hazardous to Health Regulations as regards risks from *Legionella*, all owner and operators of such systems have a responsibility to ensure that the risk is controlled and kept to an acceptable level.

The HSE's Approved Code of Practice and Guidance (L8) stresses that whilst the tasks required to be undertaken to control the risk may be contracted to an external specialist, the owner/operator must take all reasonable care to ensure the competence of the service provider to carry out the work on his behalf.

There should be a clearly defined written agreement between the service provider and the client setting out the individual responsibilities of both parties to ensure compliance with current legislation.

Service providers should demonstrate and document a satisfactory level of competence of their staff to achieve the objectives of this document.

The recommendations made by the service provider should be equal to, or better than, the relevant Codes of Practice and guidance documents pertaining to the system in question.

Lines of communication and reporting between client and service provider should be defined as well as the management plan in the event of remedial or corrective action being required, including matters of evident concern outside contracted obligations.

Adequate and up to date monitoring and treatment records should be kept. These should be readily available.

The performance of the control measures should be reviewed jointly by the service provider and the client at least annually and the necessary remedial action plan agreed.

Service providers should establish a formal internal auditing procedure for compliance with this document.

Service providers sub-contracting any Legionella specific activities listed in their scope of services to another company should establish that this company is either registered for that activity under the Legionella Control Association or maintain additional controls and audits to ensure compliance with the Code of Conduct.

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Ensuring that new works or modifications to existing systems are installed such that conditions that encourage the proliferation of legionella do not exist and that the works comply with any water authority local conditions or requirements.

A certificate of compliance should be issued after modification works as set down in the Water Supply (Water Fittings) Regulations 1999.

Providing certificates of chlorination for modifications/new works as required by the works specification.

Prior to any works being undertaken on Warwickshire Police sites, a full site-specific method statement will be supplied to the responsible person for approval.

7.5 Legionella Survey Contractors are specifically charged with:

- a. Producing site risk assessments and legionella site management logbooks to comply with L8.
- b. The site management logbook is to be delivered to site and required procedures explained to the Duty holder and Nominated persons on site.
- c. Advising the Strategic HSQE & Estates Manager as soon as reasonably practicable of problems found on sites that need immediate resolution.
- d. Ensuring that surveys cause the minimum disruption to the site.
- e. Always acting in a professional manner whilst on site.
- f. Providing specialist advice on legionella matters.
- g. Contributing to an action/rectification plan with the Duty Holder etc.

Appendix A: Glossary

1.0 The Police & Crime Commissioner

A legal entity, enabled to contract with other legal entities. Owns and maintains all property used by Warwickshire Police.

The Police & Crime Commissioner for Warwickshire Police has a portfolio of approximately 28 buildings providing accommodation from which it delivers policing services to the communities of Warwickshire.

2.0 The Force

Warwickshire Police cover the 764 square miles of Warwickshire, it serves a population of 568,167 (2019) and employs 1060 police officers, 101 specials and 722 police staff, including 78 community support officers (accurate at the time of update).

3.0 Contractor / Subcontractor / Service Provider

Any person or undertaking or other legal entity entering; or involved with a contract with the organisation for the supply of goods or services, including subcontractors (hereafter called contractors) and staff employed by the Force carrying out unsupervised work.

4.0 Staff / Police Officers / Specials / Volunteers

Any person employed by the PCC / Force or its contractors
Any person not specifically referred to above

5.0 Duty Holder

The Duty Holder as the person with overall responsibility for the force's premises must appoint someone competent to ensure that the force comply with its health and safety duties to and take responsibility for managing the risks

6.0 Responsible Person

The Responsible Person should have sufficient authority, competence and knowledge, to ensure that all operational procedures are carried out in a timely and effective manner. The Responsible Person should have a clear understanding of their duties and the overall health and safety management structure and policy in the organisation.

7.0 Competent Person

A person recognised by the Duty Holder as having sufficient technical knowledge and experience to enable them to carry out the control measures and strategies and should be suitably informed, instructed and trained. Competence is dependent on the needs of the situation and the nature of the risks involved.

8.0 ACoP

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Reference to the ACoP means “**The control of legionella bacteria in water systems Approved Code of Practice and Guidance L8**”

The Code has been approved by the Health and Safety Commission with the consent of the Secretary of State; the code has special legal status and will be used for prosecutions for a breach of health and safety law.

The ACoP L8 (Legionnaires' disease: The control of Legionella bacteria in water systems) is a legal document that outlines the responsibilities of duty holders in managing and preventing the risk of Legionella bacteria proliferation. It covers various aspects, including Legionella risk assessments, control measures, and Legionella record-keeping.

Compliance with the ACoP L8 is a legal requirement and failure to adhere to its guidelines can lead to legal consequences.

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