

Legionella Link

January 2008

Audit your cooling tower's risk management plan

Under the *Building Act 1993* there is a requirement to have an annual audit of the risk management plan. In an effort to improve compliance, the Department of Human Services plans to inspect sites without a current audit.

This *Legionella Link* answers your most common questions about the auditing process.



What is a risk management plan audit?

An audit is a document-based review to determine whether a risk management plan (RMP) has:

- (a) addressed the risks specified in the Building (Legionella Risk Management) Regulations 2001
- (b) been implemented during the audit period and
- (c) been reviewed at least once within the 12 months immediately before the audit.

The auditor is not required or encouraged to inspect the actual cooling tower.

What documents will the auditor require?

Organise all your documents before engaging an auditor. Good record keeping should ensure that all of the required documents are kept on site in accordance with the Health (Legionella) Regulations 2001 and are available for the audit. Make copies for the auditor and keep the originals on site.

You will need:

- the RMP for the cooling tower system, endorsed by the responsible person
- copies of all reviews conducted during the audit period, including changes made to the RMP, the date and reasons for the review
- service, inspection, testing, cleaning and other maintenance reports

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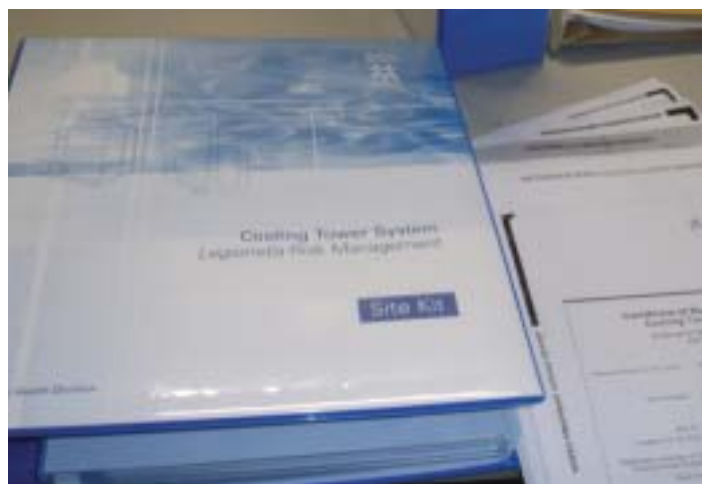
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- records of all repairs—as written reports, invoices or photographs of work completed
- microbiological test results for *Legionella* and heterotrophic colony count (HCC)
- dates and details of any cooling tower shut down periods
- letter granting approval under regulation 24 of the Health (Legionella) Regulations 2001 to vary the maintenance or record keeping (if applicable)
- documentation of a cooling tower's decommissioning (if applicable). *Note: If permanently decommissioned, an audit is not required.*

This information has been taken from the *Guidelines for auditing risk management plans for cooling tower systems*. Download it from: http://www.health.vic.gov.au/environment/downloads/audit_guidelines.pdf

How often are audits needed?

The *owner of the land* on which there is a cooling tower must ensure that an audit is conducted annually. The period of an audit should not be greater than 12 months. A tenant, or another agent who is more familiar with the operation of the cooling tower, may arrange the audit on the owner's behalf.

What is an independent auditor?

In accordance with the Building Act, auditors must be independent. They may not conduct an audit if there is a conflict of interest. This applies to:

- the person who owns the cooling tower system
- the person who owns the land on which the cooling tower stands
- the person who manages or controls the system
- the person involved in the construction or installation of the system
- the person involved in the maintenance or testing of the system during the audit period
- the person who wrote or assisted with the writing of the risk management plan for the system
- an employee or officer of someone who does any of the above to the system
- any other employee of the company who assisted in writing or preparing the risk management plan for the system.

How can I find an auditor?

The Building Act requires that only approved auditors conduct a risk management plan audit. To become an approved auditor, an individual must satisfactorily complete an approved training program and apply to the Secretary of the department for certification. A complete list of approved auditors is available on our website: www.health.vic.gov.au/environment/legionella/auditors



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How often are risk management plans reviewed?

The risk management plan must be reviewed at least once in every 12-month period, whenever there are changes to its operation, or when the risks have changed. The RMP may need modifying because of:

- changes to parts of the system (such as new plumbing)
- evidence that the system has been associated with a case of Legionnaires' disease
- changed environmental conditions, such as demolition or construction that generates dust near the cooling tower
- an event which will bring large number of people near the site
- an increase in number of vulnerable people near the cooling tower (such as a new aged care facility nearby)
- test results that show current measures are ineffective
- new information about risks or control measures.

The review should incorporate any changes to the system, maintenance, testing or the environment.



What happens after the audit?

The auditor must notify the department about the outcome of the audit and issue the site with an 'Audit Certificate'. The auditor must give the department a copy of this information within 7 days of completing the certificate.



What happens if I have a non-compliant audit?

When the department receives a copy of an audit certificate deemed non-compliant by the auditor, a letter is sent to the landowner as a 'please explain'. The landowner is then required to explain why the non-compliance occurred and what changes or initiatives have been implemented to address the issue(s). The department recognises that some issues may take time to rectify, so a realistic timeline must be developed to ensure the items are fully addressed in a timely manner.

A response is expected within 14 days from the date of the letter. You may wish to call the department to discuss your particular circumstances, but a written response will still be required within the set time frame. Failure to respond to the letter will result in a follow-up phone call and a visit from the department.

The written response will be assessed to determine whether the issues raised have been adequately addressed. In most cases, a letter and response is all that is required. There are cases, especially those that are potentially higher risk to the public, where a visit from the department may be necessary.

Who is responsible for having an audit completed?

It is the responsibility of the owner of the land to ensure that an audit of the risk management plan is conducted annually. Someone other than the landowner may commission the audit, but the landowner must confirm that the audit has been commissioned.

Audit your cooling tower's risk management plan (continued)

Why do people fail their audits?

In the past, this was generally due to a poorly written risk management plan and not addressing the five specified risks. These days it is often due to two major issues:

- lack of documentation
- failure to complete a review of the risk management plan in a timely fashion.

A major component of an audit is being able to provide the appropriate documentation to show the risk management plan has been implemented. This can be as minor as a misplaced service report, or as serious as missing a scheduled cleaning. It is important to have all documentation ready and available for the auditor, when the audit is due to begin. This makes it a much simpler and more straightforward process. Some actions have major public health impacts, and may be in breach of the Health (Legionella) Regulations 2001, which can result in penalties.

Failure to complete a review of the risk management plan in the 12 months prior to the end date of the audit period is another common reason for non-compliance. The legislation states that a review must be done at least every 12 months.

Although receiving a non-compliant risk management plan audit certificate will not shut down your business, it indicates to the department that there may be issues that may impact on public health.

Update your details with the Building Commission

It is very important that your cooling tower system details are up-to-date on the Register administered by the Building Commission. This Register is used when investigating cases of Legionnaires' disease.

Report within 30 days:

- any changes to the system
- site contact details
- landowner details
- decommissioning.

A 'details change' form can be downloaded from the Building Commission website at:

http://www.buildingcommission.com.au/resources/documents/CTS_details_change_form.pdf

Or, phone the Building Commission on 9285 6428 for a copy.