

# THE CONTROL OF LEGIONELLOSIS

## A RECOMMENDED CODE OF CONDUCT FOR SERVICE PROVIDERS

Legislative requirements for the control of legionellosis 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 legionellosis, all owner and operators of such systems have a responsibility to ensure that the risk is controlled and kept to an acceptable level. The HSC'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.

This Code of Conduct is intended to give guidance alone, on the standard of service that a Client should expect from those Service Providers who agree to abide by the Code. The responsibility for the prevention and control of legionellosis lies with the Client and the Service Provider.

The guidelines outlined in this document have been designed to help owner/operators select a competent service provider by highlighting seven critical areas and detailing the commitment that the owner/operator should expect from prospective service providers when making the competence assessment.



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## Conditions of Compliance

- 1 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.
- 2 Service providers should demonstrate and document a satisfactory level of competence of their staff\* in order to achieve the objectives of this document.
- 3 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.
- 4 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.
- 5 Adequate and up to date monitoring and treatment records should be kept. These should be readily available.
- 6 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.
- 7 Service providers should establish a formal internal auditing procedure for compliance with this document.

### **Definitions \***

#### **SERVICE PROVIDER**

Companies or individuals or their sub-contractors who are involved with providing:- advice, consultancy, operating, maintenance and management services or the supply of equipment or chemicals to the Client.

#### **CLIENT**

The owner or occupier of the premises, or his appointed representative, or other person nominated to be the "Responsible person" as defined in HSC document "Legionnaires' disease - The control of legionella bacteria in water systems, Approved Code of Practice and Guidance (L8)," [para 44] .

#### **STAFF**

Any person directly or indirectly employed in meeting the requirements of this document.

## **Service Provider Commitments**

### **1. Allocation of responsibilities**

The service provider will:

- explain in detail the client's obligations under the legionellosis legislation.
- identify those services covered by the contract and those which should be provided by the client to meet all current obligations.
- formalise a written agreement detailing the respective responsibilities for each requirement.

### **2. Training and competence of personnel**

The service provider will:

- arrange formal training programmes for service provider personnel associated with the control of legionella bacteria (See current CCA training matrix as a guide)
- have a system for assessing the competence of service provider staff, establishing their training needs and ensuring they are kept up to date with current best practice procedures.
- assist the client to assess training needs of staff and then where requested advise as to how these can be met

### **3. Control measures**

The service provider will:

- have a management system to assess the requirements and ensure an appropriate programme of control measures is designed, implemented monitored and maintained.
- have a system for verifying that corrective and preventive actions are implemented

### **4. Communication and management**

The service provider will:

- have management procedures to respond appropriately should the system operating conditions deviate from control criteria
- agree with the client how the service provider would communicate with the client's nominated personnel in the event of any necessary actions.
- bring to the client's attention any significant matters affecting the control of legionellosis of which he has become aware, beyond the responsibilities of the contract.

### **5. Record keeping**

The service provider will:

- indicate which records should be kept by both parties and where they will be kept.
- establish with the client who will be responsible for the maintenance of these records

### **6. Reviews**

The service provider will:

- establish a programme that will allow both parties to review formally, at least annually, all aspects of the agreement covering system management and the control of legionellosis.

### **7. Internal Auditing**

The service provider will:

- have a management system to ensure that Service Provider compliance with each of these Commitments is self-audited at least once a year and that a formal record is kept
- establish a corrective action programme so that any non-compliance identified is corrected in a timely manner

### **8. Distribution of the Code**

The service provider will:

- have a management system to ensure all clients to whom services are provided, associated with the control of legionella bacteria, are supplied with a copy of the Code of Conduct and certificate of Registration

***In the event that the client believes that a service provider has not complied with the Code of Conduct, he may write, with full details, to: Code of Conduct Secretariat, Office 6, Sir Robert Peel Mill Building, Tolson's Enterprise Park, Fazeley, Staffordshire B78 3QD.***

**It is a condition of compliance with this Code of Conduct that the service provider supplies a copy of the Code to every client, together with a copy of the Registration Certificate**

**B A C S**

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