

## Legislation and Guidance

Appendix C of TR/19 Second Edition provides information of legislation and guidance that is relevant to the internal cleanliness of ventilation systems. Please see the excerpts below.

- C.1** Legislation and guidance on standards in buildings is largely orientated towards the design and construction of buildings and associated systems. Increasingly the proper maintenance of building systems is recognised as crucial to the healthy, economic and safe operation of occupied spaces.

Relevant legislation and guidance includes but is not restricted to the following.

- C.2** **Health and Safety at Work Act 1974** lays down that employers or persons concerned with premises owe the “common duty of care” both to employers and others who may use or visit the premises. They are required to exercise this duty “so far as is reasonably practical”.

- C.3** **The Control of Substances Hazardous to Health (COSHH) Regulations.** This requires an employer to make a formal assessment of health risk from hazardous substances, which includes human pathogens or any dusts present in substantial quantities in the air. Regulation 7 (1) requires the employer to prevent exposure of his employees to substances hazardous to health, or where this is not practicable, to ensure that any exposure is adequately controlled.

Under these Regulations, local exhaust ventilation systems dealing with hazardous substances are required to be checked regularly to ensure they are performing efficiently. See HSG258 Controlling airborne contaminants at work. See also HSE SR27 Controlling cooking fumes.

- C.4** **The Occupiers’ Liability Act 1984** imposes a duty of care on an occupier of premises to prevent (so far as reasonably practicable) risk to others of injury, which includes any disease and impairment of physical or mental condition.

- C.5** **The Workplace (Health, Safety and Welfare) Regulations 1992 (L24) Regulation 6 for Ventilation states that:** Effective and suitable provision shall be made to ensure that every enclosed workplace is ventilated by a sufficient quantity of fresh or purified air remains intact.

The associated Approved Code of Practice gives ‘practical advice on how to comply with the law’. For ventilation, it states in ACOP6 (52); Regulation 6, that mechanical ventilation systems (including air-conditioning systems) should be regularly and adequately cleaned. They should also be properly tested and maintained to ensure that they are kept clean and free from anything which may contaminate the air.

The associated ACOP5 (41) Regulation 5, has been revised and reads: An ‘efficient state’ means that the workplace and the equipment, devices and systems mentioned in these Regulations should be free of faults likely to affect the health, safety or welfare of workers and provide an adequate level of hygiene. If a potentially dangerous defect is discovered, the defect should be rectified.

Guidance 6 (58) reminds that some ventilation systems are water based and that suitable Legionella precautions need to be taken in line with L8 Legionnaires disease Approved code of Practice and Guidance The Control of Legionella Bacteria in Water Systems.

- C.6** The Management of Health and Safety at Work Regulations 1997: require employers to carry out risk assessments, make arrangements to implement necessary measures, appoint competent people and arrange for appropriate information and training. .
- C.7** **Health and Safety Executive: HSG202 General Ventilation in the Workplace Guidance for Employers** describes general ventilation and fresh air requirements for ordinary workplaces. It restates the legal requirements and cites the B&ES and CIBSE as able to provide information on testing for likely contaminants in ductwork and on cleaning.
- C.8** **The Regulatory Reform (Fire Safety) Order 2005** requires measures to reduce the risk of fire on the premises and the risk of the spread of fire on the premises.
- C.9** **BS9999:2008 Code of Practice for Fire Safety in the Design, Management and Use of Buildings** lays out all aspects of fire safety strategy.
- C.10** **Sick Building Syndrome Health and Safety Executive Guidance Note HS(G) 132** gives guidance on how to deal with sick building syndrome.
- C.11** **Legionnaires Disease – the HSE Approved Code of Practice L8** gives guidance on how to deal with the control of legionellosis including legionnaire’s disease.

**C.12 Ventilation for buildings – ductwork and hangers and supports – requirements for strength BS EN 12236 2002** gives guidance on requirements for strength requirements to support additional weight during the cleaning process.

**C.13 Cleanliness of Ventilation Systems BS EN 15780** gives guidance on surface cleanliness testing and standards of cleanliness to be achieved in various quality classes and for new, used and cleaning ductwork.

*Extract from B&ES TR/19 Second Edition: Internal Cleanliness of Ventilation Systems (2013) Pgs. 49 & 50*