



# LEGIONNAIRES' DISEASE

- **APPROVED CODE OF PRACTICE AND GUIDANCE**
- **RESPONSIBILITY OF CONTROL**
- **TECHNICAL GUIDANCE**

# Introduction

Legionellosis is a collective term for diseases caused by legionella bacteria including the most serious Legionnaires' disease, as well as the similar but less serious conditions of Pontiac fever and Lochgoilhead fever. Legionnaires' disease is a potentially fatal form of pneumonia and everyone is susceptible to infection. The risk increases with age but some people are at higher risk including:

- people over 45 years of age
- smokers and heavy drinkers
- people suffering from chronic respiratory or kidney disease
- diabetes, lung and heart disease
- anyone with an impaired immune system

The bacterium *Legionella pneumophila* and related bacteria are common in natural water sources such as rivers, lakes and reservoirs, but usually in low numbers. They may also be found in purpose-built water systems such as cooling towers, evaporative condensers, hot and cold-water systems and spa pools.

If conditions are favourable, the bacteria may grow increasing the risks of Legionnaires' disease and it is therefore important to control the risks by introducing appropriate measures outlined in [Legionnaires' disease - The Control of Legionella bacteria in water systems \(L8\)](#).



## Where does it come from?

Legionella bacteria are widespread in natural water systems, e.g. rivers and ponds. However, the conditions are rarely right for people to catch the disease from these sources. Outbreaks of the illness occur from exposure to legionella growing in purpose-built systems where water is maintained at a temperature high enough to encourage growth, e.g. cooling towers, evaporative condensers, hot and cold water systems and spa pools used in all sorts of premises (work and domestic).

## How do people get it?

People contract Legionnaires' disease by inhaling small droplets of water (aerosols), suspended in the air, containing the bacteria. Certain conditions increase the risk from legionella if:

- the water temperature in all or some parts of the system may be between 20-45 °C, which is suitable for growth
- it is possible for breathable water droplets to be created and dispersed e.g. aerosol created by a cooling tower, or water outlets where water is stored and/or re-circulated
- there are deposits that can support bacterial growth providing a source of nutrients for the organism e.g. rust, sludge, scale, organic matter and biofilms

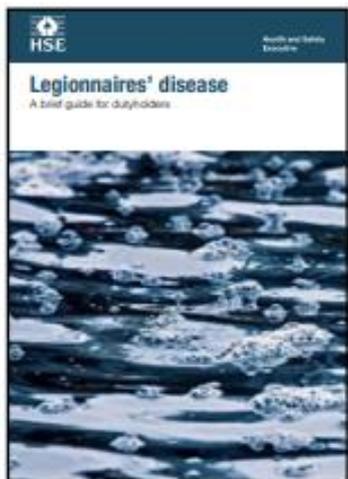


## Duty Holders

The Health and Safety Executive recommended the appointment of a responsible person to take day-to-day responsibility for controlling risks associated with legionella bacteria.

However, the revised Approved Code of Practice (ACOP) L8 Legionnaires' Disease. The Control of Legionella Bacteria in Water Systems changed this guidance and gave ACOP status to "the specific role of the appointed competent person, known as the responsible person".

Paragraph 48 of the ACOP states that where the assessment shows that there is a reasonably foreseeable risk associated with legionella bacteria, the duty holder should appoint "a competent person or persons to help undertake the measures needed to comply with the requirements in COSHH".



[Click photo to open guidance](#)

The accompanying guidance then details that this appointment is known as the "responsible person" and that the appointee should "take day-to-day responsibility for controlling any identified risk from legionella bacteria" and should have "sufficient authority, competence and knowledge of the installation" to ensure operational procedures are undertaken. In addition, the guidance notes that they must be properly trained to a level that ensures tasks are carried out in a safe, technically competent manner and should have a clear understanding of their role and the overall health and safety management structure and policy in the organisation.

The ACOP states that where the duty holder does not employ anyone with the necessary competence, they may need to appoint people from outside the organisation. In such circumstances, the duty holder should take all reasonable steps to ensure the competence of the people carrying out work who are not under their direct control and that responsibilities and lines of communication are properly established and clearly laid down.

ACOP status describes preferred or recommended methods that can be used to meet legislative compliance, and by following the advice the duty holder "will be doing enough to comply with the law in respect of those specific matters on which the Code gives advice". If a prosecution takes place and it is proved that the duty holder did not follow the relevant provisions of the Code, the duty holder will need to show that he or she complied with the law in some other way, otherwise a Court will find the duty holder at fault.



## Legionnaires' Disease Approved Code Of Practice And Guidance

The HSE revised and republished the ACOP L8 Legionnaires' Disease. The Control of Legionella Bacteria in Water Systems along with the accompanying guidance document HSG274 Legionnaires' Disease Technical Guidance.

This fourth edition of the ACOP L8 contains revisions to update, simplify and clarify the text. The main changes are removing Part 2, the technical guidance, which is published separately in HSG274, and giving the following issues ACOP status:

- Risk assessment
- The specific role of an appointed competent person, known as the "responsible person"
- The control scheme
- Review of control measures
- Duties and responsibilities of those involved in the supply of water systems.

HSG274 Legionnaires' Disease Technical Guidance, currently available online (<https://www.hse.gov.uk/pubns/books/hsg274.htm>) gives practical advice on the legal requirements of the Health and Safety at Work, etc Act 1974, the Control of Substances Hazardous to Health Regulations 2002 concerning the risk from exposure to legionella and compliance with the relevant parts of the Management of Health and Safety at Work Regulations 1999.

The guidance is in three parts;

- [Part 1: The control of legionella bacteria in evaporative cooling systems \(PDF\)](#)
- [Part 2: The control of legionella bacteria in hot and cold water systems \(PDF\)](#)
- [Part 3: The control of legionella bacteria in other risk systems \(PDF\)](#)





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