



PROTECT DUTY

Are you
'Protect Duty'
prepared?

AN INTRODUCTION FROM OUR MANAGING DIRECTOR **JASON TOWSE**



Terrorism remains the biggest national security threat to the UK, and our challenge as a country is more difficult than it has ever been. The changing profile and tactics of terrorists means identifying potential attacks – and stopping them - is getting increasingly harder.

Protect Duty – known widely as ‘**Martyn’s Law**’ – is due to be implemented in 2023. It comes in the wake of a number of terrorist attacks in public spaces across the UK – most notably, the Manchester Arena bombing. The purpose of Protect Duty is to improve security in public spaces, protecting and enhancing the safety of both visitors and staff.

Of course, businesses already have a duty of care under existing legislation - the Protect Duty will clarify these responsibilities, pulling them into a single framework – the ultimate aim is to prevent the repetition of past failures. The Home Office estimates that 650,000 UK businesses could be affected by Protect Duty – and many businesses will have to formally assess terrorism risk for the first time.

To get ahead of the curve, we all need to ensure that we’re informed of what the legislation means for our businesses - which could include prosecution under legislation such as Corporate Manslaughter Act if a security breach is considered serious enough. We need to be conducting vulnerability assessments, preparing a counter-terrorism plan, and, importantly, ensuring we engage with Police and Government Agencies for training and best practice now.



What is Protect Duty?

Protect Duty (also known as Martyn's Law) is a piece of new government legislation designed to provide better protection from terrorism for the British public, and is expected to come into force in 2023. The policy aims to create a consistent and proportionate process for enhancing security across any place or space to which the public have access.

Under Protect Duty, owners and operators of publicly accessible locations will be required to comply with five key requirements that form the basis of the legislation:

1. To engage with freely available counter-terrorism advice and training.
2. To conduct vulnerability assessments of operating places and spaces.
3. To mitigate the risks created by these vulnerabilities.
4. To put in place a counter-terrorism plan.
5. Local authorities to plan accordingly for the threat of terrorism.

Why is Protect Duty necessary?

Introduced in the aftermath of the terrorist attack carried out at the Manchester Arena on 22 May 2017, Protect Duty is also known as Martyn's Law in honour of Martyn Hett, one of 22 victims that lost their lives as a result of the suicide bombing attack at an Ariana Grande concert. Martyn's mother, Figen Murray, has championed the policy's introduction as part of the UK's wider Counter Terrorism Strategy.

The inquiry into the Manchester Arena bombing highlighted some security failings in relation to hostile reconnaissance, venue security practices and risk assessments. These failings resulted in the creation of Martyn's Law and set a countdown for private organisations who fit the criteria to start

reviewing processes to comply with this new legislation.

The Manchester Arena bombing is just one of a number of terrorist incidents that have occurred in the UK in recent years, including the London Bridge incident in November 2019, and the attempted bombing incident outside of the Liverpool Women's Hospital in November 2021. The UK's terrorism threat level was raised to 'severe' in the aftermath of the incident in Liverpool, and whilst it has since been reduced to 'substantial', the threat of a terrorist incident occurring in the UK remains ever-present and makes the introduction of Protect Duty a necessity in order to ensure the continued safety of the British public.



Martyn's Law is named in honour of **Martyn Hett**, one of 22 victims that lost their lives as a result of the suicide bombing attack at Manchester Arena in 2017.



“A publicly accessible location is defined as any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission”.

Does this impact my site or venue?

Feedback from consultations in 2021 on Protect Duty has indicated that the policy should apply to owners and/or operators of publicly accessible venues with a capacity of 100 persons or more, that it should apply to large organisations (employing 250 staff or more) that operate at publicly accessible locations, and that it should be used to improve security considerations and outcomes at public spaces.

According to the UK government: “A publicly accessible location is defined as any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission”, and under Protect Duty operators of these publicly accessible locations would have a legal duty to provide security to those using their services and facilities.

Publicly accessible locations include a wide variety of everyday settings such as:

 <p>PUBLIC VENUES</p>	<p>including retail, or entertainment chains.</p>
 <p>LARGE ORGANISATIONS</p>	<p>for entertainment and sports, tourist attractions and shopping centres.</p>
 <p>PUBLIC SPACES</p>	<p>such as public parks, beaches, town / city squares and pedestrianised areas.</p>

Whilst this list is not comprehensive, it does demonstrate the diverse nature of publicly accessible locations that could be affected by Protect Duty upon its introduction.

How can Mitie Security assist with improving security, keeping the public safe and Protect Duty compliance?

As the industry leader in Security, Mitie are well-placed to support organisations in becoming Protect Duty prepared.

Through an intelligence and technology led approach, Mitie are the number one provider in multiple sectors, including retail, shopping centres and logistics, critical security environments, transport and aviation, and corporate and iconic buildings.

Across these key sectors, many organisations are going to be impacted by the new legislation, which means planning must begin now to be Protect Duty compliant in 2023.



By partnering with Mitie, organisations can ensure they have the correct management and mitigation measures in place to meet the requirements of the legislation and better protect their colleagues, customers and general public.

Mitie's Protect Duty Solutions

PHYSICAL SECURITY:

We perform full physical risk assessments that identify vulnerabilities, and implement cost-effective, risk-based, protective measures to ensure the ongoing safety of your people, assets and environments. These assessments will be crucial in preparing for Protect Duty, to identify ways in which customers can better protect the public and meet the requirements of the new legislation.

From the introduction of more people, to utilising the latest technology and systems, the sooner these assessments

are conducted the better to enable organisations to implement new solutions and become Protect Duty compliant.

We have already performed these threat and vulnerability assessments throughout our corporate buildings, including full terrorism threat assessments, and are actively working with our customers to support them with threat assessments of their own environments to enhance their solution and meet the new legislative requirements.

POLICIES & PROCEDURES

Security policies and procedures should be reviewed and updated regularly to ensure the latest best practice is in place.

In light of the new legislation, it is imperative that customers update their own policies and procedures, with severe penalties should they fall foul of Protect Duty.

Adopting a holistic approach to ensure your policies and procedures are fit for purpose, we challenge existing structures and ensure you have the correct strategy and governance in place to protect your organisation, with our consultancy team ensuring your risk and security posture meet the requirements set out by Protect Duty.

Partnering with Mitie, we help you to identify existing issues and risks in your policies and procedures and develop strategic solutions to manage these effectively.

TRAINING & EMPOWERMENT

Ensuring our colleagues are equipped with the very best training and resources has long been a key priority for Mitie. Through recent SIA top up training we have rolled out Action Counter Terrorism (ACT) for Security Awareness Training to our frontline personnel. As part of our continued commitment to Protect Duty compliance, we have also completed an enterprise wide roll out of the ACT app onto all company devices and have made it available to all of our colleagues' personal devices should they choose to install it.

Ensuring all colleagues have an understanding of the role they play in securing a location is crucial to maintaining Protect Duty compliance.

Keeping the public safe is not just the responsibility of Security colleagues, but all employees, which is why we encourage wider teams to participate in training sessions, including scenario tests and live exercises, to ensure everyone is equipped with the right knowledge, and confident in their role should an incident occur.

REVIEW & ASSURANCE

Risk management should be a regular process, repeated to include reviews of assets, risks and control measures that are in place, and at Mitie we promote a culture of quality and continuous improvement at all levels. **To maintain compliance with Protect Duty for our customers, the security strategy, training and processes we implement are regularly reviewed and analysed, with contingency planning for potential situations assessed against CPNI advice, to deliver incremental improvements and recommendations on measures to minimise or mitigate potential risks.**

The new legislation will enforce change for many organisations in the way they manage security and the measures in place to keep the public safe. However, the threat landscape is ever evolving, with a rise in "homegrown" threats, as well as technological developments posing new risks, for example the use of drones for criminal and terrorist activity. For that reason, organisations must take a robust approach that includes regular reviews of security posture to ensure not only are they meeting legislative compliance, but also providing safe environments for their colleagues, customers and the public alike.



The key objective of ‘Protect Duty’ is to improve the security at publicly accessible locations and venues by requiring owners and operators to actively consider and implement measures to keep the public safe from a terrorist attack.

With the new legislation due to come into effect in 2023, businesses must begin planning now, working with risk and resilience experts to properly identify, plan and implement new measures to protect their locations and the general public.

Working collaboratively with Mitie, you can ensure that your business has implemented the physical security measures required to keep your customers and colleagues safe, iteratively improving policies and

procedures and ensuring your personnel are equipped to deal with any issue in the event of a terrorist incident. Our solutions are tailored to your specific requirements and the size of your business, and are focused on any relevant potential incidents that would need to be managed. Partnering with Mitie, you can be assured you have taken the appropriate measures to protect your people and the public, and are ‘Protect Duty’ ready.

Protect Duty is sure to save countless lives in the years to come, and will be a fitting tribute to a young man that lost his life and all other victims of terror attacks in the UK.





SECURITY

THE EXCEPTIONAL, EVERY DAY

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