

**Occupational Hygiene Safety Consultants**

Asbestos Consultants  
Noise Exposure Assessments  
Legionella & Water Hygiene Services  
Indoor Air Quality & Workplace Exposure

**Legionella Compliance for Residential Landlords  
HSG274 Synopsis April 2014**





## Residential Lettings Now Require Legionella Risk Assessments

### What's required to meet the law?

Landlords who provide residential accommodation, as the person in control of the premises or responsible for the water systems in their premises, have a legal duty to ensure that the risk of exposure of tenants to legionella is properly assessed and controlled. They can carry out a risk assessment themselves if they are competent, or employ somebody who is.

All water systems require a risk assessment but not all systems require elaborate control measures. For residential settings a simple risk assessment may show that there are no real risks from legionella, in which case no further action may be necessary, eg housing units with small domestic-type

water systems where water turnover is high.

On the other hand if the assessment shows there are risks, implementing appropriate measures will prevent or control these risks to ensure they are properly managed and comply with the law.

It is important to review the assessment periodically in case anything changes in the system. However, the frequency of inspection and maintenance will depend on the system and the risks it presents.

The responsible person appointed to implement the control measures and strategies should be suitably informed, instructed and trained and their suitability assessed.



# New Responsibilities for Letting Agents, Landlords & Housing Associations



## Landlords Responsibilities

Landlords should inform tenants of the potential risk of exposure to legionella and its consequences and advise on any actions arising from the findings of the risk assessment, where appropriate. Tenants should be advised to inform the landlord if the hot water is not heating properly or if there are any other problems with the system, so that appropriate action can be taken.

It may be impractical to risk assess every individual residential unit, eg where there are a significant number of units under the control of the landlord, such as Housing Associations or Councils. In such cases, a representative proportion of the premises for which they have responsibility should initially be assessed, on the basis of similar design, size, age and water supply, with the entire estate eventually assessed on a rolling programme of work.

Where a managing (or letting) agent is used, the management contract should clearly specify who has responsibility for

maintenance and safety checks, including managing the risk from legionella. Where there is no contract or agreement in place or it does not specify who has responsibility, the duty is placed on whoever has control of the premises and the water system in it, and in most cases, this will be the landlord themselves.

Additionally those who have, to any extent, control of premises for work-related activities or the water systems in the building, have a responsibility to those who are not their employees, but who use those premises. A suitable and sufficient assessment must be carried out to identify, assess and properly control the risk of exposure to legionella bacteria from work activities and the water systems on the premises.

For further information and a copy of the full HSE guidance:

<http://www.hse.gov.uk/pubns/priced/hsg274part2.pdf>



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