



**SUPPORTING AND
CHAMPIONING
LEISURE-TIME MUSIC**

Introduction and notes on the government's Protect Duty consultation

This document introduces you to the Protect Duty consultation, a government consultation currently open until 2 July.

This draft document includes questions from the consultation with comments from Making Music alongside for you to consider. Making Music would also like to invite you to send us your comments and/or attend an online meeting about this topic on **Friday 25 June, 10-11am on Zoom**, to inform your own and our submission to this consultation.

Register interest: info@makingmusic.org.uk and put 'Protect Duty' in the subject line.

This link takes you to the full information on the consultation and the details on how to respond directly to the government:

<https://www.gov.uk/government/consultations/protect-duty>

INTRODUCTION

The consultation is about introducing legislation to make a Protect Duty mandatory on certain venues or organisations running or operating at publicly accessible locations.

'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.'

Below, some examples from the consultation document of such publicly accessible locations and at the end of the document there is a list of examples of best practice.

Neither the list below, nor the appendix, includes the variety of venues and activities that leisure-time music uses for performances or workshops – e.g. community, church or school assembly halls, libraries, etc..

'Publicly accessible locations include a wide variety of everyday locations such as: sports stadiums; festivals and music venues; hotels; pubs; clubs; bars and casinos; high streets; retail stores; shopping centres and markets; schools and universities; medical centres and hospitals; places of worship; Government offices; job centres; transport hubs; parks; beaches; public squares and other open spaces. This list is by no means exhaustive, but it does demonstrate the diverse nature of publicly accessible locations.'

WHAT IS THE PROTECT DUTY ABOUT?

It is about *'making the public safer at publicly accessible locations'*.

'This consultation considers how we might use legislation to enhance the protection of publicly accessible locations across the UK from terrorist attacks and ensure organisational preparedness.'

The consultation is looking for views on creating a mandatory duty to consider and mitigate security risks, especially with regard to potential terrorist attacks, at publicly accessible locations with a capacity of more than 100.

The duty would fall on the venues, in conjunction with the organiser, where applicable.

From ministerial foreword to the consultation document:

It is envisaged that for many organisations and venues, the requirements of a Protect Duty would entail minimal new costs.

From introduction to the consultation document:

We are mindful of the impact a legislative change could have for some organisations. However, this must be carefully balanced against the need to ensure effective consideration of public security, and the implementation of reasonable security measures, in order to improve public security.

PRACTICAL INFORMATION FOR RESPONDING

- **Closes: 2 July 2021**
- Respondents can answer as many or as few questions as they wish. You do not have to comment on every section or respond to every question on each section but can focus on where you have relevant views and evidence to share.
- Please respond to the questions in this consultation online at: www.homeofficesurveys.homeoffice.gov.uk/s/1D4SQ3/
- Alternatively, you can send in electronic copies to: ProtectDuty@homeoffice.gov.uk
- Alternatively, you may send paper copies to: Protect Duty Consultation Protect and Prepare, 5th Floor NE, Peel Building, Office for Security and Counter Terrorism Home Office 2 Marsham Street, London, SW1P 4DF

The full consultation document with background and questions:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/964808/Protect_Duty_Consultation_Document5.pdf

'This consultation seeks views from all parties that a 'Protect Duty' would potentially affect - in particular, organisations who own locations or operate at publicly accessible locations. We seek views from across the United Kingdom, since national security is a reserved matter, however we recognise that developing an effective process and support to implement such legislation would draw on delivery mechanisms and responsibilities within the Devolved Administrations.'

The proposals and discussion issues are broken down into the following sections:

Section 1: Who (or where) should legislation apply to?

Section 2: What should the requirements be?

Section 3: How should compliance work?

Section 4: How should Government best support and work with partners?

Below we provide a commentary on each section of the consultation.

Section 1: Who (or where) should legislation apply to?

The proposed Protect Duty could apply in three main areas (but may also apply to other locations, parties and processes by exception):

1. Public venues (e.g. entertainment and sports venues, tourist attractions, shopping centres)
2. Large organisations (e.g. retail, or entertainment chains)
3. Public spaces (e.g. public parks, beaches, thoroughfares, bridges, town / city squares and pedestrianised areas) Our proposals focus on legislative considerations of

1. Proposal: The Duty should apply to owners and/or operators of publicly accessible venues with a capacity of 100 persons or more

NOTE: That would mean most venues that Making Music members perform at, e.g. churches, church halls, community halls, school assembly halls, bandstands etc..

- a. A Protect Duty requirement would apply to the parties responsible for the venue, which would usually be the owners or operators, who have control and ownership of systems and processes. Where there is a shared organisational responsibility for a venue within scope, the parties would be required to work together to ensure the Duty requirements were met.

NOTE: It is not clear if, e.g. you are hiring a space, e.g. a church for a performance if the church would have to meet the requirements or whether they would delegate that to the hirer or impose onerous conditions on the hirers

2. Proposal: The Duty should apply to large organisations (employing 250 staff or more) that operate at publicly accessible locations
3. Proposal: A Protect Duty should be used to improve security considerations and outcomes at public spaces
4. Other aspects of a Protect Duty

Below we have highlighted in bold the questions that you may wish to specifically respond to, as they would be likely to have implications for the way your group operates.

Questions from the consultation:

To what extent do you agree or disagree with the following statement:

1. Venues and organisations owning, operating or responsible for publicly accessible locations should take appropriate and proportionate measures to protect the public from attacks in these locations

Strongly Disagree (SD) – Disagree (D) – Neither Agree nor Disagree (NAND) – Agree (A) – Strongly Agree (SA) [scale]

To what extent do you agree or disagree with the following statement:

2. Venues and organisations owning, operating or responsible for publicly accessible locations should prepare their staff to respond appropriately in the event of a terrorist attack to best protect themselves and any members of the public present

Strongly Disagree (SD) – Disagree (D) – Neither Agree nor Disagree (NAND) – Agree (A) – Strongly Agree (SA) [scale]

3. We propose that a targeted Protect Duty applies only to certain public venues. What criteria would best determine which venues a Duty should apply to ?

a. Capacity (as currently used in Fire Safety Regulations)

b. Annual revenue

c. Staffing levels

d. Other: _____ (Free text, 100 words max)

[Where 3 is a]

4. We have proposed a venue capacity of 100 persons or more as a threshold. What capacity level do you think would be appropriate to determine venues in scope of the Duty?

_____ (Free text, 100 words max)

NOTE: If using capacity, it needs to be more than 100 – consider your average church capacity, a venue frequently used by Making Music members for performances.

Also, many venues have flexible capacity – so you may be rehearsing in a church 'just' with 60 choir members, but the capacity of the venue as a church might be 250. But if the legislation applies to the

venue and not just to public events, then would rehearsals as well as concerts be captured in this legislation?

[Where 3 is b-d]

5. What threshold would you propose for inclusion in the scope of the Protect Duty for this criterion?

_____ (Free text, 100 words max)

NOTE: See 3)c) Potentially the venues you may use do not have staff – only volunteers, e.g. churches, community halls, bandstands, so either this would place huge burdens on volunteers hiring the space for an event or on the venue – e.g. if local authority owned, it could mean even more paperwork and requirements to play at a bandstand which is already difficult, if a community hall, it may just no longer want to operate public events like concerts.

6. We propose that a requirement to consider security and implement appropriate mitigations at a venue should fall to the owner and/or operator of the venue. Do you consider this appropriate?

Y/N

[If 6 = N]

7. If no, why not:

_____ (Free text, 100 words max)

NOTE: So would that be the individual church, e.g., or, say, the Church of England? The school or the local authority it sits under? Etc.

8. We propose that where there is a shared organisational responsibility for a venue, or multiple organisations operating at a venue within scope, the parties would have to work together to meet the requirements. Do you consider this is appropriate?

Y/N

[If 8 = N]

9. If no, why not:

_____ (Free text, 100 words max)

NOTE: This could mean hirers, e.g. the church or hall, passing on onerous requirements to volunteer-staffed events or having to staff these events themselves, which may mean that they prefer not to hire their spaces out.

10. We propose that a Protect Duty would also apply to certain organisations operating at publicly accessible locations. If an organisation's size were a criterion for its inclusion in the scope of the Duty, what would be an appropriate threshold? [select all that apply]

- a. All organisations
- b. Micro (1-9 employees)
- c. Small (10-49 employees)
- d. Medium (50-249 employees)
- e. Large (250+ employees)
- f. Other _____ (Free text, 100 words max)

[Linked to Question 10]

11. What is your reasoning for this answer?

_____ (Free text, 100 words max)

12. We have proposed a Protect Duty would apply to organisations with 250 or more employees. Is it clear as to whether your organisation falls within this criteria?

Y/N

[If 12 = N]

13. If no, why not?

_____ (Free text, 100 words max)

14. Are you clear about whether your organisation falls within the scope of the definition of a 'publicly accessible location' (a 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)?

Y/N

[If 14 is N]

15. If no, why not?

_____ (Free text, 100 words max)

16. Referring to Annex 1, do you consider that there should be other exemptions from a Protect Duty?

Y/N

[if 16 is Y]

17. If so what or who and why?

_____ (Free text, 200 words max)

NOTE: This is a difficult one – if certain spaces were exempt in legislation, e.g. community halls or churches, would that be practically inviting them to become terrorist targets as clearly the legislation and its exemptions would be public knowledge?

18. Are there any other issues regarding who legislation should apply to that you would like to offer views on?

_____ (Free text, 200 words max)

NOTE: This could be the place to voice concerns whether flexible venues, e.g. community halls, which can be used for 20 people or 200 for a theatre performance would only be covered by this for public events with a capacity of over 100? Or for all their activity (because technically their capacity is above 100), including, e.g. the amateur orchestra rehearsal even though the orchestra is only 65 strong?

Does 'publicly accessible building' still apply if you have hired it for a closed event, e.g. a rehearsal?

Section 2: What should the requirements be?

*This section is about **what** parties within the scope of a Protect Duty (see Section 1) should be required to do.*

In considering what should be required by a Protect Duty, we recognise that:

- *The nature of venues and organisations varies greatly, for example in respect of the type of business or undertaking, organisational size, and staffing profile.*
- *Different venues and organisations have different security skills and resources at their disposal - from those with dedicated security staff, budgets, training and procedures, to those with little or none.*
- *Risk assessments and mitigation measures should be proportionate to the specific circumstances of the venue/organisation and its environment, as well as the nature of the terrorist threat at any given point in time.*
- *In the difficult financial climate that many venues and organisations find themselves in, in particular due to the impacts of COVID-19, low and nil cost security solutions are desirable and, in many cases, will be a proportionate response to the risk.*

The aim of a Duty would be to ensure the consideration of threat, leading to considering and taking forward appropriate and proportionate mitigation measures. It is envisaged that for many organisations and venues, these requirements would be simple changes to existing systems and processes, entailing nil or low new costs.

...

For most organisations in scope of a Protect Duty, we propose that compliance would be demonstrated by providing assurance that the threat and risk impacts had been considered, and appropriate mitigations had been considered and taken forward (implemented or plans in place for their progression). For organisations at the lower end of criteria thresholds, this would entail simple low – or no - cost preparedness measures such as ensuring that:

- *Staff are trained and aware of the nature of threats, likely attack methodologies and how to respond;*
 - *Staff are trained to identify the signs of hostile reconnaissance and take appropriate action;*
- and*

- There are plans in place for an organisation's response to different attack types, which are regularly trained and exercised.

NOTE: The potential contradiction between these requirements and the earlier statement of 'simple changes' and 'nil or low new costs'.

To help those who may be within scope of the proposed Duty to understand what 'reasonably practicable' and 'appropriate' security measures will mean for them - including in terms of cost and resource implications - we have developed a number of indicative good practice examples for different types and sizes of organisations to demonstrate compliance (Annex 2).

NOTE: These examples are –

- Small business, e.g. retail outlet
- Local large event staffed with volunteers (seems aimed at outdoor events, potentially the closest to a Making Music member event)
- Medium-sized business location, part of a national chain, e.g. cinema
- Large site with multiple individual businesses renting units
- Large venue, e.g. theme park

...

Government would ensure that a range of resources are available to support organisations to comply with the Duty, including providing guidance on understanding threat methodologies, how to carry out risk assessments, and information and advice on the range of security measures available to mitigate risks identified. What is required to support organisations to discharge the Protect Duty is considered further at Section 4.

...

Security outcomes could also be more fundamentally improved through a requirement for local/authorities and other relevant local partners to consider security risks and implement appropriate mitigations for public spaces. Requirements could include:

- *Developing local, strategic plans to mitigate the risks and impacts of terrorism;*
- *Implementing proportionate measures through relevant systems, processes and functions to improve public safety and security;*
- *Establishing clear roles and responsibilities for local partners; and*
- *Working with key partners (e.g. police) to consider how a security plan would operate in priority local areas.*

NOTE: This could lead to local authorities passing on such requirements to groups looking to use premises which they control.

Highlighted in bold below are the questions you may particularly want to consider and/or answer.

Questions from the consultation:

19. Does your organisation currently undertake a risk assessment for terrorism?

Y/N

[Linked to Question 19]

20. Is this process undertaken by an in-house or an externally appointed individual?

In house/External

[Where 19 = Y]

21. When you do undertake a terrorism risk assessment, how many working days a year do you estimate your organisation typically spend on this task? (Where this is undertaken by multiple staff, please include total days spent by all staff)?

_____ (Free text, 100 words max)

22. How frequently does your organisation typically review this risk assessment?

- Multiple times per year
- Around once per year
- Around once every 2 years
- Around once every 3 or more years
- Other (please specify)

23. What mitigations against terrorism risks does your organisation currently undertake (select all that apply)?

- a. Well defined organisational security protocols and procedures, including for response to terrorist attack
- b. Measures are in place to spot and disrupt hostile reconnaissance
- c. Work to ensure security behaviours are adopted by the workforce
- d. Personnel security policies and procedures consider security risks
- e. Site/location vulnerabilities (to terrorist threats) and appropriate physical mitigations are considered
- f. Evacuation, invacuation, lockdown procedures are in place and are understood and exercised by staff
- g. Staff training is undertaken to raise awareness of the threat and what to do
- h. Business continuity procedures or app (e.g. Action Counters Terrorism app) include information on how to respond to attacks
- i. Liaison with police or other resource (e.g. security consultant) on threats and appropriate security measures
- j. Involved in local security initiatives
- k. Other _____(Free text, 100 words max)

24. How much money does your organisation typically spend on new or revised security measures or processes that would mitigate against terrorist risks in one financial year?

_____(Free text, 100 words max)

25. What are the existing activities and mechanisms which you consider result in the best protective security and organisational preparedness outcomes at public spaces (select all that apply)?

- a. Communications campaigns e.g. Action Counters Terrorism and See It, Say It, Sorted
- b. Staff awareness raising and training courses
- c. Advice and guidance products and tools
- d. Local authority mechanisms and processes (as outlined at page 19)
- e. Other _____(Free text, 100 words max)

26. What are the existing local authority functions which currently result in the best protective security and organisational preparedness outcomes at public spaces (select all that apply)?

- a. CONTEST and Protect Boards
- b. Community Safety Partnerships
- c. Licensing for sports grounds safety
- d. Planning processes
- e. Local Resilience Forums
- f. Safety Advisory Groups (for events)
- g. Business Improvement Districts (which can be set up by Local Authorities, businesses or individuals to benefit local businesses)
- h. Licensing Committees (for the sale and supply of alcohol, the provision of late-night entertainment and refreshment)
- i. Health and Safety, fire safety and building control processes.
- j. Other _____(Free text, 100 words max)

27. What are the existing local authority functions which have the potential to result in the best protective security and organisational preparedness outcomes at public spaces (select all that apply)?

- a. CONTEST and Protect Boards
- b. Community Safety Partnerships
- c. Licensing for sports grounds safety
- d. Planning processes
- e. Local Resilience Forums
- f. Safety Advisory Groups (for events)
- g. Business Improvement Districts (which can be set up by Local Authorities, businesses or individuals to benefit local businesses)
- h. Licensing Committees (for the sale and supply of alcohol, the provision of late-night entertainment and refreshment)
- i. Health and Safety, fire safety and building control processes.

j. Other _____(Free text, 100 words max)

[Linked to Question 27]

28.For your preferred option/s what would be required to improve or support this/these to realise more effective security outcomes?

_____(Free text, 100 words max)

29.How could organisations who work at public spaces be encouraged or required to engage with partner organisations (e.g. police) to ensure there is a better understanding of terrorist threat, the management of risk and mitigating measures?

_____(Free text, 100 words max)

30.What are your views on a potential legislative requirement for local authorities (and relevant public authorities such as Highways Agencies) and other relevant local partners to develop a strategic plan to combat terrorism, to ensure public security, through partnership working?

_____(Free text, 100 words max)

[Linked to Question 30]

31.What in your view would be the key components of such a legislative provision and associated guidance?

_____(Free text, 100 words max)

[Linked to Question 30]

32.What organisation/s could play a leading role in bringing together and convening such partnerships?

_____(Free text, 100 words max)

[Linked to Question 30]

33. What requirements to improve protective security and preparedness could be realistically achieved by such partnerships?

_____(Free text, 100 words max)

34.Do you have any additional proposals to put forward which could improve security at public spaces?

_____(Free text, 100 words max)

35.Where there is an existing legislative requirement for security (e.g. at certain sports grounds and transport sites, or in future those organisations and venues subject to a Protect Duty), is it reasonable to require relevant organisations (for example those surrounding the site) to work in partnership to achieve security outcomes?

_____(Free text, 100 words max)

36.Where there is currently Government security guidance (e.g. bus and coach operators and commercial ports and UK flagged ships) would it be appropriate for this guidance to be become legislative guidance under the Protect Duty to achieve greater certainty on security considerations and outcomes?

_____(Free text, 100 words max)

37.Where Government has published security guidance (e.g. bus and coach operators and commercial ports and UK flagged ships) or put in place voluntary schemes for products that could be used as weapons, would it be reasonable for businesses and other operators responsible to be mandated to follow that guidance under a Protect Duty?

_____(Free text, 100 words max)

NOTE: The answer here may be to distinguish by size and nature of operator – i.e. voluntary organisations or charities versus professional or commercial entities

To what extent do you agree with the following statement:

38.Compliance with a Protect Duty would require greater effort (e.g. time, staff resource) than compliance for comparable legal and other obligations (e.g. fire safety, health and safety, Licensing Act 2003 guidance, licensing for sports

grounds, Safety Advisory Groups)?

Strongly Disagree (SD) – Disagree (D) – Neither Agree nor Disagree (NAND) – Agree (A) – Strongly Agree (SA) [scale]

NOTE: The effect of all these is cumulative on small volunteer-led organisations like Making Music members, even with the support of Making Music, so you may wish to tick 'Strongly Agree'

39. How do you think these new requirements/mitigations will affect:

a. Number of customers/visitors visiting venues in scope of the duty? (not at all, increase, decrease)

b. The public's perception of the terrorist threat? (not at all, increase, decrease)

c. Vigilance of the workforce/use of good security behaviours by staff? (not at all, increase, decrease)

NOTE: No opportunity to answer with free text. It would be our contention that it would lead to fewer events due to additional administrative burden, so therefore you may wish to tick 'decrease', 'not at all' and 'not at all' – seeing that if events don't take place, the public or the volunteers/staff force would be none the wiser.

40. Annex 3 sets out the anticipated costs and benefits of intervention in the form of a Protect Duty. Please provide any comments you have on this Annex.

_____ (Free text, 100 words max)

NOTE: This is one of the potential 'benefits' -*Potential for reduced insurance premium for businesses that implement mitigating measures* – which is discussed also in the next section as an 'incentive'; it seems more like a threat to small/poor organisations, e.g. churches and community halls.

Of the potential costs – in our view, all of these would apply to small venues/organisations and therefore would enormously outweigh any of the listed potential benefits

41. Are there any other issues regarding what parties within the scope of a Protect Duty should be required to do that you would like to offer views on?

_____ (Free text, 200 words max)

NOTE: This is the only place to voice your disquiet that these requirements would place an unacceptable administrative and financial burden on small volunteer-led charities operating at venues which are also often volunteer-run, despite having a capacity of over 100 (e.g. churches).

Section 3: How should compliance work?

We are committed to using the proposed Protect Duty to help a wide range of businesses and other organisations improve their preparedness for, and protection from, terrorist attack. However, in line with the 'Better Regulation Framework', we also want to ensure that the Duty does not create unnecessary costs or burdens on staff resource or time. For many organisations falling under the Duty, we anticipate that financial costs incurred will be minimal, and proportionate compliance can be achieved by undertaking simple measures such as regular risk assessment and preparedness activities, for example regular staff training.

NOTE: This whole document assumes almost at every stage that any space which is publicly accessible has staff to manage such things, as opposed to volunteers when it comes to many churches, community halls or indeed the organisations using them, such as Making Music members.

...

We propose that risk assessments required by the Duty should demonstrate:

- *The range of threats that have been considered;*
- *The steps that have been subsequently taken to mitigate these threats;*
- *The steps that have been taken to prepare for and/or respond in the event of an attack; and*
- *Where steps have not been taken, the reasons why.*

These risk assessments will need to be recorded and retained by venues and organisations in scope, as part of evidence to demonstrate part of the process of compliance with the Duty if required to do so.

NOTE: It is to be assumed that if the venue undertakes these steps, they will then place some of these on the organisations which hire their premises, e.g. for concerts.

...

Developing an evidence base to support these risk assessments will also assist an inspection regime. Appropriate supporting evidence might include: a brief summary of risks and actions considered and subsequently taken; completion certificates from appropriate staff training courses; evidence of physical security measures implemented, such as door locks, roller shutters and gates; or evidence of attack response plans and their testing with staff.

...

We consider that an inspection regime would be required to provide the necessary assurance that those within scope of a Protect Duty are meeting its requirements. We are keen to develop a light touch inspection regime, and will consider whether, and how far compliance could be assessed remotely and or through appropriate third-party agencies.

...

Given the severe impacts that could occur as a result of a breach of the proposed Duty, we propose that a new offence is created for non-compliant organisations who persistently fail to take reasonable steps to reduce the potential impact of attacks. We propose that an enforcement regime is developed, with penalties primarily based on civil sanctions (such as fines) for organisations in breach of the Duty.

NOTE: This is alarming stuff for small community venues and organisations, potentially placing a heavy burden of duty on their volunteer shoulders and leading not so much to an improvement in security as in a reduction of community activity.

Highlighted in bold below are the questions you may wish to answer.

Questions from consultation:

42. How can an inspection regime best be used to support improvements to security culture and practices?

_____ (Free text, 100 words max)

43. What are your views on the use of civil penalties (fines) for organisations who persistently fail to take reasonable steps to reduce the potential impact of attacks associated with ensuring compliance with a Protect Duty?

_____ (Free text, 100 words max)

44. Do you have any other comments regarding how a compliance regime (inspection and enforcement) could operate?

_____ (Free text, 200 words max)

If you agree that the inspection and evidence burden sounds alarmingly heavy and will discourage activity rather than improve public security, this would be the place to voice this.

Section 4: How should government best support and work with partners?

...if a Protect Duty is developed, efforts to support organisations within scope of the Duty will need to be enhanced. Dedicated advice and guidance could include:

- *Easy to understand information regarding threat and attack methodologies;*
- *Advice on understanding risk assessment and managing risks;*
- *Outlining the considerations and tools which allow for mitigating threats through systems and processes; and*
- *Detailed guidance on protective security and preparedness mitigations.*

Supporting guidance will need to reflect clear and simple advice for a wide range of users (in terms of organisation size, type / business, and security expertise).

...

*Member and representative associations (e.g. for business sectors, and local areas) will be important in raising awareness of new requirements, to support understanding and delivery efforts, as well as considering new delivery and communications channels. **NOTE: Of course if this does become legislation, Making Music would see it as part of its role to support***

members in complying with its requirements, so member groups will not be alone – but would still have to do a heavy proportion of the actual work.

There would also be a need to engage with the security industry and other organisations with a role in delivering and supporting security solutions (services and products) that help owners and operators to comply with the Duty. It will be important to ensure that the market can provide sufficient high-quality advice, products and services to all those within scope. To do this, the Government may consider the introduction or support for new and existing initiatives which can help promote and maintain appropriate standards such as accredited training, approved contractor schemes, or regulation.

NOTE: This sounds as if any compulsory training will also incur cost – another negative for the leisure-time music sector and community venues and community activity.

We also want to consider how and where a Duty could be used to incentivise, rather than enforce, compliance. Incentives are already used to encourage security behaviours and activities. For example, PoolRe, the Government-backed terrorism reinsurer, encourages businesses to consider the risks from terrorism and to implement protective security and preparedness measures. In return, organisations can qualify for a discount on their insurance premium, usually set at 5%. To encourage widespread compliance with a Protect Duty, we are keen to ensure that a broad range of incentives are considered and developed, both within the insurance industry and beyond. This could include the development and use of product certifications or standards where relevant to aspects of the Duty.

NOTE: This sounds like a threat rather than an incentive, seeing that Making Music members are both time poor and cash poor – so either they will face an enormous amount of additional paperwork, or suffer financial penalties in terms of insurance, or of course both.

In all these efforts, we are also mindful to ensure that the Duty does not inadvertently create any unintended consequences or costs.

NOTE: If that is the genuine intention, then there is a lot of reason for groups and Making Music to explain the potential implications of this legislation to the government.

Below, highlighted the questions you may particularly wish to look at.

Questions from the consultation:

45. Do you currently access Government advice (primarily from Counter Terrorism Policing and the Centre for the Protection of National Infrastructure) regarding threat, protective security and preparedness?
Y/N

[If 45 = Y]

46. What, if anything, do you find most valuable in current advice and guidance?
_____(Free text, 100 words max)

[If 45 = N]

47. Why do you not currently access this advice and guidance?

- a. I did not know it existed
- b. I do not think I need to address the threat
- c. I do not have the time to access this
- d. It is too confusing to find what I want
- e. Other _____(Free text, 100 words max)

48. What would you find most useful to help you to comply with a Protect Duty (select all that apply)?

- a. A single, digital service where you could access relevant material, advice and training in one place
- b. Easy to digest information regarding threat and attack methodologies
- c. A risk assessment template
- d. Information on undertaking a risk assessment for terrorism threats
- e. Advice relating to protective security mitigations
- f. Advice relating to personnel and people security
- g. Advice relating to how an organisation can prepare for terrorism attack

- h. Advice on what constitutes reasonably practicable and appropriate mitigations appropriate for my circumstances
- i. Development of product certifications or standards for aspects of the approach
- j. Staff training and awareness courses
- k. E-learning products
- l. An App
- m. A sector meeting where I can talk about the Duty with experts and other similar organisations
- n. A local meeting where I can talk about the Duty with experts and other similar organisations
- o. Other: _____(Free text, 100 words max)

49. Counter-Terrorism Policing are working with Government and the Private Sector to design a digital service to provide access to relevant counter-terrorism material, advice and training in one place for organisations operating in publicly accessible locations. Do you anticipate that you would access counter terrorism information through this service if it were available to you?

Y/N

[If 49= N]

50. Why not?

_____(Free text, 100 words max)

[If 49 = Y]

51. What would you most likely use this kind of service for (tick all that apply)?

- a. To get general updates on how the terrorism risk is changing
- b. To support business planning activities
- c. To understand what risk management activities you need to do
- d. To access CT training
- e. To connect with other organisations to discuss counter terrorism
- f. To understand what to do after an incident
- g. Reporting of suspected terrorist activity/concerns

52. Do you have any further comments or suggestions for how you might like to access counter-terrorism information and work with local partners on counter-terrorism issues in the future?

_____(Free text, 100 words max)

53. What role should local business partnerships (such as Business Improvement Districts, Local Enterprise partnerships, etc.) have in supporting organisations and venues to deliver improved security?

_____(Free text, 100 words max)

54. Working with others, what could the Government best do to incentivise improved security practices?

_____(Free text, 100 words max)

55. To support the provision of high-quality advice and guidance from private sector security professionals providing counter terrorism security advice, Government should consider (tick all that apply)

- a. Government supported standards for Counter Terrorism (CT) risk assessments and advice
- b. Qualifications / Accredited training for individual professionals
- c. Government supported 'approved contractors scheme'
- d. Regulation of CT consultants
- e. None

f. Other _____ (Free text, 100 words max)

g. I don't know

56. What advice and support would be required for organisations and venues within the scope of Protect Duty?

_____(Free text, 100 words max)

57. Given the complexity of public spaces, and the potential need for partnership working to achieve effective ways of working leading to improvements in protective security and preparedness, what additional bespoke support and expertise could be provided?

_____ (Free text, 100 words max)

58. Do you have any other proposals on what Government could do to support partners in the delivery of a Protect Duty?

_____ (Free text, 200 words max)

NOTE: Difficult to know how best to raise concerns in one of these questions with regard to the impact on volunteer-led spaces and activities, in terms of administrative and financial burden on their very limited resources.

Perhaps the details of who such a Protect Duty should apply to would best be taken locally, to reflect also local levels of threat, e.g. much higher surely in London and other urban centres than, say, in the middle of Suffolk.

But throughout this consultation, it would be useful to highlight and ask for a thorough impact assessment on community spaces and place-making and local infrastructure for local groups (this will also affect the likes of the Scouts etc.).