

Terms & Conditions of Purchase

This Quote constitutes an offer by SMS Environmental Ltd to provide goods or services in accordance with these Terms & Conditions of Purchase, the Quote, and the Terms and Conditions of Sale.

In accepting this Quote, you are agreeing to the terms therein, the Terms & Conditions of Purchase, and the Terms and Conditions of Sale.

All prices quoted are excluding VAT which will be charged at the current rate. Payment terms are strictly 30 days.

This Quote, when accepted, forms part of a written agreement identifying goods and/or services to be covered by SMS Environmental Ltd and indicates those which should be provided by the service user to comply with the Law, Regulation, ACoP and the LCA standards for service delivery and it supports any tender applications and contracts. Please see HSE Legionnaires' disease: A brief guide for dutyholders <https://www.hse.gov.uk/pubns/indg458.htm> for further guidance

Any Trade Effluent Application remains the responsibility of the client, not SMS Environmental.

All works quoted are for normal working hours unless stated otherwise. This is a quotation on the goods named, subject to the conditions noted below. All goods supplied remain the property of the Company until paid for in full.

SMS Environmental reserves the right to charge an Abortive Visit Charge if the engineer arrives on site within the appointed time slot but is unable to carry out work through no fault of SMS Environmental, either because they do not have access or an escort is not available or the customer is not ready for the work to be completed etc.

SMS Environmental does not, and will not, sub contract any work surrounding the provision of Legionella Risk Assessments and associated services.

Terms reviewed 28/03/2025

Standards of Service and Applicable Guidance

Please note, the Client has a statutory obligation to comply with The Health and Safety at Work, etc. Act 1974, Control of Substances Hazardous to Health Regulations 2002 (COSHH), Management of Health and Safety at Work Regulations 1999 (MHSWR), The Notification of Cooling Towers and Evaporative Condensers

Regulations 1992 and must retain all service records and supporting documentation. Additional guidance documents include ACoP L8, HSG274, BS8580-1:2019, HTM 04-01, HTM 01-05, HSG220 and HSG282. The Client has a statutory obligation to retain service records for 5 years from the date of expiry of the contract. Records should include details about the person or people responsible for conducting the risk assessment, managing, and implementing the written scheme; any significant findings of the risk assessment; the written control scheme and its implementation; the results of any inspection, test or check carried out, and the dates. This should include details about the state of operation of the system, i.e. in use/not in use and should be retained for at least five years. All records should be retained throughout the period for which they remain current and for at least two years after that period. SMS Environmental keeps records of services and associated documents for a period of at least seven years. These records are kept on Opuz and are available to the Client throughout the contract period and available on request after the expiry of the contract.

Legionella Risk Assessments conducted on Hot & Cold water systems, Cooling Towers, Spa Pools and other risk systems are carried out in accordance with our ISO 17020 UKAS accreditation, all other works fall outside the scope of the accreditation. All services provided within the scope of control of legionella are registered with the LCA. In accordance with HSE ACoP L8, all water sampling analysis is contracted to UKAS accredited laboratories.

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The Legionella Control Association - Service Standards

In order to comply with Section D of the LCA's Service Standards, there is certain information that we must tell our customers. This information, for all of the services for which we are registered with the LCA, is below.

It is the responsibility of the responsible person/duty holder to:

- Ensure that there is in place and regularly reviewed, a legionella risk assessment in place that includes all systems where water is stored or used in any premises controlled by them
- Have a written scheme of control and schematic diagram in place, covering a programme of treatment, monitoring, and inspection. Maintain this written scheme, and ensure outputs are recorded for use in any subsequent review of risk.
- Implement or complete any corrective actions or control measures arising from a legionella risk assessment, or record why any actions were not taken
- Maintain the water and the system in a clean condition

- Have suitably trained and competent personnel complete any monitoring or control scheme tasks that are not the responsibility of another company
- Ensure that regular reviews on the effectiveness of the legionella control activities are completed to verify that the written scheme of control remains adequate. Review the risk assessment where this is not the case.
- Have change management or regular review procedures in place to determine if the existing risk assessment is suitable, sufficient, and valid. Reassess the risks where this is not the case.
- Participate in any review processes that are agreed or required
- Provide or facilitate SMS with sufficient information to complete the works required, including historic and current information regarding the layout, outlets, and inspection history of the system and site
- Advise SMS on any known redundant pipework and deadlegs
- Provide SMS with safe and suitable access in good time to all areas of the system that are within scope of the work being completed, to enable us to complete the works required. Complete any preparatory work required.
- Inform SMS of any known risks or safety requirements that our employees may be exposed to
- Make reasonable enquiries into the competence of the legionella risk assessor
- Clearly define the scope of the works required, the objectives of the work, and agree the expectations regarding the completion of work (such as level of detail in a consultancy report), and act upon the outcome of any work
- Assess and review the training needs of their staff. Identify further training needs. Complete regular competence assessments of their staff. Determine the suitability of any training offered to them
- Ensure any necessary trade effluent discharge consent is in place
- Supply any and all records detailed above that are relevant and required by SMS, in order to aid us in completing the work required to a suitable and sufficient standard