

WHY EVERY COMPANY NEEDS A DUTY OF CARE CLAUSE (AND HOW TO CREATE ONE)

If there's one thing we need to give a s*** about, it's duty of care and creating a 'safe space' for our colleagues and travellers (in a strictly non 'snowflake' sense). And if you're responsible for anyone who travels anywhere – yes, even a one-night stay, a literal block away – you need to know that there's an airtight plan in place in case anything untoward goes down, especially in today's sadly unpredictable world.

A lawsuit-proof, customised duty of care strategy not only protects you, your colleagues and your travellers; it also protects you as a company and/or travel manager, so you can swerve liability issues. This sample three-step safety clause, straight from the expert minds of the L.E/Miami Hotel Committee, is an excellent place to start.

In addition to the below, the L.E/Miami Hotel Committee notes it can be helpful partnering with an outside company that can support you in real time, such as www.worldaware.com.

Sample safety and security policy

1. Purpose of the Policy

[YOUR COMPANY NAME] considers safety and security to be an integral part of the responsibilities of all associates. Accidents or incidents which result in loss or injury to associates or guests, or damage to Company or other's property are often costly to those involved.

This Safety and Security Policy sets out our expectations for the establishment, maintenance and ongoing compliance measurement of safety and security programs, standards and guidelines, globally.

This Policy applies to all Company associates. It is the policy of the Company to minimise such losses through proactive measures, including accident prevention programmes, safety and security guidelines and general standards. It is also the policy of the Company to fully comply with regulations, codes, and laws in all jurisdictions in which the Company operates.

2. Operational Safety and Security

Each <insert your company name here> office will have an adequate operational safety and security plan to properly manage the risk of loss exposures inherent in their business and location. The plan may begin with risk assessments conducted by the Global Safety & Security department to determine the operational needs of the locations based upon their duty of care and their specific threats and vulnerabilities.

3. Threat Condition Level System

<Insert your company name here> uses a threat condition level system to direct the properties we work with on the level of security measures that must be maintained. The threat condition level system uses a series of levels for which certain security procedures and steps must be implemented for each given threat condition level. Resources for establishing threat condition standards and guidelines can be found here: <insert link to your company standards/guidelines here>.

All properties must perform the actions set forth in the terrorism threat condition chart: <insert link to your company standards/guidelines here>.

- All properties must comply with the Threat Condition level assigned to them by the <insert title of person within your organisation who is responsible here>.
- A property or business may implement extra security precautions based on changes in the local environment, such as terrorist threats or civil unrest.
- The <insert title of person within your organisation who is responsible here> is responsible for determining and establishing threat conditions on a global basis in collaboration with the <insert title of person within your organisation who is responsible here> or their designee. Changes to Threat Condition levels are made by the <insert title of person within your organisation who is responsible here>, in collaboration with the <insert title of person within your organisation who is responsible here> or their designee, whenever a new threat or security concern emerges.
- <Insert title of person within your organisation who is responsible here> regularly conducts random or predetermined reviews of security at certain <insert partner hotel name(s) here> properties in order to ensure that appropriate policies are in place. These audits may also be conducted by third parties that have been selected to perform audits. <Insert your company name here> utilizes these audits to help ensure the security procedures generally are in place and being enforced.