

Landlord Legionella Guidance.

Following updated Government guidance, landlords Legionella responsibilities are now clearer and are outlined below.

What does the law say?

- The Health and Safety Executive (HSE) states: “There is a legal duty for landlords to assess and control the risk of exposure to legionella bacteria”.
- Section 3(2) of the Health and Safety at Work Act 1974 means that any relevant health and safety legislation places a duty of care on landlord for the health and safety of their tenants.
- Landlords must assess and control the risk of tenants being exposed to Legionella.
- This does not require an in-depth detailed assessment.
- The HSE does not recognise a ‘Legionella test certificate’ and health and safety law does not require landlords to obtain or produce one.

Testing requirements

- Most landlords can assess the risk themselves and do not need to be professionally trained.
- However, landlords can arrange for a competent person to carry out the assessment if they wish.

Control measures

To protect against Legionella, landlords should take the following control measures:

- “Flush out” the water system before letting the property (see tenant guidance).
- Make sure cold water tanks have a tight lid to stop debris getting into the system.
- Set control parameters to make sure water is stored at the correct temperature.
 - The hot water should be set so that the water is heated up to 60°C.
- Remove any unused pipework.

Tenants should be informed of all control measures.

Water services should be operated at temperatures that prevent Legionella growth:

- Hot water storage cylinders (“calorifiers”) should store water at 60°C or higher
- Hot water should be distributed at 50°C or higher (thermostatic mixer valves need to be fitted as close as possible to outlets, where a scald risk is identified).
- Cold water should be stored and distributed below 20°C.

Some other steps that can be taken if appropriate, to minimise Legionella growth:

- keeping pipe work as short and direct as possible;
- adequately insulating pipes and tanks;
- using materials that do not encourage the growth of Legionella;
- preventing contamination, eg by fitting tanks with lids and insect screens.

Record keeping

- Records of any assessments should be kept.
- Follow up checks need to be carried out periodically, such as when undertaking the annual gas safety check or routine maintenance visits.

As a result of this updated guidance, we will:

- Update all landlords (this guidance document)
- Update all Tenants (and we will include Legionella information in new tenancy agreements)
- Offer the following optional services (with example charges):
 - Ask plumbers to perform basic Legionella checks when doing Gas Safety Checks (extra £20 to check water tank)
 - Ask plumbers to perform basic Legionella checks when doing maintenance on properties without Gas (extra £20)
 - Plumber visit just to perform Basic Legionella Checks (£50)
 - Pre Tenancy – Water “Flush Out” (as is now recommended) – (Standard Charge £30)

Optional Services Notes:

1. Legionella Checks are Check Cold Water Tank Cover, Check / Set Hot Water temperature settings and Quick Check for any obvious visible unused pipework.
2. Hot Water temperature settings should have been correctly set by installers / plumbers.
3. Example plumber charges are quoted by Jerome the plumber.
4. You can decide about the optional services at the time of the next Gas Safety or Plumber Maintenance Visit or New Tenant Check in.
5. If you decide you want a plumber to do special visit just for Legionella Checks please let us know.

Please also find attached:

- HSE Guidance extract - Residential accommodation: Landlords
- Tenant Guidance – which includes information on Legionella and tenant responsibilities