

Guidance

any further action, but it is important to review the assessment periodically, in case anything has changed.

47 The record of the assessment is a living document that must be reviewed to ensure it remains up-to-date. Arrange to review the assessment regularly and specifically whenever there is reason to suspect it is no longer valid. An indication of when to review the assessment and what to consider should be recorded. This may result from, eg:

- (a) changes to the water system or its use;
- (b) changes to the use of the building in which the water system is installed;
- (c) the availability of new information about risks or control measures;
- (d) the results of checks indicating that control measures are no longer effective;
- (e) changes to key personnel;
- (f) a case of legionnaires' disease/legionellosis associated with the system.

Managing the risk: Management responsibilities, training and competence

Regulation

COSHH, regulations 8 and 12; Management Regulations, regulations 5, 7, 10 and 13; HSW Act, sections 2, 3 and 4.

Summary

These Regulations require employers to take reasonable steps to ensure that any control measures are properly used and applied. They require employees to make full and proper use of those control measures. Employers are also required to have arrangements in place for the management of health and safety, to have access to competent health and safety advice and to provide employees with suitable and sufficient information, instruction, and training.

ACOP

48 If the assessment shows that there is a reasonably foreseeable risk and it is reasonably practicable to prevent exposure or control the risk from exposure, the dutyholder under paragraph 28 should appoint a competent person or persons to help undertake the measures needed to comply with the requirements in COSHH. The appointed competent person or persons should have sufficient authority, competence and knowledge of the installation to ensure that all operational procedures are carried out in a timely and effective manner. Where the dutyholder does not employ anyone with the necessary competence, they may need to appoint people from outside the organisation. In such circumstances, the dutyholder should take all reasonable steps to ensure the competence of those carrying out work who are not under their direct control and that responsibilities and lines of communication are properly established and clearly laid down.

49 Those appointed under paragraph 48 to carry out the risk assessment and draw up and implement precautionary measures should have such ability, experience, instruction, information, training and resources to enable them to carry out their tasks competently and safely. In particular, they should know the:

- (a) potential sources of legionella bacteria and the risks they present;**
- (b) measures to adopt, including the precautions to take to protect the people concerned, and their significance;**