

**PWYLLGOR IECHYD A DIOGELWCH  
HEALTH & SAFETY COMMITTEE**

<b>DYDDIAD Y CYFARFOD: DATE OF MEETING:</b>	07 May 2024
<b>TEITL YR ADRODDIAD: TITLE OF REPORT:</b>	Counter Terrorism Strategy (CONTEST) Update
<b>CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:</b>	Sharon Daniel, Interim Director of Nursing, Quality and Patient Experience
<b>SWYDDOG ADRODD: REPORTING OFFICER:</b>	Tim Harrison, Head of Health, Safety and Security

**Pwrpas yr Adroddiad (dewiswch fel yn addas)**

**Purpose of the Report (select as appropriate)**

Er Gwybodaeth/For Information

**ADRODDIAD SCAA  
SBAR REPORT**

**Sefyllfa / Situation**

The Dyfed Powys Counter Terrorism Local Safety Profile (CTLP) is due to be published in May 2024 so was unavailable prior to the Health and Safety Committee meeting on 7 May 2024. Therefore, the focus of this update relates to the latest information on Martyn's Law, also known as the Terrorism Protection of Premises Bill. This is expected to become law in 2024.

The Bill is a legislative response to the findings of the Manchester Arena Inquiry and is designed to reduce the risk to the public from terrorism by the protection of public venues. The law will require owners and operators of venues and public spaces to put in place measures to keep the public safe from a terrorist attack, with the level of measures required based upon the capacity, size of venue and nature of activity taking place.

**Cefndir / Background**

We have previously reported and considered how the proposed duty might impact the health and social care sector. Further clarity has been now published that indicates that NHS hospitals and premises used for the provision of health care will be a **qualifying activity**.

In brief, **qualifying public premises** will be subject to the requirements in the Bill. For example, those having a minimum public capacity of 100 people; public access this includes activities such as entertainment, leisure, health care and education.

Qualifying public premises are then separated into two tiers. Section 3 sets out that standard duty premises have a capacity of between 100 and 799 people, and **enhanced duty premises** have a capacity of 800 or more.

Requirements for **enhanced duty premises** and qualifying public events include:

- An enhanced terrorism risk assessment that is reviewed with each material change to or use of the premises and at least annually.
- Terrorism protection training for relevant workers.
- Reasonably practicable security measures to be put in place.
- The appointment of a designated senior officer.
- The preparation and maintenance of a security plan.

## The regulator and sanctions

The Bill creates a familiar framework of regulatory inspections and sanctions for contravening a relevant requirement. The proposed approach emulates concepts already established in other elements of premises for example health and safety, fire safety.

In terms of the regime:

- Qualifying premises will need to be registered with the regulator. It is assumed the resulting register can then be used to inform inspection activity.
- Proactive inspections are envisaged – the impact assessment anticipates the regulator inspecting an estimated 5% of premises each year with much of the associated costing extrapolated from Health and Safety Executive (HSE) data regarding staffing ratios and costs.
- The Bill places key duties on the ‘person responsible’, which can be either an organisation or an individual. The extent of their obligations will depend on whether the premises are standard or enhanced duty.
- The Bill also creates a ‘designated senior officer’ role, which must be an individual and – where the ‘person responsible’ is a business – this must be fulfilled by a director or senior officer of that organisation. The regulator must be told who this person is.
- Enhanced duty premises and qualifying events must prepare and submit a security plan to the regulator, with the detail still to be prescribed by regulations.

The identity of the regulator remains unknown. Key to its effectiveness will be adequate resourcing, something recognised in the impact assessment published with the Bill. It is possible that a new regulatory body will be set up but equally that the responsibility will be added to an existing authority’s remit. Whatever the conclusion, the Government has been clear that it expects most organisations will want to comply with the legislation and that the primary function of the regulator will therefore be in providing guidance. However, the regulator will also have a variety of enforcement tools to call upon in the event of a contravention.

## Asesiad / Assessment

### Key Messages

Hywel Dda University Health Board (HDdUHB) already has existing major incident response procedures in place that would assist in demonstrating that certain control measures and contingencies are in place for certain incidents.

The Counter Terrorism Safety Adviser from Counter Terrorism Policing undertook a site survey at each of the four general hospital sites in 2023 and an ‘official sensitive’ restricted report was received in January 2024. The report highlighted a number of areas that would need to be improved if aspects of the impending Terrorism Protection of Premises Bill is to be fully complied with. These will be discussed as part of the Security Update at In-Committee.

## Argymhelliad / Recommendation

The Health & Safety Committee is asked to:

- **NOTE** and **DISCUSS** the Update on CONTEST

**Amcanion: (rhaid cwblhau)**  
**Objectives: (must be completed)**

Committee ToR Reference: Cyfeirnod Cylch Gorchwyl y Pwyllgor:	2.1 Provide assurance around the UHB arrangements for ensuring the health, safety, welfare and security of all employees and of those who may be affected by work-related activities, such as patients, members of the public, volunteers contractors etc. 3.7 Provide assurance that robust and effective safety management systems are in place operationally to deliver the Health Board's health, safety and security objectives and fulfil its statutory duties.
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	Not Applicable
Parthau Ansawdd: Domains of Quality <a href="#">Quality and Engagement Act (sharepoint.com)</a>	1. Safe
Galluogwyr Ansawdd: Enablers of Quality: <a href="#">Quality and Engagement Act (sharepoint.com)</a>	2. Culture and valuing people
Amcanion Strategol y BIP: UHB Strategic Objectives:	1. Putting people at the heart of everything we do
Amcanion Cynllunio Planning Objectives	Not Applicable
Amcanion Llesiant BIP: UHB Well-being Objectives: <a href="#">Hyperlink to HDdUHB Well-being Objectives Annual Report 2021-2022</a>	10. Not Applicable

<b>Gwybodaeth Ychwanegol: Further Information:</b>	
Ar sail tystiolaeth: Evidence Base:	Not applicable
Rhestr Termiau: Glossary of Terms:	Contained within the body of the report.
Partïon / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Ansawdd lechyd a Diogelwch: Parties / Committees consulted prior to Health and Safety Committee:	Not applicable

<b>Effaith: (rhaid cwblhau) Impact: (must be completed)</b>	
<b>Ariannol / Gwerth am Arian:</b>	Not applicable

<b>Financial / Service:</b>	
<b>Ansawdd / Gofal Claf: Quality / Patient Care:</b>	Not applicable
<b>Gweithlu: Workforce:</b>	Not applicable
<b>Risg: Risk:</b>	Potential risk to health and safety of staff
<b>Cyfreithiol: Legal:</b>	Not applicable
<b>Enw Da: Reputational:</b>	Not applicable
<b>Gyfrinachedd: Privacy:</b>	Not applicable
<b>Cydraddoldeb: Equality:</b>	Has EqIA screening been undertaken? No