

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

DYDDIAD Y CYFARFOD: DATE OF MEETING:	04 March 2025
TEITL YR ADRODDIAD: TITLE OF REPORT:	Update on The Terrorism (Protection of Premises) Bill (Martyn's Law)
CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:	James Severs, Executive Director of Allied Health Professions and Health Science
SWYDDOG ADRODD: REPORTING OFFICER:	Tim Harrison, Head of Health, Safety and Security Adam Springthorpe, Health & Safety Manager

Pwrpas yr Adroddiad (dewiswch fel yn addas)

Purpose of the Report (select as appropriate)

Er Gwybodaeth/For Information

ADRODDIAD SCAA

SBAR REPORT

Sefyllfa / Situation

This report to the Health and Safety Committee (HSC) provides the latest information on The Terrorism (Protection of Premises) Bill, also known as Martyn's Law. The Bill was included in the King's Speech on 17 July 2024 as part of the programme of legislation that the Government intends to pursue in this Parliamentary session. The Bill was introduced to Parliament on 12 September 2024 and is currently undergoing Parliamentary scrutiny.

This Bill will deliver the Government's manifesto commitment to bring in Martyn's Law to strengthen the security of public events and venues.

Cefndir / Background

Since 2017, Counter Terrorism Policing assesses that there have been 15 domestic terror attacks in the UK (not including Northern Ireland-related terrorism), and agencies and law enforcement have disrupted 43 late-stage plots.

The threat picture is complex, with terrorists choosing to attack a broad range of locations. It is therefore right that the Bill requires a range of premises to be better prepared and ready to respond in the event of a terrorist attack.

The Bill is intended to improve protective security and organisational preparedness across the UK. It requires those responsible for premises and events to take steps to mitigate the impact of a terrorist attack and reduce harm in the event of a terrorist attack occurring.

What will Martyn's Law do?

The Bill is intended to ensure public premises and events are better prepared for terrorist attacks and ready to respond. It will require them to take reasonably practicable actions, to mitigate the impact of a terrorist attack and reduce physical harm. In addition to this, certain larger premises and events must also take steps to reduce the vulnerability of the premises to terrorist attacks.

This will be achieved by mandating, for the first time, who is responsible for considering the risk from terrorism and how they would respond to a terrorist attack at certain premises and events.

To support enforcement of the regime, a regulator will be established which will support, advise and guide those responsible for premises and events in meeting the requirements of this legislation.

How will it work?

The Bill establishes a tiered approach, linked to the activity that takes place at the premises or an event and the number of individuals it is reasonable to expect may be present on the premises at the same time.

Qualifying premises:

- ‘Standard Duty’ premises and qualifying events: 200 to 799 people
- ‘Enhanced Duty’ premises and qualifying events: 800+ people

Standard Duty Premises	Enhanced Duty Premises
Notify regulator of premises and identity of Responsible Person, with information.	Carry out ‘terrorism risk assessment’ and review it at least annually.
Put in place a ‘standard terrorism evaluation’, reviewed at least annually.	Make a ‘security plan’ and provide copy to Regulator.
Inform/train staff with appropriate ‘terrorism protection training’ at least annually.	Document all required procedures and control measures.
Put in place appropriate and reasonably practicable public protection.	Obligatory measures: <ul style="list-style-type: none"> • monitoring premises and movement of individuals in/out; • keep sensitive information secure; • procedures for alerting emergency services, notifying.

How will Martyn’s Law be regulated?

The regulator will be the Security Industry Authority (SIA).

What notices or penalties could they serve on non-compliant premises/events?

The options that will be available to the regulator include:

- Contravention Notice: Requires steps to be taken within specified period.
- Restriction Notice: Applies specified restriction but only to 800+ premises or events e.g. restricted timing, numbers or conditions.
- Penalty Notice: The Regulator must be satisfied of contravention on the balance of probabilities. This will include the issue of a fixed penalty and additional daily penalties. These penalties will be set at an amount that the Regulator considers appropriate and proportionate within the following maximum parameters:
 - For 200+ premises – Maximum of £10,000; daily monetary penalty of up to £500 per day.
 - For 800+ premises or events – **Maximum of £18m** or 5% of worldwide revenue, whichever is greater, plus a daily monetary penalty of up to £50000.

Is the NHS included?

It has been confirmed, following an initial period of consultation, that properties delivering healthcare (i.e. NHS) will be classes as 'Qualifying Premises' under the Bill and that therefore the full requirements of the Bill will need to be met. With the definitions outlined in the background section, each of the four acute hospitals within Hywel Dda University Health Board (HDdUHB) will be classed as enhanced premises under the Bill. Additionally, some of the smaller premises will likely also be classified as standard duty premises, e.g. cottage hospitals, integrated care centres etc.

Who is the responsible person for HDdUHB?

For qualifying premises, the responsible person (also known as the duty holder) is the person who has control of the premises and must ensure that the requirements of the Bill. For HDdUHB this would effectively be the Chief Executive or an Executive Director with delegated duties.

In some cases, it is anticipated that the responsible person would be an organisation rather than an individual. Where the responsible person for an enhanced duty premises is not an individual, they must appoint an individual as a designated senior individual with responsibility for ensuring that the relevant requirements are met.

What will the requirements be for HDdUHB's enhanced duty premises?

Persons responsible for enhanced duty premises will be required to:

- Put in place (and document) appropriate and reasonably practicable public protection measures that could be expected to reduce both:
 - (i) the vulnerability of the premises or event to an act of terrorism occurring at the location, and
 - (ii) the risk of physical harm being caused to individuals if an attack was to occur there or nearby.

For example, an enhanced duty premises will be required, insofar as reasonably practicable, to implement measures relating to the monitoring of the premises and their immediate vicinity.

- Document the public protection procedures and measures in place, or proposed to put in place, and provide this document to the regulator. This document should include an assessment as to how those procedures and measures may be expected to reduce, so far as is reasonably practicable, the vulnerability and risk of harm.

It should be noted that the requirements for enhanced duty premises are in addition to those of standard duty premises, therefore measure such as notifying the regulator and training staff would be required under both categories of qualifying premises.

Will there be an Implementation Period?

There will be a period of time prior to the implementation of the legislation following Royal Assent.

This is expected to be at least 24 months to allow for the set-up of the regulator and to ensure sufficient time for those responsible for premises to understand their new obligations, and to plan and prepare.

What should HDdUHB be doing now?

To prepare for the implementation of the Bill, HDdUHB should start:

- Preparing ‘standard terrorism evaluations’ and ‘terrorism risk assessments’ to:
 - Assess likely types of terrorism;
 - Identify reasonably practicable measures to reduce likelihood and harm;
- Preparing a ‘security plan’;
- Designing (or looking to procure) ‘terrorism protection training’ as will be required for all qualifying premises.
- Reviewing policies, procedures and measures for terrorism resilience including:
 - CCTV, radio communications;
 - Information provision e.g. posters in staff rooms;
 - Team workshops and major incident / scenario role play;
 - First aid provision for trauma;
 - Invacuating and evacuation plans;
 - Lockdown plans - Which doors/barriers/keys and who to do it?
 - Communication with staff and those at risk;
 - Developing relationships with Police, local authority, neighbouring organisations, peer groups and the Counter Terrorism Security Advisers managed through National Counter Terrorism Security Office.
- Discussing roles and responsibilities in terms of planning and actioning of the requirements of the Bill as they would reasonably fall within the remit of both the Health, Safety and Security Department and the Health Emergency Planning Department.

Monitoring for this bill will fall under the Security Management group via the Health and Safety Sub Committee (HSSC).

Argymhelliad / Recommendation

The Health & Safety Committee is asked to note:

- The information contained within this report.
- That there will be implications for the Health Board once the Bill is passed into law and following the implementation period.

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.
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	N/A
Parthau Ansawdd: Domains of Quality Quality and Engagement Act (sharepoint.com)	1. Safe
Galluogwyr Ansawdd: Enablers of Quality: Quality and Engagement Act (sharepoint.com)	6. All Apply

Amcanion Strategol y BIP: UHB Strategic Objectives:	1. Putting people at the heart of everything we do 4. The best health and wellbeing for our individuals, families and communities 5. Safe sustainable, accessible and kind care
Amcanion Cynllunio Planning Objectives	Not Applicable
Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Objectives Annual Report 2021-2022	2. Develop a skilled and flexible workforce to meet the changing needs of the modern NHS
Gwybodaeth Ychwanegol: Further Information:	
Ar sail tystiolaeth: Evidence Base:	<ul style="list-style-type: none"> • GOV.UK – Home Office; • The Health and Safety at Work etc. Act 1974;
Rhestr Termiau: Glossary of Terms:	Contained within the body of the report.
Partïon / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Iechyd a Diogelwch: Parties / Committees consulted prior to Health and Safety Committee:	The Security Management Group

Effaith: (rhaid cwblhau) Impact: (must be completed)	
Ariannol / Gwerth am Arian: Financial / Service:	There are potentially large costs involved in getting the Health Board compliant with the requirements of the Bill.
Ansawdd / Gofal Claf: Quality / Patient Care:	There will be a positive impact on staff and patient safety, health and wellbeing through compliance with the Bill.
Gweithlu: Workforce:	It is likely that the Health Board will have to consider how security personnel are employed and trained.
Risg: Risk:	There is a risk to health and safety management for non-compliance with the Bill once enacted.
Cyfreithiol: Legal:	There is a potential for enforcement action for non-compliance with the Bill, as outlined in the background section of the report.
Enw Da: Reputational:	Potential for political or media interest if a non-compliance is identified or enforcement action is served (or if a preventable incident occurs).
Gyfrinachedd: Privacy:	Not Applicable
Cydraddoldeb: Equality:	No evidence gathered to indicate a negative impact on any protected group/s.

