



Protect Duty

In the recent Queen's speech, the Government announced they would be introducing a draft terrorism bill called Protect Duty. The implications of the legislation could be far reaching, possibly affecting tens of thousands (if not more) businesses throughout the UK

What is Protect Duty?

Currently there is no legislative requirement for organisations to consider or employ security measures to counter terrorism at the vast majority of public places or spaces. However, following the Martyn's Law campaign by Figen Murray, the mother of Martyn Hett, who died in the Manchester Arena attack, the Government resolved to improve safety and security at publicly accessible locations, venues and sites.

This legislation will enhance the protection of the UK's Publicly Accessible Locations (PALs) from terrorist attacks and ensure that businesses and organisations are adequately prepared to deal with incidents.

It will establish a new framework which requires those responsible for the control and operation of public locations and venues to consider the threat from terrorism and implement appropriate and proportionate mitigation measures. It may also deliver an inspection and enforcement regime, which will seek to educate, advise, and ensure compliance with the Duty.

Are you Protect Duty prepared?

Whilst many businesses include the safety of staff and customers in their health and safety risk assessments, often these are not terrorism specific scenarios. The new legislation, likely to become law towards the end of 2022 early 2023 will address this shortfall.

UK businesses in publicly accessible locations will be required to understand the risk of terrorism to their business and identify actions required to address the risk. Businesses will need to ensure their plans and countermeasures are proportionate and appropriate to the threat. It is unclear yet which businesses will fall into the scope of the legislation, however it is important that people are aware of what the expectations may be and what changes they may need to make.

Owners, operators and those responsible for delivering risk management and security at publicly accessible locations may be responsible for taking measures to ensure the site is Protect Duty compliant. In this situation it is important to understand where the risk management responsibilities lie between the property owner, the tenant, property manager, event organiser or the business operator.

What can you do?

The current interim period prior to the introduction of Protect Duty provides an opportunity for businesses to proactively re-evaluate their security procedures and pre-emptively improve mitigations prior to the new legislation becoming law. They can do this by:

- a) building an understanding of the threat of terrorism; and
- b) identifying and addressing vulnerabilities in light of a terrorism risk assessment



Understanding the threat

Simple guidance about what to look for and where to report suspicious activity can also have a great impact. The Centre for the Protection of National Infrastructure (CPNI) have developed a free short training programme called [See, Check and Notify](#) to teach and empower staff to correctly identify suspicious activity and understand how to respond.

National Counter Terrorism Security Office (NaCTSO) have a [short guide](#) about identifying suspicious items or behaviours and [Counter Terrorism Policing's \(CTP\) 'Run, Hide, Tell'](#) training covers how to respond to an attack involving firearms, weapons, or explosives. If the property attracts large crowds, owners/operators can also access [NaCTSO's crowded places guidance hub](#) for more counter-terrorism advice.

The guidance we provide is based on current counter-terrorism best practice advice. Whilst it is not intended to be a comprehensive terrorism risk management guide, the measures outline some basic, free and simple-to-implement processes intended to help businesses begin to prepare for Protect Duty.

Identifying your vulnerabilities

Pool Re Solutions team have recently developed the free-to-use [Vulnerability Self-Assessment Tool](#) (VSAT) specific to terrorism risk. VSAT benchmarks an organisation's current terrorism risk management maturity, highlighting security vulnerabilities and benchmarks against current UK best practice advised by Government, regulatory standards and security professionals. It provides assurance and advice based on responses to questions surrounding five fundamental security categories.

If a business scores positively it may be eligible, if they are a Pool Re policy holder, for a 10% discount on their Pool Re Terrorism insurance premium, reflecting and rewarding the high standards being achieved by the business. A positive VSAT result is not a guarantee that the business is Protect Duty compliant as the specifics of the legislation are still unclear. However, VSAT can provide you reassurance that you are implementing appropriate mitigations and procedures which make you more likely to be compliant.

If the VSAT results indicate clear vulnerabilities and weaknesses, Pool Re Solutions can discuss the results and the next steps required to improve and as such improve resilience towards terrorism as part of a free 1 hour virtual consultation.



Additional free resources

In addition to conducting a vulnerability and risk assessment to identify business specific weaknesses, there are quick and easy ways to improve a business or property's protection against the severe impacts of terrorism, regardless of their risk score.

There are several excellent, free resources designed by organisations such as NaCTSO and CTP which employers and staff can complete to increase preparedness. NaCTSO have produced a free [ACT Awareness eLearning program](#) to increase counter terrorism awareness. It is available to anyone, and businesses can register for an organisation code to track their staff's participation.

Find more information about the implications of [Protect Duty for businesses](#) here. For any other terrorism risk management advice visit our [Solutions page](#) here.

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