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Genesis fined £12,000 over Legionnaires' outbreak

4 June 2010 | By Isabel Hardman

Genesis Housing Group has been fined £12,000 after an outbreak of Legionnaires' disease at one of its sheltered housing schemes.

The housing association pleaded guilty this morning at Basildon Magistrates' Court to a breach of the Health and Safety at Work Act at Grevatt Lodge care home in Pitsea between September 2004 and October 2007, which led to one resident being hospitalised by Legionnaires' disease.

Eileen Todd, 77, was taken to Basildon and Thurrock hospital in September 2007, where doctors discovered she was suffering from Legionnaires'.

She was treated and discharged but she died on 25 November, although she had other underlying health problems and did not die of the disease itself.

The council took legal action when it discovered that Genesis did not have a suitable risk assessment in place at Grevatt Lodge between 2004 and 2007.

Representing the council, Robert Hunter said the group had commissioned specialist legionella consultants Amphibia to carry out an investigation in 2006.

Amphibia found a number of problems with Grevatt Lodge's water system which staff should have addressed immediately. But staff at Grevatt Lodge did not receive the risk assessment until mid-2007.

Stephen Climie, representing Genesis, said staff had assumed there were no problems with the water system, as Amphibia had not contacted them. However, he said the group accepted that it was their duty to chase the risk assessment and to check whether any urgent action needed to be taken.

Magistrate Michael Bilton fined the group £18,000, which was reduced to £12,000 on account of its guilty plea. He also ordered

them to pay costs to Basildon Council totalling £17,147.33.

Colin Conboy, head of health and safety at Genesis, said: 'We have spent the past two years discussing these matters with Basildon District Council and have spent a great deal of time demonstrating the meticulous commitment that we make to health and safety in our properties.

'It is very disappointing that Basildon District Council has taken more than two years to bring a charge in respect of matters that occurred between four and six years ago.'

Doctors treating Ms Todd said there was a possibility that contracting the disease had accelerated her death but Basildon District Council, who brought the prosecution, said there was no allegation that Genesis had caused or contributed to her death.

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and who is the fine going to hurt? To pay for it Genesis will cut a service or part of a service to their tenants, and so the victims, on top of being victims, will end up paying the fine for the responsible who caused this to happen.

another fine example of justice social tenants have to cope with every day of their lives. I sympathize with the victims and family of the victims and I hope they can take their cases in the courts or start campaign for real justice and never stop until they get it.
