

Please note this now forms one of the Conditions of Compliance and must be included in your Statement of Compliance.

Requirements relating to sub-contract services

It is a requirement that if a company wishes to include any of the legionella specific activities listed below in their scope of services they must either do it themselves, sub-contract it to an LCA member, or, where a sub-contractor is not registered, create additional procedures which ensure that by using their services the service provider is still complying with the LCA's Code of Conduct. Any additional controls and audits should be reflected in your Statement of Compliance as indicated in the Guidance Note on Preparation for a Statement of Compliance. Where a service is sub-contracted the registered company will be required to provide details of the organisations that will be used. Evidence of subcontractor's competence should be checked prior to commencement of work.

Legionella specific activities:

- Legionella Risk Assessment Services
- Water Treatment Services
- Hot and Cold Water Monitoring and Inspection Services
- Cleaning and Disinfection Services
- Independent Consultancy Services
- Training Services
- Legionella Analytical Services
- Plant and Equipment Services
- Facilities Management Services

Definition of a sub-contractor

For the purposes of LCA registration, a sub-contractor is a company or an individual who carries out unsupervised work on your behalf, specifically associated with the control of legionella.

In the case of self-employed individuals, the test as to whether they need to be treated as a sub-contractor or treated as an internal member of staff is whether the methodology employed is theirs or yours, e.g. a self-employed risk assessor using your methodology, trained by you and whose work you review is not a sub-contractor, whereas one who has been independently trained and who uses methodology that you haven't devised is a sub-contractor.

Note 1: In the example above, the LCA member employing a self-employed risk assessor would be responsible for assessing and evidencing the competence of that self-employed risk assessor. Any operative treated as internal staff must be covered by your competence assessment process.

Note 2: Section 8 of the LCA Conditions of Compliance requires that the principal LCA member implements additional controls and audits on a sub-contractor, whether or not that sub-contractor is registered under the LCA.