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AMENDMENT RECORD

Version	Date	Description
1.0		Original Procedure developed - Approved
2.0	07/01/14	Changes- Removal of reference to former strategic partner, Capita Simplifying of roles by creating majority under responsible person Clarification of school based duties Clarification of contractor requirements regarding membership of LCA and UKAS accreditation for risk assessment duties, Simplification of emergency procedures, Updated references, Minor corrections
3.0	13/03/15	Administrative changes to job titles
4.0	01/05/19	Reviewed to new format to include current systems following ELT restructure and Policy/ Procedures work stream - Corporate Health and Safety Action Plan 2018-19. Initial sign off Health and Safety Practitioners - Sign off - Corporate Health and Safety Group

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Introduction

Legionnaires' disease is a potentially fatal pneumonia. The illness occurs more frequently in men than women. It usually affects middle-aged or elderly people and it more commonly affects smokers or people with other chest problems. Legionnaires' disease is uncommon in younger people and is very uncommon under the age of 20.

Legionella bacteria reproduce to high numbers in warm stagnant water (between 20°C and 45°C) and are widespread in nature. The bacteria mainly live in water, for example ponds, where it does not cause problems. Outbreaks occur from purpose built water systems where temperatures are warm enough to encourage growth of the bacteria.

Many systems using water and operating at temperatures in excess of 20°C can also generate an aerosol presenting a legionella risk.

Examples of such systems include:

- Humidifiers
- plumbing systems and hot water tanks
- air washers
- spa baths (sometimes called Jacuzzi pools)*
- swimming pools
- water softeners
- showers
- car washes
- fire and sprinkler systems
- air conditioning systems
- cooling towers

*Whirlpool baths (baths fitted with high velocity water jets and/or air injection but without water recirculation) do not present the same risk as spas because the water is discharged after use.

High temperatures of 60°C and above will kill the bacteria.

Most community outbreaks in the UK have been linked to installations such as cooling towers (cooling systems often used in large air conditioning systems). The County Council currently has no such installations.

Scope

The purpose of this document is to define the procedure for controlling the risks from the legionella bacteria from activities undertaken and premises operated by the Council (including by Community and Voluntary Controlled schools).

Further Directorate specific documentation on this subject may also be available.

This procedure is applicable not only to employees of Cumbria County Council, but also to Contractors, agency and interim workers, Councillors, volunteers and any other persons who may potentially be exposed to legionellosis arising from Council activities. It applies also to premises leased by the council to third parties. Where the County Council leases accommodation from a third party, suitable arrangements must be in place to

ensure that there is adequate liaison and information provided in relation to the landlord's legionella management arrangements

Objectives

The aims/objectives of this procedure are to ensure;

- That there are robust systems in place to comply with HSE guidance
- the risk from legionellosis is controlled in all premises which the County Council has responsibility
- the identification and assessment of sources of risk from legionellosis in premises
- the preparation of a scheme or plan for prevention or controlling the risk
- the implementation and management of this scheme appointing a person or persons to be responsible for this
- the maintenance of records and to check that action taken is effective
- the provision of training, instruction and supervision of persons with delegated responsibilities
- all relevant persons are appropriately informed and trained to reduce risks from Legionellosis
- Suitable assessments, inspections, maintenance and monitoring of water system are undertaken at relevant intervals

Scope

This procedure applies to all employees of the county council and all school based staff for whom there is no specific procedure laid down in national or local conditions of service.

It is expected that governing bodies of all community and voluntary controlled schools would adopt and implement suitable arrangements to support this procedure. The County Council delegates responsibility to ensure suitable legionella management arrangements are in place to Governing Bodies with Responsible Person duties delegated to Headteachers. Foundation and voluntary aided schools and academies who may utilise the advice and guidance of the Local Authority are encouraged to observe this procedure.

Common Definitions – Water Hygiene

- **Calorifier** - An apparatus used for the transfer of heat to water in a vessel by indirect means, the source of heat being contained within a pipe or coil immersed in water. (e.g. Water heater or boiler).
- **Deadleg** - A length of pipe, normally closed at one end, or ending at a fitting.
- **HSE** - The Health & Safety Executive is responsible for enforcement of health and safety legislation in all council controlled premises.

- **Legionellosis** - This term covers a group of diseases (which include Legionnaires' disease) that can be contracted by inhaling water droplets or aerosols containing bacteria from the genus legionella.
- **Outbreak** - An 'outbreak' is defined by the Health Protection Agency as two or more confirmed cases of Legionella occurring in the same locality within a six month period. Cases of legionellosis are reportable under The Reporting of Injuries, Diseases and Dangerous Diseases Regulations (RIDDOR). An accident/incident form must be completed and forwarded to the person who collates accident and incident information. That person will complete a form F2508A and forward it to the HSE.
- **Responsible Person** - This is the competent person or persons taking day-to-day responsibility for controlling any identified risk from legionella bacteria. In the case of premises other than schools this is the Property Compliance Manager or person acting on their behalf. In the case of maintained schools the Head Teacher (or nominated deputy) is the Responsible Person, assisted by the County Council's Property Team/ Health and Safety Team for advice and guidance where required.
- **Sentinel Taps** -The nearest, furthest and intermediate taps from the feed tank or calorifier.
- **Thermostatic Mixing Valves (TMVs)** - Mixing valves in which the temperature at the outlet is pre-selected and controlled automatically by the valve. TMVs are used to control risk of scalding and a regime of internal checking and recording temperatures will be required in addition to the temperature checks undertaken for legionella control purposes by a water hygiene contractor.
- **Water Hygiene** - Various processes to ensure that appropriate control measures are in place to improve basic environmental conditions affecting human health, for example clean and safe water supply.

Responsibilities

Chief Executive

Overall responsibility for Health & Safety in the workplace rests with the Chief Executive and they will delegate management responsibilities down through the Organisational Structure. Executive Directors, Assistant Directors, Senior Managers, Line Managers and Staff at all levels of the organisation are therefore responsible for Health & Safety at Work, though the extent of this responsibility varies according to the individual's position in the organisation.

Executive Directors

Have overall responsibility for implementing this procedure in their respective Directorates, ensuring that resources and time is allocated so that communications can take place ensuring that the relevant information is cascaded to all staff within their Directorate/ Service Areas. They are also responsible for ensuring that there are Directorate Specific procedures in place where Directorate specific risks exist

Assistant Directors

Work under the direction of their Executive Director to ensure that resources and time are allocated so that relevant information is cascaded to all staff within their area of responsibility.

Maintained Schools and Settings

Under the Health and Safety at Work etc. Act 1974, Cumbria County Council as the employer in maintained schools and settings has overall responsibility for health and safety, and will take reasonable steps to ensure oversight and monitoring so that staff and pupils are not exposed to significant risks to their health and safety. This also applies to activities on or off the school premises. The Council recognises that it's responsibility for health and safety cannot be devolved; but delegates day to day health and safety responsibilities to Governing Bodies and Head teachers.

It will provide competent technical advice on health and safety matters through the Corporate Health, Safety team to assist governing bodies and head teachers in their delegated task of ensuring effective risk management is in place.

The objectives laid down within this document are the minimum Local Authority Maintained schools must adhere to. Other schools such as voluntary aided, foundation schools, academies and free schools may utilise these procedures for reference for their own employer health and safety arrangements

Responsible Person (Through the Property Compliance Manager role in the case of premises other than schools) is responsible for:

- Ensuring adequate procedures are in place for the overall management of legionella
- taking day-to-day responsibility for controlling any identified risk from legionella bacteria.
- specifying the requirements of any tender or contract required (whether directly or through the services of others) for the provision of water hygiene services
- ensuring that the water hygiene service provided is in line with the requirements of HSE guidance
- ensuring that any necessary remedial action is taken at all sites for which they hold responsibility.
- In the case of schools the majority of these responsible person duties fall to the head Teacher (or nominated deputy)

The Senior Health, Safety & Wellbeing Manager is responsible for ensuring that a system is established for secure filing of legionella exposure records and for making any reports of exposure reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.

Building Co-ordination Role

The person or persons undertaking building health & safety coordination are responsible for

- Is responsible for appointing an officer who will be responsible for on site liaison with contractors undertaking works in relation to the building, in particular to discuss any health and safety implications of the work to be undertaken and to draw attention to the location of key health and safety documentation such as the water services register
- ensuring relevant health and safety related documentation for the building for use by contractors, occupiers, etc is maintained on site
- delegating specific tasks to team members or others depending upon specific circumstances, including for example, flushing of seldom used outlets – as identified in Water Hygiene Risk assessments or appointing an individual to act as the contact point for contractors carrying out work in relation to the building.

Property Team

The County Council's Senior Manager – Property who manages the above team is responsible for ensuring the establishments of an up to date centralised master schedule of buildings to which this procedure relates.

This system should contain details of primary and other occupiers, as well as details of any Managers/Individuals/Groups responsible for Building Management and details of Health & Safety Co-ordination and Building Management and Health and Safety Record Holders. Maintenance of this central system is dependent upon the relevant Executive Director/Occupiers providing the requisite information and notifying any changes within reasonable timescales.

The maintenance of this system will enable the Property & Asset Management Team to distribute reports on building services/ servicing/ maintenance/ construction/ condition etc. to the relevant Manager/ Individuals/ Groups/ Organisations who occupy and manage Health & Safety Co-ordination in the building.

This ensures that appropriate records can be maintained within the building and appropriate action can be taken in accordance with the requirements of the reports, e.g. day to day and periodic maintenance/ monitoring tasks.

Water Hygiene Contractor

Is responsible for (unless the written scheme specifies otherwise)

- Completing building surveys, risk assessments and written schemes in relation to legionella.
- Inspecting all accessible parts of the systems for damage or contamination

- Disinfecting systems and ensuring treatment regimes are complied with.
- Recording all such inspections, assessments and maintenance regimes and updating log books accordingly.
- Providing all documentation and certification of inspections for insertion into the appropriate log books
- Advising the Council's Responsible Person (orally if appropriate and always in writing) of the outcome of any inspections and areas of concern so that the recommended preventative work can be implemented to maintain appropriate standards for preventing or controlling Legionella in County Council Premises.

Lead Health & Safety Practitioners

Under this and associated safety procedures, they are responsible for providing advice on health and safety matters to Managers, Teams and Individuals involved in Building Management, Fire and Health & Safety Coordination tasks within their Directorate on request. They are also responsible for the development of regular safety reports and providing, current health and safety advice and information within their specialist areas and to persons within their nominated Directorate(s).

Supervisors/Line Managers

are responsible for ensuring that employees under their control are, where reasonably practicable not exposed to significant risk to their health and safety and seeking professional advice where there is concern that exposure to hazards might present such a risk to health. They are also responsible for ensuring that suitable training is identified and provided for employees under their control.

All Employees

All employees must adhere to the advice given in relation to health and safety requirements. Where they are concerned about any hazards or defects they must report their concerns to their Manager

Agency Staff, Interim Appointees, Contractors, Councillors and Volunteers

The people identified in this section have a responsibility to cooperate with Cumbria County Council's health and safety policy, safety procedures and local departmental rules.

Tenants

Tenants of council owned or leased premises are responsible for ensuring that they are familiar with the health and safety requirements within the premises that they occupy. Tenants are responsible for ensuring the safety of their own employees and any persons who may be affected by their actions

Training Requirements

The Responsible Person will receive training to an adequate standard of basic awareness of Legionella management. The level of training deemed adequate is BOHS P901 – Legionella Management and Control of Building and Hot and Cold Water Systems, or equivalent.

Any person who has to commission and specify work on services which may impact on the control of legionella should also have received BOHS P901 – Legionella Management and Control of Building and Hot and Cold Water Systems training, or equivalent.

In the case of Community and Voluntary Controlled Schools the training requirement will be met through the LA contribution to the Responsible Person role. Any school staff member who requires a basic knowledge should be directed to complete a Legionella Awareness course.

Where staff or other persons working on behalf of the council undertake operational monitoring or maintenance in relation to water systems they must receive appropriate training (including refresher training where necessary). Records of all such training must be maintained.

Contractor Requirements

All contractors undertaking work on behalf of the Council must comply fully with the specifications requirements of this procedure.

Water Hygiene Contractors must be registered with the Legionella Control Association for all the categories of work they undertake on behalf of the Council and follow the Code of Conduct endorsed by the Water Management Society and the British Association for Chemical Specialities.

From 2015 newly appointed contractors providing legionella risk assessments must be UKAS (United Kingdom Accreditation Service) accredited for this task.

Where a contractor is delivering a service on behalf of the Council that contractor must have health and safety procedures in place at least equivalent to those in this procedure. All Directorates must ensure that sound mechanisms are in place within their own Directorate for specifying and monitoring the requirements of this contractor in delivering such a service.

Contractors must ensure that all persons working on their behalf meet the appropriate training requirements indicated in Training Requirements (above)

Contractors must abide by the Council's [contractor health and safety code of practice](#)

Risk Assessments

Controlling the risk will be achieved by:

- The identification and evaluation of potential sources of risk from legionellosis in all premises for which the Council has responsibility

- Development of a written scheme for preventing or controlling the risks within those premises
- Implementation, managing and monitoring precautionary measures.
- Maintaining records of the precautions.

The means by which the risk from exposure to the bacteria is to be controlled will be a joint function of external expertise and in-house management and will be formulated upon completion of individual premises risk assessments and resultant written schemes.

The specific requirements of the risk assessment can be found in the HSE publication '*Legionnaires' Disease: The Control of Legionella Bacteria in Water Systems*' (L8)

Risk assessments will be carried out by a competent contractor as identified in **Contractor Requirements** (above)

Where the risk assessment shows there is a reasonably foreseeable risk, steps should be taken to mitigate this risk wherever possible.

The Responsible Person will review the risk assessments to identify any remedial actions required ensuring that appropriate steps are taken to address them.

When all the risks cannot be totally avoided there must be a written scheme for controlling the risk.

Where a risk assessment demonstrates that there is no reasonably foreseeable risk or that the risks are insignificant and unlikely to increase, (e.g. a small office without showers, spray head taps, air conditioning etc) no further assessment or measures are necessary.

The risk assessment for **all** premises (including those that have been previously identified as little or no risk) should be **reviewed** by a competent water hygiene contractor at least every two years and, whenever there is a reason to suspect it is no longer valid. An example of this would be changes to the water system or its use such as installing a shower.

The management of water systems can create other health and safety hazards. For example:

- The use of chemicals required to treat water systems may require a COSHH risk assessment.
- Access to parts of the water system might involve working at height or working in confined spaces.

These issues must be considered as part of the general risk assessment process undertaken and are unlikely to be identified in a Legionella specific risk assessment.

Commissioning and Recommissioning

Following the commissioning of a new hot water system, the water temperature should be measured continuously at the bottom and the outlet of the calorifier over a typical day. If the storage vessel is big enough to deal with the demand, the outlet temperature will be constant throughout the day. If the calorifier is too small, the outlet temperature will fall during use and remedial action may be required, particularly if temperature is used as a control method.

If a calorifier or any substantial part of a hot water system is on standby use or has been taken out of action for longer than one week, the water in the calorifier should be brought up to 60°C for one hour before it is used;

If the system is to be treated with biocides as a means of controlling legionella, the biocide concentration in the system should reach normal operational levels for at least three hours throughout the system, before being used.

System Maintenance

Arrangements will be made for an approved contractor to carry out routine inspections of the water systems at intervals laid out in the written scheme for each premises. Records of these visits will be left on site for the attention of the person responsible for managing local records who will ensure that the manual is kept up to date.

The written scheme will identify specific monitoring and maintenance regimes that will be required for each premises along with identifying the responsibility for these tasks. Many of these responsibilities will be carried out by the water hygiene contractor (particularly water sampling and the tasks requiring engineering skills) but at some sites there may be a requirement for monitoring and maintenance by staff. Results from monitoring regimes will be kept in the site logbook.

If there are standby recirculating pumps on the hot water circuits, they should be used at least once per week.

When water outlets (shower/taps etc) are not in regular use, weekly flushing of these devices for several minutes must be undertaken as this can significantly reduce the number of legionella bacteria discharged from the outlet. **It should be noted that this will generally require action by staff on site.**

Once started this procedure has to be sustained and logged, as lapses can result in a significant increase in legionella at the outlet. A risk assessment may indicate the need for more frequent flushing where there is a more susceptible population present, e.g. in care homes.

Where it is difficult to carry out weekly flushing, water from within the shower/tap and associated deadleg should be run to a drain (normal plughole) before the appliance is used. It is important that this procedure is carried out with minimum production of spray. (E.g. for showers this can be achieved by removing the shower head from the hose, where possible).

It should be noted that the first consideration should be to remove those outlets not used on a regular basis and cutting back the pipe work to leave minimal deadlegs.

Appendix 1 shows the recommended inspection frequencies for higher risk systems as identified by the legionella risk assessment.

Appendix 2 shows recommended monitoring regimes for higher risk systems as identified by the legionella risk assessment to ensure suitable maintenance of hot and cold water systems.

A log book containing the water hygiene risk assessment will be held by the Building Management and Health and Safety Record Holder.

The log book **must** be updated every time any maintenance or remedial works are carried out to the water system.

All records must be kept for five years.

Failure of Control Measures or Adverse Results Identified During Routine Monitoring

In the event of either failure of a measure required to control Legionella (e.g. temperature control regime) or routine monitoring reveals inadequate controls (e.g. water outlet temperature is inappropriate) it is essential that action is taken at the earliest opportunity to rectify the situation.

Where the problem is identified by the Water Hygiene Contractor during routine monitoring, they will advise the Responsible Person who will arrange appropriate remedial action.

In the event that the problem is identified by staff, in the case of premises other than Schools, arrangements should be made to contact the Property Team **via** the Building Maintenance Helpline or out of hours number provided.

Actions in the event of Outbreak

If an outbreak is suspected that may be attributed to the water system within a building, the following course of action must be taken:

- Immediately shut down any processes at the relevant water system that are capable of generating and disseminating airborne water droplets and keep them shut down until sampling procedures and any remedial cleaning has been done.
- At the earliest opportunity notify the Property Compliance Manager (Corporate Responsible Person) and the Senior Health, Safety and Wellbeing Manager.
- The Property Compliance Manager (or Senior Health, Safety and Wellbeing Manager in their absence) will notify the Chief Executive, Executive Director for Lead Health and Safety Responsibility and the HSE.
- The Responsible Person will arrange for a contractor to take water samples from the system before any emergency disinfection is carried out.
- A full adverse event investigation will be carried out. Lead by an Executive Director with the support of the Corporate Health and Safety Team and a subsequent report produced.

Auditing Compliance and Measuring Performance

Compliance with this procedure at the corporate level will be audited during Health and Safety Management Audits arranged by the Corporate Health & Safety Unit.

Directorate compliance and performance should be monitored and reviewed by Directorate Health and Safety Committees.

Contractor performance monitoring is also undertaken by the Property Unit.

Should further clarification be required in relation to the implementation of this procedure please contact the Corporate Health and Safety Team T:01228 221616

E:healthandsafety@cumbria.gov.uk

For Schools:

Name of School:	
Date by which School have adopted procedure:	
Signature of Chair of Governors	

Date May 2019

Any documentation and records are to be retained in accordance with CCC Retention Guidelines and the Data Protection Act 1998.

References and Useful Links

Internal

County Council Safety Procedure No 6 - Recording, Reporting and Investigating of Adverse Events

County Council Safety Procedure No 11 Health and Safety Inspections for CCC Workplaces

County Council Safety Procedure No 31 – Awareness and Competency in Health and Safety

County Council Safety Procedure No 32 Managing Contractors

<http://www.intouch.ccc/healthsafety/policies.asp>

Contractor Code of Practice V2

<http://www.intouch.ccc/eLibrary/Content/Internet/535/615/41464112131.pdf>

Schools Safety Advice Notes and Model Risk Assessments – Available via School Portal

Directorate specific safety guidance and risk assessments available via InTouch

Cumbria County Council Legal Updates and Register

External

L8The Control of Legionella bacteria in water systems (Approved Code of Practice and Guidance Fourth Edition) HSE. 2013. <http://www.hse.gov.uk/pubns/priced/l8.pdf>

IAC27 (rev 2) Legionnaires' disease – A guide for employers. HSE. 2001.
www.hse.gov.uk/pubns/iacl27.pdf

INDG 458. Legionnaires' disease – A brief guide for dutyholders. HSE 2012.
<http://www.hse.gov.uk/pubns/indg458.pdf>


HSE Report of the public meetings into the legionella outbreak in Barrow in Furness, August 2002.
www.hse.gov.uk/legionnaires/barrowreport.pdf<http://www.hse.gov.uk/healthservices/legionella.htm>

Appendix 1 – Recommended Inspection Frequencies for Identified Higher Risk Systems

Service	Task	Frequency
Hot Water Services	Check temperatures in flow and return at calorifiers	Monthly
	Check the water temperature in the sentinel taps reaches 50°C after running the water for up to one minute.	Monthly
	Arrange for samples to be taken from hot water calorifiers, in order to note condition of the drain water	Annually
	Visual check on the internal surfaces of calorifiers for scale and sludge. Check representative taps for temperature as above on a rotational basis.	Annually
Cold Water Services	Check the water temperature in the sentinel taps is below 20°C after running the water for up to two minutes.	Monthly
	Check temperatures at inlet valve and general cleanliness of tanks	Quarterly / Termly
	Check tank water temperature remote from ball valve and mains temperature at ball valve. Note maximum temperatures recorded by fixed max/min thermometers where fitted.	Six Monthly
	Visually inspect cold water storage tanks and carry out remedial work where necessary. Check representative taps for temperature as above on a rotational basis	Annually

Service	Task	Frequency
Little used outlets	Flush through and purge to drain or purge to drain immediately before use, without release of aerosols	Weekly
Sprinkler and hose reel systems	When witnessing tests of sprinkler blow down and hose reels ensure that there is minimum risk of exposure to aerosols.	As directed
Shower Heads	Dismantle, clean and descale showerheads and hoses.	Quarterly / Termly or as necessary
Emergency showers and eye wash sprays	Flush through and purge to drain	Six monthly or more frequently if recommended by manufacturers
Lathe and Machine coolant tools	Clean and disinfect storage and distribution system	Six monthly
Spa baths	Check water treatment – pools should be continuously treated with an oxidising biocide	Three times daily
	Check filters – sand filters should be backwashed daily	Daily
	Clean and disinfect entire system	Weekly
Indoor fountains and water features	Clean and disinfect ponds, spray heads and make up tanks including all wetted surfaces, descaling as necessary	Interval depending on condition

Appendix 2 – Hot and Cold Water Temperature Control Monitoring for Higher Risk Systems

Frequency	Check	Standard to meet		Notes
		Cold Water	Hot Water	
Monthly	Sentinel Taps (nearest, furthest and intermediate taps from the feed tank or calorifier)	The water temperature should be below 20°C after running the water for up to two minutes	The water temperature should be at least 50°C within a minute of running the water	This check makes sure that the supply and return temperatures on each loop are unchanged, i.e. the loop is functioning as required
	If fitted, input to thermostatic mixing valves (TMV) on a sentinel basis		The water supply to the TMV temperature should be at least 50°C within a minute of running the water	One way of measuring this is to use a surface temperature probe 
	Water leaving and returning to calorifier		Outgoing water should be at least 60°C, return at least 50°C	If fitted, the thermometer pocket at the top of the calorifier and on the return leg are useful points for accurate temperature measurement. If installed, these measurements could be carried out and logged by a building management system.
Six Monthly	Incoming cold water inlet (at least once in the winter and once in summer)	The water should preferably be below 20°C at all times *		The most convenient place to measure is usually at the ball valve outlet to the cold water storage tank.
	Representative number of taps on a rotational basis	The water temperature should be 20°C after running the water for two minutes	The water temperature should be at least 50°C within a minute of running the water.	This check makes sure that the whole system is reaching satisfactory temperatures for legionella control
	Calorifier flush and sample		Hot water sample also ensure correct temperatures are present	Set up flexible hose to drain cock flush and sample.
2 yearly	Risk Assessments	Review risk assessments every 2 years and update accordingly, incorporating areas of remedial/maintenance works required.		