



PANEL DISCUSSION SUMMARY NOTES

Managing risk – Why, when, how?



Amnesty International UK
25 New Inn Yard, London EC2A 3EA

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Chairman:

John O'Sullivan, Group Marketing Director

Key Travel Panel:

Neil Bullock (NB), Security Manager, Christian Aid

Lisa Reilly, Executive Coordinator, European Interagency Security Forum (EISF)
SC, Safety and Security Advisor, large international charity

Dr. Simon Clift (DSC), Director of Health Services, InterHealth

Rose Fernandez (RF), Director of Marketing, Amadeus

Dr. Jonathan O'Keeffe, Regional Medical Director, International SOS (ISOS)

Spence Knudson (SK), Chief Executive, Key Travel

The format consisted of questions posed by chairman, John O’Sullivan, and answered by members of the panel, with questions and comments from the floor.



➔ **What is duty of care?**

Reasonable Steps | Can you be sued? | Reputation | Moral Obligation
| Mental Health & pre-existing medical conditions | Risk Assessment

The legal interpretation is that ‘reasonable steps’ should be taken to ensure staff safety and security. But what is reasonable? ‘Can you be sued?’ by Martin Merkelbach is a recommended read: <http://a4id.org/story/can-you-get-sued>. And yes, definitely, you can be sued. Reputation is also at risk and where NGOs have not handled incidents well, it has affected their ability to raise funds and attract staff.

There is also a moral obligation to staff, duty of care. Assess what is foreseeable, address those risks in advance and feed results into policy. An employer can be held to account for not assessing risk. And don’t forget internal risks such as mental health problems and other pre-existing medical conditions. For better stakeholder buy-in, make sure risk assessment is documented.

➔ **What are the first steps for duty of care?**

Security audit | Policy | Buy-in | Company culture
| Student volunteer groups | Non-salaried staff | Policy origination

The first step is to do a security audit. EISF has produced a guide for this. This should be supported by policy and by buy-in from the top, which will ensure it is part of company culture. Having assessed risk, identify the threats and then mitigate them. Although NGOs have not worked well together in the past, EISF has encouraged this and helped create good practice.

There are blurred boundaries concerning large transient student volunteer groups. Kew has risk assessment for capital cities, where groups attend seminars, but not for anything in the field. The panel advised using the same procedure for both but with different depths and signed off at different levels, e.g. sign-off from a manager for Paris but the CEO for South Sudan. Levels of responsibility organisations have for non-salaried staff operating outside the UK are not clear but the impact of an incident is no less high; when the law is unclear, follow your moral compass.

One guest asked whether policy should be rolled out from the charity’s London HQ or started at its six non-UK regional offices and consolidated at HQ? Start at HQ with a definition of risk appetite and strategies, but allow regional offices to say what will not work. Alternatively, find out what is already working in the regions and combine that with best practice. But bear in mind that local people can become desensitised and this should be mitigated.

➔ **How is duty of care implemented at a corporate such as Amadeus?**

Information timing | Communication | Mobile Access
| Adding holiday to staff travel | Travel Insurance

RF said getting specific information to travellers at the right time was crucial, as was an ability to communicate. Amadeus has moved from a large printed policy document to giving mobile access to policy. However, a framework document at HQ is important because the UK is where an organisation is likely to be sued.

The panel discussed what to do about people who add holiday to staff travel. There are a number of options: the onus could be on the individual and their manager, it could rest with HR, staff could be asked to tell their manager or travellers should declare itineraries as part of risk assessment.

Organisations should also check their insurance policy does not exclude psychiatric episodes abroad, alcohol-related injuries, pregnancy or pre-existing medical conditions. There are insurance companies that will cover travellers even when the Foreign Commonwealth Office (FCO) advises against going and others that cover add-on leisure.

Another delegate asked, is it possible to separate litigation and corporate responsibility for work from additional leave? Legal advice is that these waivers mean nothing in law. Rotary International deals mainly with under 18s and established Rotary Youth Organisation as a separate entity to avoid liability to the main body.

➔ **How do some of the small NGOs handle duty of care?**

Local practices and culture | Predictive analysis | DFID
| Amadeus Mobile Messenger

One NGO has had risk assessments and a policy since it started 10 years ago. It generally sends volunteers to live with families at the destination, where they acquaint themselves with local practices and contacts on site provide details of local culture.

Another sends engineers into countries to build facilities, where they spend around a fortnight. He finds it difficult to get tacit data on any event that might occur and affect the trust's operations. It negotiated a discount from an insurance company for 25 policies a year and volunteers could buy one of those. Predictive analysis based on previous occasions helps, e.g. during previous elections there has been minimal/considerable disturbance, therefore something similar might be expected during the next one.

Organisations are finding it increasingly difficult to get insurance and visas from the Department for International Development (DFID) to go into risky countries. DFID asks for risk assessments but will not comment on it because that might be deemed to be approval and make it liable, i.e. DFID will not tell NGOs or donors what they need or how to go about it. EISF and American organisation Interaction are looking into what donors need. Meanwhile, EISF can put NGOs in touch with people who can help.

Amadeus's Mobile Messenger product allows employers to execute automated consistent delivery of the promise they make to staff and volunteers.

➔ **What about concerns around privacy of data?**

Tracking technology | Locating travellers

When someone puts their passport number on a Key Travel profile, the travel management company (TMC) cannot share it with that person's employer without permission. So it is vital to communicate and explain the need and desire for tracking clearly and to ensure all systems are integrated so that technology will track and locate travellers and provide the ability to take action.

➔ **Who is the leader for duty of care in an NGO?**

Security audit | Risk Owner | ISO31000

Many of the panellists' organisations did not have a leader, but at one NGO the leadership team is the board of trustees. Doing a security audit process asks who is the risk owner, it does not matter who, although there is a growing move towards ISO 31000, the international standard for risk management, which discusses risk ownership and who has responsibility. These are not necessarily the same person.

➔ **Some recommend pulling together a team of people on whom this touches. Does anyone in the room do that?**

Different disciplines | Risk Manager

Yes: some EISF members have risk management teams which look at risks and one charity gathered together interested parties from different disciplines to discuss risk, led by a risk manager.

➔ **How often do you communicate about risk?**

Have a programme | Health & Safety | Duty of Care | Duty of Loyalty

It is necessary to have a programme to describe risk, whether that is permanent signs, a drip-feed of information, a quarterly programme for health & safety, annual reviews, plus periodic reinforcement of the company line on duty of care and duty of loyalty.



Top take away tips from our expert panel

To end the discussion, the panel were asked to offer a top, takeaway tip for handling duty of care.

Answers were:

- There should be no dividing line between duty of care and duty of loyalty, it has to be a partnership. Not complying can have a knock-on effect on both people and programmes and this can be used to explain to people why they should manage risk
- Create a risk assessment document, which can be used for making a business case for additional expenditure, security mitigations, etc.; and make it part of the culture of your organisation
- Educate staff in travel risk awareness and train them before travel
- Assess and build resilience in staff so that they can negotiate high levels of travel and bounce back after traumatic events
- Seek executive sponsorship
- Start simply and build up: a 50% developed policy in action is better than waiting three years for a perfect one
- Encourage staff who have concerns in country to flag them up and get them dealt with there. Information on return is of no use