



Nicola Jane Mundy
Senior Coroner for South Yorkshire (East District)

	REGULATION 28 REPORT TO PREVENT FUTURE DEATHS THIS REPORT IS BEING SENT TO:
1	CORONER I am Nicola Jane Mundy, Senior Coroner for South Yorkshire (East District)
2	CORONER'S LEGAL POWERS I make this report under paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013. http://www.legislation.gov.uk/ukpga/2009/25/schedule/5/paragraph/7 http://www.legislation.gov.uk/uksi/2013/1629/part/7/made
3	INVESTIGATION and INQUEST On Monday 5 th January 2015 I commenced an investigation into the death of Margaret Elsie Clarke, age 77. The investigation concluded at the end of the inquest on Friday 9 th January 2015. The conclusion of the inquest was 1a. Myocardial Infarction 1b. Legionella Pneumonia. It was the unanimous conclusion of the Jury that on the 14 th March 2013 Mrs Margaret Elsie Clarke, date of birth 19.10.1935 attended Elements Spa, Rotherham, where she contracted Legionella Pneumophillia, this led to her being admitted to Doncaster Royal Infirmary where she died on 27 th March 2013.
4	CIRCUMSTANCES OF THE DEATH Mrs Margaret Elsie Clarke and her husband visited the Elements Spa in Rotherham on the 14 th March 2013 where they used a number of their facilities including a rain shower. Some days after visiting the spa, whilst in the incubation period for Legionella Mrs Clarke became ill, was admitted to the Doncaster Royal Infirmary on the 22 nd March where she passed away on the 27 th . Her cause of death was myocardial infarction due to Legionella Pneumonia. Testing of samples taken from Mrs Clarke and water samples from the spa revealed identical isolates in terms of the Legionella strain and a Consultant Clinical Scientist said that the isolates were indistinguishable. During the course of the inquest reference was made to ACOP L8 which deals with Legionella control measures where it was noted that there was no advice or guidance provided with regard to effective cleaning of fixed shower heads. During the course of the evidence I also heard that fixed shower heads (of the type used at the Elements Spa where Legionella was detected) have become increasingly common over the recent years. I am informed that they are popular in premises such as spas, health centres etc and to reduce the incidence of theft they are often fixed and cannot be dismantled for cleaning by way of immersion in appropriate liquid. Given that Legionella was detected in the fixed head of the rain shower of the Elements Spa, the evidence I heard in connection with this and the increased incidents of these types of showers being used in public places it would seem prudent to give consideration as to how such fixed shower heads can be effectively cleaned to reduce the risk of Legionella and to incorporate appropriate guidance

5	<p><u>CORONER'S CONCERNS</u></p> <p>During the course of the inquest the evidence revealed matters giving rise to concern. In my opinion there is a risk that future deaths will occur unless action is taken. In the circumstances it is my statutory duty to report to you.</p> <p>The MATTERS OF CONCERN are as follows. –</p> <p>(1) There is no guidance for effective cleaning of fixed shower heads increasingly used in private and public leisure facilities.</p>
6	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe you have the power to take such action.</p>
7	<p>YOUR RESPONSE</p> <p>You are under a duty to respond to this report within 56 days of the date of this report, namely by 06 March 2015. I, the coroner, may extend the period.</p> <p>Your response must contain details of action taken or proposed to be taken, setting out the timetable for action. Otherwise you must explain why no action is proposed.</p>
8	<p>COPIES and PUBLICATION</p> <p>I have sent a copy of my report to [REDACTED] and to the following Interested Persons: Elements Spa, Rotherham MBC, and Water Treatment Products Ltd. I have also sent it to who may find it useful or of interest.</p> <p>I am also under a duty to send the Chief Coroner a copy of your response.</p> <p>The Chief Coroner may publish either or both in a complete or redacted or summary form. He may send a copy of this report to any person who he believes may find it useful or of interest. You may make representations to me, the coroner, at the time of your response, about the release or the publication of your response by the Chief Coroner.</p>
9	<p>Dated 09 February 2015</p> <p>Signature _____ Senior Coroner for South Yorkshire (East District)</p>