

# Legal standards for landlords

## **Legionnaires Disease – The control of legionella bacteria in water systems.**

Legionnaires Disease can be life threatening and is caused by a bacteria linked with man made water systems such as tanks, pipes and showers and where the water is subject to particular conditions of temperature and irregular use. Landlords have a duty to carry out a risk assessment of the water systems in the tenancy and are required to abide by the Health and Safety Executive code of practice to identify any risks and a course of action to manage the risk.

The Health & Safety Executive (HSE) have an Approved Code of Practice and Guidance as regards Legionnaires Disease. The Code can be found at [www.hse.gov.uk/pubns/priced/l8.pdf](http://www.hse.gov.uk/pubns/priced/l8.pdf). This confirms that private landlords have a duty to carry out risk assessments on water systems in their properties.

The Code requires private landlords to carry out:

- a risk assessment to identify and assess potential sources of exposure, and thereafter, where a risk has been identified
- to introduce a course of action to prevent or control any identified risk.

The risk assessment can be carried out by the landlord himself if he is competent to do so, or alternatively can be done by a suitably qualified third party. The ultimate responsibility remains with the landlord, even where he employs a letting agent to manage the property on his behalf.

Legionnaires Disease is potentially a fatal lung infection caused when individuals inhale legionella bacteria. The bacteria can exist in any man made water systems eg water storage systems, taps, pipework etc. Issues to be considered when carrying out a risk assessment include:-

- Where water is stored between 20 & 45 degrees
- Where there is stagnant water in any area of the water system
- Where there is rust, sludge, scale or organic mater in the water system
- Whether there are any outlets which are not frequently used, for example showers or taps in second bathrooms
- Where tenants are particularly at risk due to age, illness or weakened immunity.

You must regularly review the risk assessment and keep records of same. Where risks are identified, you must take appropriate action.