

Health and Safety Advice

The Furniture and Furnishings Fire Safety Regulations 1988 (as amended in 1989 and 1993)

These regulations require cover fabric and filling material of all upholstered furniture to be made of fire-resistant material and to pass the "smouldering test" and "match flame" resistant test. They must also carry a permanent label confirming this. Items that must comply include all soft furnishings, upholstered furnishings, bed bases, mattresses, headboards, pillows, cushions and permanent or loose covers etc. Exempt items are antique furniture or any furniture manufactured prior to 1950. The penalty for non-compliance is a fine and/or imprisonment.

Gas Safety Installation and Use Regulations 1998

These regulations state that any landlord must ensure that all gas appliances and equipment are checked by a qualified CORGI-registered engineer prior to a let and annually thereafter. If the engineer is satisfied that the installation meets with current legislation, a Gas Safety Record will be issued, a copy of which must be given to the tenants prior to commencement of the tenancy.

The minimum penalty for non-compliance is a fine but this, of course, could be far greater if a fatality occurs as a breach of the legislation. It should be noted that an annual service of equipment and appliances does not in itself satisfy current legislation. It is essential to have a landlord's Gas Safety Record.

Electrical wiring and installations

A landlord has a duty to ensure that any items supplied as part of a let property are not dangerous. This includes the mains supply. Therefore, appropriate ongoing checks should be scheduled and kept up to date, and detailed written records should be maintained of makes, serial numbers, condition and dates of tests. Any equipment identified as being potentially unsafe or showing obvious defects should be immediately repaired or removed and replaced.

In order to fully comply with the regulations and protect both your tenant and yourself, we recommend thorough five-yearly checks of electrical installations, and these should be completed in addition to annual fixed wiring short reports and annual portable appliance tests.

In accordance with Part P Building Regulations (Electrical Safety in Dwellings), works, repairs, maintenance etc on electrical installations must be carried out by a Competent Person who is registered with an approved Competent Persons Scheme. Electrical work carried out by unregistered contractors will need to be signed off and certified by the local authority building inspector.

Electrical Equipment (Safety) Regulations 1994

These regulations state that any electrical items supplied by a landlord should be safe and tested by a qualified electrician. They are enforced by the Trading Standards Office for a landlord's protection and that of their tenants and must be complied with. Items that are affected include all portable appliances as well as fixed appliances like cookers and immersion heaters. The penalty for non-compliance is a fine or imprisonment. The penalty would be severe if a fatality had occurred.

Carbon monoxide

Carbon monoxide is produced by all appliances using fuel of any kind and these appliances must be checked regularly for safety. It is recommended that carbon monoxide detectors be installed in the property as an additional safeguard.

Smoke detectors

Building Regulations state that all new homes (built after June 1992) be fitted with mains-operated smoke detectors and these should be installed on each floor and be interlinked. We advise landlords of all properties to do this, as any death caused by fire in a rented property without smoke detectors is open to conviction on the basis of manslaughter.