

Residential Property – Legionella control and preservation of water quality

Property Managers of residential blocks have the challenge of water management in a building over which they do not have complete control. Stagnation in a vacant or little-occupied flat is more than a problem for its residents, as Legionella growth in one part of the system can spread to other properties within the building.

The duties on property managers are detailed in the following extracts from HSG274 part 2, HSE's guidance on Legionella control:

Residential accommodation: Landlords

2.138 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. This duty extends to residents, guests, tenants and customers. They can carry out a risk assessment themselves if they are competent, or employ somebody who is.

2.139 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.

2.141 For most residential settings, the risk assessment may show the risks are low, in which case no further action may be necessary, eg housing units with small domestic-type water systems where water turnover is high. If the assessment shows the risks are insignificant and are being properly managed to comply with the law, no further action may be required, but 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.

2.142 Simple control measures can help manage the risk of exposure to legionella and should be maintained, such as:

- flushing out the system before letting the property;
- avoiding debris getting into the system (eg ensure the cold water tanks, where fitted, have a tight-fitting lid);
- setting control parameters (eg setting the temperature of the calorifier to ensure water is stored at 60°C);
- making sure any redundant pipework identified is removed;
- advising tenants to regularly clean and disinfect showerheads.

2.143 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.

2.144 The risk may increase where the property is unoccupied for a short period. It is important that water is not allowed to stagnate within the water system and so dwellings that are vacant for extended periods should be managed carefully. As a general principle, outlets on hot and cold water systems should be used at least once a week to maintain a degree of water flow and minimise the chances of stagnation. To manage the risks during non-occupancy, consider implementing a suitable flushing regime or other measures, such as draining the system if the dwelling is to remain vacant for long periods.