



British Occupational
Hygiene Society

The Chartered Society for Worker Health Protection

Civil Liability and Legionella

Professor Kevin Bampton, CEO BOHS,
Chair, UK Council for Work & Health

Duty of Care

People who get ill

People who are related to people who get ill

Businesses affected by reputational or service interruptions

...and now

Armsted v Royal Sun Alliance

others with no proprietary interest...

Beyond COSHH

Same standard as required by L8, but L8 compliance not a defence to civil liability

In addition to employers' duties and section 3 duties

...liability to anyone who should be in reasonable contemplation

...liability for consequences not giving rise to damage to health

...liability of parties who are not duty-holders

...liability for legionella proliferation in empty or unused buildings

Liability can be contracted to third parties

Causation

Res Ipsa Loquitur

Novus Actus Interveniens

Volenti Non Fit Injuria