

Ms ME Hassell  
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Reference

Engagement & Policy Division

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Deputy Director:

Date 10<sup>th</sup> February 2025

Dear Ms Hassell

#### **PREVENTION OF FUTURE DEATHS REPORT: FEHIM AHMET**

I am writing in response to your Regulation 28: Prevention of Future Deaths report of 1 December 2024 following the investigation into the death of Fehim Ahmet in July 2024. This was a tragic incident, and I would like to offer my condolences to the family of Mr Ahmet.

In your report you raise as a matter of concern that as industry standard, there is no requirement or even guidance regarding action to be taken by estate agents about particular property hazards, say noting on the property file to warn tenants about a flat roof that is easily accessible via a window but is not in fact safe to access. Such information is not automatically passed on when tenants change and is not necessarily enshrined in the tenancy agreement.

HSE is Britain's national independent regulator for workplace health and safety. We work to ensure people feel safe where they live, where they work and in their environment by providing worker protection and public assurance.

Under the Health and Safety at Work etc. Act 1974 (HSWA) and associated regulations letting agents have duties to protect their employees, and others, from risks arising from their work activities. This includes a duty under Section 3 of HSWA to conduct their undertaking in such a way as to ensure, so far as reasonably practicable, that persons not in their employment are not exposed to risks to their health and safety. They are furthermore required by the Management of Health and Safety Regulations 1999 to make a suitable and sufficient assessment of the risks to the health and safety of persons not in their employment arising out of or in connection with the conduct of their undertaking.

Those in control of areas that are not safe to access will have duties with respect to those areas which may include preventing unauthorised access, particularly where such access is known to be taking place. In most cases a letting agent's undertaking is unlikely to extend to areas outwith the property being let or managing the behaviour of tenants or their guests. The letting industry may however wish to consider whether it would be good practice for letting agents to pass on information about risks beyond the scope of their undertaking and issue guidance addressing this point.

I hope you find this information useful.

Yours sincerely



**Head of Local Authority and Safety Unit**