- **The Interview** Clive Lewis talks about social toxicity in the workplace
- **Book review** The Future Starts Now, by Theo Priestley and Bronwyn Williams
- **Executive summary** Discourse around mental health at work

cirmagazine.com

March-April 2021

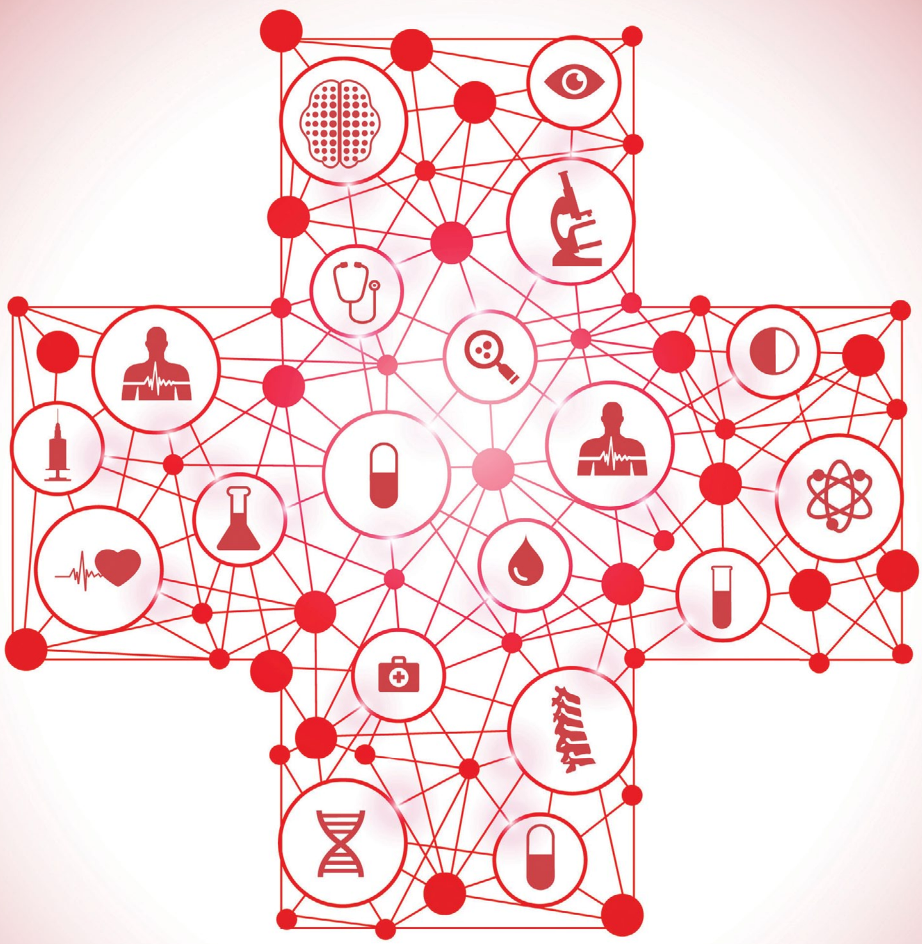
CIR
CONTINUITY INSURANCE & RISK

The anatomy of protest *In fragile economic and political times, the prospect of violent social unrest looms large*

The globalisation of collective redress *Not all group litigations were created equal but what they do share is an upward trend*

ESG *The move away from fossil fuels has implications for insurers, and it could be difficult for renewables to fill the gap*

Healthtech
Underwriting the future



View: "The way in which the FCA has worked in favour of policyholders' interests is deserving of credit."

Comment

Recently appointed business secretary, Kwasi Kwarteng has presented the government's long-awaited proposals for reform of the UK's audit and corporate governance and audit regime.

Intended to overhaul the system in the wake of large-scale company failures such as Carillion, Thomas Cook and BHS, the proposals include a raft of wide-ranging changes – not all of which have observers persuaded.

Under the proposals, large companies would be required to use a smaller 'challenger' firm to conduct a meaningful portion of their annual audit, watering down the supremacy of big-name auditors that put markets at risk whilst boosting jobs and growth of smaller audit firms across the country. The Big Four could also face a cap on their market share of FTSE 350 audits if competition in the sector does not improve.

The reforms would also see the Financial Reporting Council replaced by the new Audit, Reporting and Governance Authority, or ARGA, which would oversee the largest unlisted companies as well as those on the stock market, and would have the power to impose an operational split between the audit and non-audit functions of accountancy firms, to reduce the risk of any conflicts of interest that may
affect the standard of audit they provide.

The new plans also aim to make directors of the country's biggest companies more accountable if they have been negligent in their duties. Directors of large businesses could face fines or suspensions in the most serious cases of failings – such as significant errors with accounts, hiding crucial information from auditors, or leaving the door open to fraud. Companies could also be expected to write into directors' contracts that their bonuses will be repaid in the event of collapses or serious director failings up to two years after the pay award is made.

In another new development, requirements relating to the UK's 2050 climate agenda are interwoven into the proposals via plans to hold companies to account against climate targets, with directors set to be asked for annual resilience statements detailing how their organisations are mitigating short and long-term risks.

Tentatively welcoming the proposals, chief policy director at the CBI, Matthew Fell said that while recent high-profile failures make a compelling case for overhauling the UK's corporate governance and audit regime, some of the proposed measures would take careful implementation to be meaningful. "Many businesses are still to be convinced that mandating shared audits will get to the heart of the issues around rigour and quality, not just add complexity," he said. "It's welcome that the government has thought carefully about directors' accountability, rather than simply copying the more burdensome aspects of the US-style regime. Nonetheless these measures will require careful implementation to be meaningful without stifling entrepreneurial spirits."

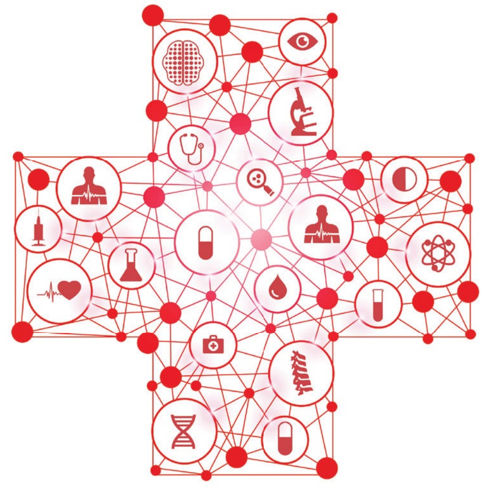
Law firm DWF said the proposals would add further pressure to the D&O market. Partner and D&O insurance specialist at the firm, Andrea Scafidi said corporate executives are under the spotlight like never before, as they face an increasing range of exposures and claims scenarios: "Not all of the proposed new UK regulations immediately increase exposure of insurers to coverage claims, to the extent that regulatory fines and sanctions are uninsurable by law, however it is undeniable that the costs of serving as a director are dramatically rising in the UK, as well as in other countries, and that these do not only include compliance-related costs, but also the costs of litigation and insurance."

Deborah Ritchie

COVER STORY

Healthtech

Underwriting the future



Editorial & features

News, views & regulars

CIR
CONTINUITY INSURANCE & RISK

Group editor
Deborah Ritchie
deborah.ritchie@cirmagazine.com
Tel: +44 (0)20 7562 2412

Associate publisher
Steve Turner
steve.turner@cirmagazine.com
Tel: +44 (0)20 7562 2434

Design & production manager
Matt Mills
matt.mills@cirmagazine.com
Tel: +44 (0)20 7562 2406

Publishing director
Mark Evans
Tel: +44 (0)20 7562 2418

Managing director
John Woods
Tel: +44 (0)20 7562 2421

Accounts
Marilou Tait
Tel: +44 (0)20 7562 2432

Subscriptions
Tel: +44 (0)1635 588 861
perspectivesubs@dynamail.co.uk

£189 pa in the UK
£199 pa in the EU
£209 pa elsewhere

Cheques must be made payable to Perspective Publishing Limited and addressed to the Circulation Dept.

CIR Magazine is published by:

Perspective Publishing
6th Floor
3 London Wall Buildings
London, EC2M 5PD
UK

Tel: +44 (0)20 7562 2400

ISSN 1479-862X
cirmagazine.com


NET ZERO HERO
NOW IS THE
#TIME FOR TIMBER
Whilst the carbon reduction agenda is fully declared by Government through the Net Zero 2050 initiative and the more recent Build Back Greener messages post Covid, it is clear that the way we build in the future will require a different attitude in building material selection.
Our ability to support the economy and reach Net Zero by 2050 depends on the construction and insurance industries working together to embrace timber construction.
timefortimber.org

Gearing up for change?

A Supreme Court ruling brought a four-year battle with Uber to an end by determining that drivers are not self-employed, but workers. Lloyd Davey and Emily Hocken examine the wider implications of the judgment

Uber and its drivers were not the only ones eagerly awaiting the Supreme Court's judgment in Uber BV and Others v Aslam and others, handed down last month. The finding that Uber drivers are workers, as opposed to independent contractors, and as such are entitled to a range of valuable protections including national minimum wage and holiday pay, is likely to have national and potentially global impact, forcing businesses operating within the gig economy to reconsider their business models.

Uber considers the ruling to be limited to "a small group of drivers using the Uber app in 2016" and does not take into account the significant changes made to its business model since then. While this may be true to some extent, many question whether Uber has changed its business model enough, and it is likely that the company will need to take further action to avoid its drivers being afforded worker status going forward. Plus, the need to pay its drivers the national minimum wage as well as holiday pay could result in significant fare increases for the customer.

Businesses operating a similar model to Uber should consider themselves on notice that the Courts appear keen to support individuals seeking greater rights and workplace protection, and are willing to afford greater protections to individuals, especially in the gig economy, irrespective of the nature of their contractual arrangements. In particular, the Supreme Court warned against attempts by businesses to contract out of statutory protections that exist to protect the vulnerable.

The Supreme Court identified five key control factors indicating that Uber's drivers were considered workers and not self-employed:

1. Uber dictated the fare charged by a driver, which determined the driver's pay. Drivers had no control over how much income they generated other than by choosing when and for how long they worked.
2. Uber imposed the contractual terms on which the drivers provided their services.
3. Uber constrained the drivers' choice to accept or decline passenger journeys, by limiting the information provided to the driver (including the passenger's destination) and penalising the driver for a low acceptance rate.
4. Uber exercised significant control over the way in which drivers provided their services, including vetting the driver's car and using passenger ratings to manage a driver's performance.
5. Uber restricted communication between drivers and passengers to prevent a driver establishing an independent relationship with a passenger beyond a single journey.

While these cases are always fact-sensitive, businesses that operate similarly to Uber should review their own working arrangements in light of these factors.

The gig economy

This landmark ruling is a devastating blow to gig economy businesses, although not unexpected. It is the latest in a series of cases in which the courts have identified a closer, personal relationship between the individual and the business, and rejected the notion that gig economy workers are carrying on a business in their own right.

Importantly, there will be significant cost implications for businesses forced to recognise workers' rights, which could make them reconsider their business models or pass on additional costs to the customer. Businesses are now under pressure to provide much better terms and conditions to those working for them, and an increasing number of new start-ups are opting to directly employ their staff rather than navigate the uncertainty of less defined working relationships.

Despite these developments, the gig economy is unlikely to be phased out completely. Many of the estimated five million individuals currently working under these conditions are attracted to it precisely because of the flexibility and entrepreneurial opportunities it offers. While these core values remain, the gig economy appears here to stay.

Lloyd Davey is a partner and Emily Hocken an associate at Stevens & Bolton LLP

Inspiration for resilience professionals

The Future Starts Now: Expert Insights into the Future of Business, Technology and Society

Theo Priestley and Bronwyn Williams, Bloomsbury Business, 2021. Reviewed by Deborah Ritchie, editor, CIR

bloomsbury.com

With a huge focus on change and turmoil as a result of the pandemic, the timing of this book could not be better.

"Never before has the pace of change been so fast and yet it will never again be so slow," Darren Roos, CEO of enterprise software firm, IFS writes in his forward to *The Future Starts Now.* "It shone a spotlight on the socio-economic divide, differing political value systems, growing nationalism, and climate change but most of all, it highlighted the speed with which the world can change. No longer can we reflect on the future as a point in time that may never arrive."

In this fascinating multi-contributor book, editors Priestley and Williams sought to go further than the usual visions of the future (which they point out are either overly optimistic or overly pessimistic) and instead focus on the power to change "the future of the future" to one that works for more of us.

"No longer can we reflect on the future as a point in time that may never arrive"

To explore these themes, the editors selected a group of futurists from all over the world to get readers thinking about the futures they don't want to live in, as well as those they want to create, suggesting a number of actionable solutions that can be implemented now to help to get ourselves, our businesses and our societies there. The book's five parts include essays on information technology and policy, artificial intelligence, economic strategy, education, robots, psychology and longevity.

Theo Priestley is a globally recognised futurist and international speaker and author on the future of business, technology and society. He has delivered keynotes at an array of conferences and corporate events, and is a contributor to *Forbes* and *Wired*. Bronwyn Williams is a leading futurist and trend analyst. A TEDx fellow, writer and frequent media commentator. She has presented and consulted to businesses, governments and academic institutions across Africa, Europe and the Middle East.

"The entire notion of predicting a specific, deterministic future is flawed from the get-go. Instead we should map out a plethora of potential futures so that we may do battle, here in the present"

Priestley and Williams' core proposition is that the entire notion of predicting a specific, deterministic future is flawed from the get-go and that "most people who try end up being embarrassingly wrong".

Instead we should be "mapping out a plethora of potential futures precisely so that we may do battle, here in the present, to encourage the good outcomes and deter the bad ones".

The parallels with organisational resilience are striking. So, too, are those with forward-looking insurers underwriting the new risks that progress inevitably brings about. I will therefore boldly predict that Bloomsbury's latest book will be popular with readers from across the entire business risk spectrum.

Somewhat poetically, this book is not yet available, but it will be in April, when it is published in hardback and ebook formats in the UK; and in June in the US.

News briefing

A round-up of the latest industry news

The Association of British Insurers said that post-Brexit improvements to the Solvency II regulatory regime could free up billions of pounds, while upholding high-level protections for customers. Willis Towers Watson said of the review that it represented an opportunity to better reflect the particular structures, products and business models of the UK insurance sector.

The Supreme Court passed judgment in a landmark case against Uber, bringing a four-year battle to an end by determining that Uber drivers are not self-employed; instead they are workers entitled to workers' rights including holiday pay, a guaranteed minimum wage and an entitlement to breaks.

DAC Beachcroft said it expects insurers to come under pressure in the months ahead from an uptick in deteriorating workplace safety and fraudulent claims. The law firm said a global recession will bring about cost-cutting, insolvencies and greater business uncertainty, and that these in turn could lead to reduced investment in training, and more employees being asked to fulfil roles for which they do not have the requisite competence or equipment.

The coronavirus pandemic, global protectionism and China's 'dual-circulation' agenda have together accelerated diversification in the global supply chain away from the world's largest exporting country. Vietnam is becoming the destination of choice for companies relocating parts of the supply chain, thanks to its low wage costs, participation in trade agreements and favourable policies for incoming FDI.

Unless distribution plans for vaccines are perfectly executed, challenges will arise in protecting the single most valuable cargo of all in the coming months, according to TT Club and BSI. They said thefts of cargo in transit make up the highest proportion of total cargo thefts across the whole of 2020.

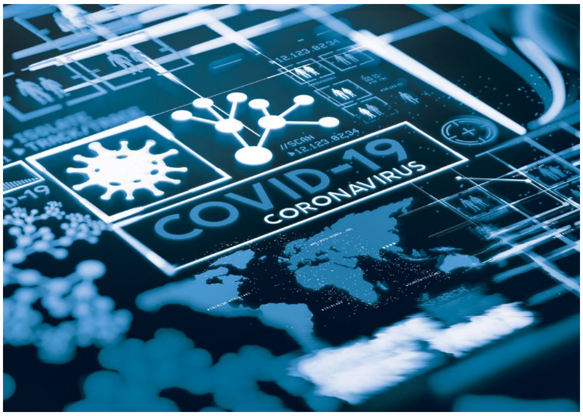
John Lewis, Timpson, Boots, Ikea and Marks and Spencer led the charge as businesses up and down the country pledged their support for the UK's COVID-19 vaccination programme. John Lewis donated space at its Waitrose head office to be used as a local vaccination hub; and is actively encouraging partners to sign up as volunteers to support the rollout.

As other vaccination programmes were rolled out across the globe, opportunities for firms to provide their own programmes for employees began to appear. International SOS developed a vaccine tracker to help companies understand when, where and how they can roll out staff vaccination programmes.

With its world-leading vaccination programme in full swing, the UK began to gear up for the next big return to work. Just how big, nobody knows. Business group Resilience First warned office-based firms not to plan for full occupancy, and said business leaders must realise that any return to the office will be a hybrid one. Goldman Sachs CEO David Solomon said he wanted all his people back in the office. HSBC announced plans to almost halve its global office footprint. AXA offered employees the option to work remotely two days per week.

The speed and extent of the return to offices and cities was addressed by Prime Minister Boris Johnson when he said (at a virtual Network Rail conference) that commuting would be back "in a few short months" and that the current WFH approach was "a temporary thing".

For the full story behind all these headlines, visit **cirmagazine.com**



The COVID-19 pandemic and worldwide trend towards the digitisation of medicine are bringing about rapid technological change, and with it, the need to reassess risk liabilities, according to a Willis Towers Watson report. A separate study (from Aon) said the emergence of COVID-19 demonstrates how important it is for businesses to rethink risk management strategies, as it revealed that, prior to the pandemic, the vast majority of risk registers had not featured health crises amongst their top ten risks.

US-based risk management and insurance society, RIMS meanwhile reported that over half of the enterprise risk management programmes managed by its members shifted in focus to health and safety and business continuity in response to the COVID-19 pandemic. The society also noted that 22% of its 613 member respondents saw an increase in resource allocation for ERM as a result of COVID-19 challenges.

Pool Re completed its three-year £2.475bn terrorism retrocession placement with 56 international reinsurers. The programme is led by Munich Re with Hannover Re and Fidelis providing significant capacity. The placement covers property damage arising from nuclear, biological, chemical and radiological attacks; cyber-triggered terrorist losses; as well as conventional terrorist acts.

A global semiconductor shortage continued to disrupt automotive production, in a development that could delay the recovery of new vehicle sales and profitability in the sector, according to Fitch Ratings. Increased demand for consumer electronics during lockdowns was said to be behind the global microchip shortage. Audi was among the manufacturers forced to slow production due to the dearth of chips.

Despite a genuine desire to hit the government's 2050 net zero target, business leaders do not fully understand its implications for their companies. So said standards body, BSI in its first *Net Zero Barometer Report*, which canvassed 1,000 senior decision makers and sustainability professionals in the UK. Meanwhile risk association FERMA said enterprise risk management and other existing frameworks are perfectly sufficient for the management of risks relating to environmental pollution, human rights violations and climate change, and that there was therefore no need for further burdensome EU rules around them.

Increasingly connected industrial control systems were highlighted as a growing risk for industrials as they build ever more bridges between physical assets and the internet. While cyber risks have previously been considered unlikely to materially impact physical assets, growing connectivity and progressively more sophisticated cyber attacks are changing risk profiles.

The cyber insurance market was said to have arrived at the most challenging point in its history due to a marked increase in the severity of losses – and driven almost entirely by a number of substantial ransomware events. Meanwhile, the use of deepfake video and audio technologies was flagged to become a major cyber threat to businesses within the next two years, according to the cyber analytics specialists at CyberCube. A quite convincing and slightly sinister deepfake video of 'Tom Cruise' went viral.

News briefing

A round-up of the latest general insurance news

Admiral Group's UK insurance operations reported a profit before tax of £698.1m for the year ended 31st December 2020. This was up by almost 17% on the £597.4m reported the previous year. Combined operating ratio for UK insurance operations improved to 70.7% (2019:80.3%), reflecting quieter roads and reduced claims during lockdown.

Aston Lark continued its acquisition spree, adding Bristol-based Venture Insurance Brokers to its stable. The business serves both personal and commercial clients, with a focus on professional indemnity, property management, haulage, small business solutions and risk management.

London-based Costero Holdings acquired fellow Lloyd's broker Mar Risk Services. The business was founded in 2000 by Clive Freeman who becomes a non-executive director of Costero. The wider Mar team has also joined the firm as part of the deal, which completed at the beginning of March.

Insurer Hiscox reported a loss before tax of £192m for the year to 31st December 2020, compared with a £38m profit posted the previous year. The group's combined ratio deteriorated from 106.8% in 2019 to 114.5% in 2020, while gross written premium remained stable at £2.9bn.

Global Risk Partner's Birmingham broker Newstead Insurance Brokers completed its first acquisition with its purchase of local firm, Alford Burton and Company. Alford Burton was founded in 1987. Its core business is commercial insurance for SMEs, ranging from manufacturers to professionals and contractors to charities.

The Chartered Insurance Institute expressed its frustration at Chancellor Rishi Sunak's decision to keep insurance premium tax at 12% in his latest Budget. The CII said maintaining the tax at this level was deterring the take up of insurance and leaving people exposed to potentially catastrophic risks.

Aston Lark has acquired Bruce Stevenson Insurance Brokers, Scotland's largest independent broker. The firm supports both personal and commercial lines clients and specialises in sectors including renewable energy, social housing and property insurance.

The Ardonagh Group, through its subsidiary Hamilton Investment Bidco, acquired specialist broker Hemsley Wynne Furlonge LLP. The acquired intermediary focuses on structuring bespoke insurance solutions for transactional risks, specialising in warranty and indemnity, tax, contingent risk and environmental indemnity products.

Loss adjuster Lorega Solutions teamed up with law firm Wynterhill LLP to launch Legal Expert, a service that provides access to legal services if a property or business interruption claim is rejected or discounted.

Lloyd's announced plans to partially open its Underwriting Room on 17th May ahead of its goal of further relaxing restrictions on 21st June. In addition, Lloyd's said it was opening the Virtual Room to all classes of business and was continuing to improve the features available to users.

Rising Edge, a new MGA serving wholesale London Market and European brokers, announced plans to launch in the first half of this year. The company will offer the full spectrum of D&O coverage, offering primary and low attachment cover for a breadth of companies ranging from those with US listed securities or international exposures to private businesses.

For the full story behind all these headlines, visit insurancetoday.co.uk

Moody's Investors Service gave the UK P/C sector a stable outlook, but highlighted looming profitability challenges for the personal lines market. Its *P/C Insurance – UK 2021 Outlook* suggests personal lines profitability will be challenged throughout 2021, while commercial insurers are expected to benefit from sustained price increases.

Ageas UK reported a full net year result of £58m for 2020, down from £60m in 2019. Income for 2020 was £1,484m, down from £1,517m the previous year.

AXA posted 2020 property and casualty underlying earnings for the group of £1.4bn down from the £2.8bn recorded in 2019. Total group net income for 2020 was down 18% on the previous year to £2.8bn.

The Financial Conduct Authority published final guidance (FG21/1) on what it expects from firms when dealing with vulnerable customers to ensure they enjoy the same level of outcomes as all others. Some 27.7 million adults in the UK have characteristics of vulnerability.

Consolidating broker Aston Lark acquired construction market specialists Sennocke International Insurance Services and Build-Zone Survey Services. Sennocke International Insurance Services comprises self-build insurance specialist Self-Build Zone and Build-Zone, which focuses on latent defects insurance in the self-build market.

The Association of British Insurers said members expect to pay around £2.5bn for COVID-19 insurance claims incurred in 2020. These latest forecasts include £2bn for COVID-19 business interruption claims and £204m paid from COVID-related protection insurance claims including life, critical illness, and income protection insurance claims.

AXA replaced Swiss Re as the main capacity provider for MGA Ensurance, which specialises in construction and engineering. Separately, the Co-operative Bank named AXA as preferred business insurance provider to its SME customers as part of a five-year deal.

Global Risk Partners agreed terms to purchase Marsh's UK Networks business, which includes Marsh ProBroker, Bluefin Network, Purple Partnership, Marsh Connections, Marsh Labyrinth and Broker2Broker.

Brit reported a loss of £167m for the year ended 31st December 2021, compared with the profit of £130m it reported in 2019. Combined operating ratio for 2020 was 112.6%, up from the 95.8% recorded in 2019. The insurer said that its combined operating ratio for 2020 would have been 96.7% had COVID-related losses been excluded.

AEGIS London's online quote-and-bind platform Opal saw a 40% growth in trading during 2020. Based on over £50m gross premium passing through the platform, the 40% rise was said to be down to a combination of continuing organic growth since the system's launch in 2016, and the boost in e-trading created by lockdown.

Zurich UK reported an operating profit of £111m for the year ended 31st December 2020. This was down by 73% on the £413m recorded in 2019. In its property and casualty business, the insurer saw operating profit in 2020 drop to £68m from the £271m achieved in 2019. Its combined operating ratio for 2020 rose by 6.8% on the previous year to hit 97.8%.

New normals

Prior to the pandemic, another crisis was unfolding in workplaces. From abusive colleagues to discriminatory cultures, social toxicity in the workplace had become a persistent and costly theme. With a return to the office in sight, Deborah Ritchie asked chief executive of Globis Mediation Group, Clive Lewis about the impact of lockdowns on the situation, and his wider views on 'new normals'

The pandemic has thrust a great many changes on the working environment. Some staff will be missing the leadership and camaraderie offered by great bosses and supportive colleagues; others will have breathed a sigh of relief each morning for the past 12 months as they wake to another day without that psychopathic colleague. Elsewhere, and especially for those working in front-line services, the coronavirus crisis will have added levels of stress and anxiety never thought possible before the global pandemic was declared just over a year ago.

Now, as the virus recedes and vaccination programmes are rolled out, focus is shifting to the return to offices. What effect will the pandemic have on toxic workplaces? Will it have forced a fresh perspective, or will the same problems be waiting for employers and employees on their return? And in the meantime, how are businesses managing the transition itself?

Clive Lewis is an expert in the field of workplace mediation having spent many years distilling the problems and underlying causes of toxic workplaces – from offices to hospitals.

Lewis believes social toxicity in the workplace to be a persistent and costly theme. From unreasonable workloads or hours, office politics and demanding bosses to abusive and discriminatory cultures, he describes the situation as a "widespread crisis" in its own right, and suggests that, after over a year of remote working, businesses take time to manage carefully the return to work.

What creates the typical toxic working environment?

Based on my experience, there are usually three elements at play in a toxic environment (what I call the 'toxic triad'). First, the role of the employee in recognising responsibility for their own behaviour; second, the line management capability and how well they execute their jobs (such as, for instance, not taking credit for the work of others); and third, the organisation's systems and the recognition that there may not be enough resources (which may or may not be financial).

Team dysfunction can have a crippling effect on productivity, leaving some organisations struggling to survive.

If there is a serious problem that puts the business at risk from a revenue perspective, then leaders are more likely to do something about it before it drags the company down.

Can the toxic workplace extend to the remote working environment, and if so, how has that manifested during lockdowns?

If a working environment was toxic before the pandemic, I believe it would just be exacerbated amid the pandemic.

This can manifest in a number of ways. The absence of the customary 'video call wave' can present issues within teams. Perhaps less surprisingly, omitting to invite certain people to meetings causes problems. Sometimes it might be deliberate, and at other times a mistake; but in either case it will likely upset those who were left out.

We have seen disputes arise when staff members refuse to turn on their camera for video calls. In some cases, people consider video calls as far too intimate and personal compared to face-to-face discussions.

Ahead of the planned return to offices in the Summer, how are businesses approaching the challenges around transitioning back to the traditional workplace?

There's a real mix. Some organisations have been very proactive, such as the Co-op Group, which started discussions long before the Prime Minister's recent announcement about the roadmap out of lockdown. A great many more have not yet addressed the topic even now.

I think the transition is going to be hard. People have proven they can work effectively from home – more so than we ever thought possible. And people have got used to it. There is a view that working from home, as a practice, has become the norm, and could therefore be argued to have become almost contractual under HR

Clive Lewis, chief executive of Globis Mediation Group

'custom and practice'.

It's been an extraordinary period. I envisage that some staff won't want to return to the old ways of working. There is a real need for adult conversations to take place about what the new normal looks like.

While extroverts who have struggled the most during lockdown will be far more willing to consider a return to the office, even they will not want to return to the way it was before.

It's very difficult to address problems like this on a piecemeal basis. And even if there may be a quick 'way out' by doing one thing for one person just to get the problem off the desk, you can be sure that others will be upset if they hear about someone else getting special treatment. Small firms can be more nimble here but large organisations must have a blanket policy.

What outcomes do you envisage as part of the transition?

Those who were already unhappy in jobs – either because of poor or dysfunctional working relationships or because they have outgrown their role – will return to the same problems.

The levels of anxiety over the last 12 months will have left them grateful for their monthly salary but they'll not have thought very much about job satisfaction. They will realise quite quickly that they are still as unhappy as they were before.

Some people might have regrets about the preceding 16 months because it has passed them by, or because they have just been treading water for the duration. Reflecting on time spent poorly will leave some people feeling sad and regretful.

"It's been an extraordinary period. There is a real need for adult conversations to take place about what the new normal looks like"

Working remotely has not meant that the usually office-based problems disappear. In one case, we worked with an individual who was relentlessly bullied and undermined by her boss – face-to-face at first, and then over the phone. This manager tried to entice other members to go against the individual, and in this case, the result was extreme stress which manifested itself physically.

Our own Listening Ear service has been incredibly busy during lockdown. Our team of clinical psychologists has led numerous interventions, including a situation where an individual attempted to take their life three times. There were a number of reasons behind the situation and not all of them were work-related. Indeed, there has been a lot of focus on domestic abuse in past year.

How might organisations support staff in coping with this next phase of the crisis?

Many staff will have spent the last year wanting to demonstrate that they are still doing their jobs, while facing concurrent and real challenges in balancing work and family life. In some cases, this comes with high levels of stress.

Humans have varying levels of capacity to withstand stress, and we believe organisations can help staff to realise when they are reaching that point.

Some readers may have heard this described as 'allostatic load', which describes the cost of chronic exposure to elevated or fluctuating endocrine or neural responses resulting from chronic or repeated stressful challenges.

To address this, there are three things that people can do:

1. Conduct a self-assessment: Be really honest with yourself about recognising warning signs.

2. Be considerate of those around you and people who can be described as dysfunctional, and who keep draining energy from others.

3. Organisations should ensure they keep a tab on the 'toxic triad', and ensure they have sufficient resources to do so.

Interview by Deborah Ritchie

The healthtech revolution

The global pandemic and a universal trend towards digitisation are bringing about rapid change in healthcare, and with it, a need to reassess risk, insurance provision and liabilities. Deborah Ritchie reports on the evolving risk landscape

Digital healthcare is on a promising but perilous trajectory. Propelled by the COVID-19 pandemic, digital health has surged globally as healthcare providers have advanced deployment of novel delivery methods to help combat the crisis, facilitate necessary social distancing and enhance employee and patient safety. This digital health revolution is expected to profoundly and permanently reshape how healthcare is accessed and provided; but at the same time it will produce new and unexpected risks and consequent liabilities.

According to a report published in February by Willis Towers Watson, the global digital health market is estimated to be worth over £83 billion (as at 2019) and is forecast to be an almost £598 billion market by 2027. There are several forces behind this trajectory.

Digital health tools have robust clinical utility that hold great promise for achieving better quality care, enhanced access, lower costs and ultimately improved health outcomes through better diagnoses and treatments; while big data is the "gas in the engine of most digital health innovations" making the availability of data globally another substantial growth driver.

"Consider the global data sphere is projected to grow from 59 zettabytes in 2020 to 175 zettabytes by 2025 – a combined annual growth rate of 26 per cent; and because of the digitisation of medicine, health data are amassing at an even faster pace – CAGR of 36 per cent through 2025," the report states.

A surge in consumer demand for digital health tools has been another

major driver. After having plateaued in 2018, demand has been revitalised as a result of the pandemic.

The convergence of healthcare and technology is not a new phenomenon, as GB health and social care practice leader at Willis Towers Watson, David Kennedy points out: "Consider the introduction of computers into the healthcare system in the 1960s, the launch of the da Vinci robotic surgical system in 2000 and increasingly sophisticated CT scan systems.

"Yet, digital health innovation is a distinguishable technological transformative force that also encapsulates profound cultural shifts and an altogether new way of working within healthcare. As the next frontier of technological advancement in healthcare, there are great expectations about digital health's positive disruptive potential."

In the healthcare property and casualty community, meanwhile, insurers and brokers are grappling with real-time liability and insurance implications of the rapid escalation in digital health deployment and adoption. Determining what insurance coverages are necessary requires an analysis of the insured's operations, products and services (including any contractual requirements that underpin their business) within the context of current insurance products available.

"The UK has developed two market-leading, innovative products which provide cover for digital health risks offering a multi-disciplinary coverage solution," explains Claire Prosser, executive director at Willis Towers Watson. "Both solutions cover medical malpractice, tech E&O, cyber, public and products liability for digital health risks and are available to digital health risks located in the UK, worldwide and the US. However, appetite for US-based risks is somewhat more limited and approached on an individual risk basis.

"Additionally, worldwide appetites can be constrained due to the complexities of cross-border digital healthcare and regulations. These products do have varied approaches to different healthcare segments and seem focused on entities with primarily digital health exposures. We look forward to an expansion of these products into traditional healthcare segments; this will address emerging digital health exposures of healthcare providers seeking to expand their technological offerings.

"Aside from these innovative products, integrated solutions in the London Market are limited with largely siloed coverage solutions required to address the differing exposures. For example, healthcare liability insurers are seeking to limit their potential exposure for bodily injury arising from data privacy and security events. Thus, clients must increasingly seek this coverage from cyber insurers.

"However, the cyber market's appetite to provide coverage for bodily injury harms is extremely limited and there are very few cyber insurers who will consider the removal of the bodily injury exclusion (and still may only offer coverage on a sub-limited basis). These gaps are common and are not able to be 'elegantly' addressed when coverage must be cobbled together via siloed products."

Willis Towers Watson's whitepaper, *The Future of Digital Health* can be downloaded at www.willistowerswatson.com/en-GB/Insights/2021/02/the-future-of-digital-health

Challenges faced by the digital health industry

There are substantial challenges that the digital health industry faces that must be considered within any insurance and liability analysis. Among them:

- Regulatory and legal frameworks that cannot keep pace within innovation, adoption and use.
- Consumer concerns about security and privacy.
- Ethical questions that inevitably arise in the adoption and use of new technologies, especially regarding the role of commercialism and monetisation.
- Interoperability issues and fragmented systems – both technical (software, platforms etc) and 'system structure' (eg. disparate providers, payors and regulators of healthcare).
- Competing motivations and misalignments – payor, provider and patient (what are the priorities and how can they be agreed upon).
- Equity issues that can especially arise from swift digital implementations – eg. digital literacy issues, digital access issues ('digital divide') and the impact on vulnerable groups (eg. seniors – the 'grey divide').
- Usability issues for patients and providers alike.

Source: Willis Towers Watson

The artificial intelligence boost

Peter Rudd-Clarke, legal director, RPC

Before the new COVID-19 vaccines were approved by regulators, it seemed as though there was little to be positive about when it came to health news. However, the way in which artificial intelligence has recently come to the fore during the pandemic has shown the potential for healthcare to move into a new era.

AI has been used during the

pandemic to expedite treatment, enhance diagnoses, obtain approval for repurposing existing drugs and shorten hospital stays.

There was a growing demand for AI products, even before the pandemic. These included imaging databases, diagnostic algorithms, telemedicine platforms and machine learning software.

Governments and hospitals are attracted to AI by evidence of costs savings and improved patient outcomes. This has meant that insurers are increasingly being tasked with assessing how best to provide insurance for new AI products whilst guarding against risks in a fast-developing area.

Mistakes can be catastrophic in a clinical setting. In the event of litigation, claimant lawyers will focus on the party responsible for the alleged error and sue the provider of the diagnosis, treatment or care. A manufacturer may also be a target where a product is involved.

AI products come with their own unique risks. Earlier this year, the UK Parliamentary Office of Science and Technology published a paper on AI and healthcare. It raised a concern that there is a lack of precedent for how such litigation would be resolved and that no professional medical regulators have introduced guidelines for AI use.

Even with their own experience and training, a clinician may defer to recommendations made by a flawed AI product. This can arise where there is a software glitch or where the AI has been fed incorrect data. Where that happens, it can be difficult to fully understand who should be responsible in this circumstance and allocate liability. Was it the doctor, who could have used their judgement to override decisions based on AI; or was it the manufacturer or software engineer who put together the equipment and programmed it? This leaves insurers exploring relatively uncharted territory.

Enacted well before the rise of AI, consumer protection laws impose strict liability on the producers of defective products. The courts may find it challenging in the future to determine if products are defective in the context of much older legislation. The picture becomes more complicated where product liability allegations become entangled with allegations of clinical negligence.

Furthermore, the supply chain involved in producing an AI product often features a long list of companies and people that could be sued. Insurers may need to work through a complicated web of designers, manufacturers, programmers, suppliers and users to determine where liability should lie.

Common goals

Ultimately, despite the potential offered by AI, insurers should recognise that the primary risk remains human decision-making. Such decision-making is present throughout: from the design of an algorithm, medical device or piece of software; through the selection of data sources; decisions over the deployment of an AI service or product; to reliance on AI in prescribing treatment. Insurers may want to focus on how decisions are made in those organisations.

Despite the unique risks, insurers can work with manufacturers to mitigate the threat of litigation.

Insurers should be encouraging communication and knowledge-sharing between all users and producers of AI. The sharing of information between developers, manufacturers, hospitals and clinicians will help to pre-empt and potentially avoid some of the risks that AI creates.

Manufacturers can also insist that users of AI products have appropriate training and the necessary infrastructure to support the software being used. The more guidance is provided and followed, the less likely it is that there will be an error. This should help them if any future cases arise.

Insurers should also scrutinise contracts that allocate liability between parties involved in the supply chain. NHSX (the body with responsibility for setting policy concerning the use of technology in the NHS) now advocates for contracts to include clearly thought-through indemnities, in the event of allegations that AI causes, or contributes, to injury or death in patients. Insurers will want their clients to pay close attention to these clauses when negotiating supply contracts.

The COVID-19 crisis has accelerated the development of AI products beyond what we may have seen had the pandemic not occurred. As healthcare budgets are squeezed and waiting lists grow, insurers can expect hospital procurement managers to place more emphasis on using AI in the search for faster diagnoses and more efficient treatments.

As the health secretary Matt Hancock noted earlier this year, AI is "already beginning to transform patient care" and is creating "a more predictive, preventive and personalised health and care service". Enterprising manufacturers will be well positioned to bring innovative products to the market to meet increasing demand; but in line with this rise, insurers should take care in examining the risks and developing strategies to combat them.

Silent assassin

The global pandemic has forced a massive acceleration in the adoption of digital health solutions. Tim Boyce looks at how the liability landscape has evolved, and risk exposures changed as a result

While the COVID-19 pandemic has put the digitisation of the delivery of healthcare firmly in the spotlight, it's a revolution that's been quietly underway for several years now.

Our experience over the past five years has shown that the number of claims arising from emerging risks is outpacing traditional medical malpractice incidents. Over 65 per cent of incidents reported to CFC under our ehealth product have emanated from risks such as technology errors from artificial intelligence powered chatbots, infringements of copyright or trademarks, regulatory and licensing disputes, and cyber attacks.

Experts have repeatedly predicted that these emerging risks, particularly those in relation to technology-related bodily injury and cyber security, would become silent assassins against the rise in telehealth adoption and popularity.

Throughout the pandemic, AI has helped the healthcare industry navigate the novel and unknown. It has also assisted in shouldering the burden of triaging patients with COVID-related symptoms. However, some chatbots having been found to misdiagnose, for example mistaking pneumonia for the coronavirus, with catastrophic consequences.

Cyber security risks have been a long-debated topic, even before the pandemic, but with the doubling of cyber attacks against healthcare providers in 2020, 28 per cent of which were tied to ransomware, this has intensified these concerns. Given this, there are now calls by the American Telemedicine Association for a collaborative effort to address the dangers and importance of cyber security as a patient safety issue.

It is believed that the COVID-19 pandemic has accelerated the use of digital health by about 10 years. With strict social distancing requirements set to continue and telehealth usage rates increasing to 98 per cent, it is expected that telehealth will become universally adopted as a healthcare option within the next five years.

We're already seeing telehealth reach into new areas of healthcare, for example there has been a significant increase in the number of start-ups offering telemental health services which present a raft of risks. Poorly constructed patient evaluation questionnaires could fail to accurately detect patterns of behaviour and poorly trained AI driven chatbots could fail to detect red flags in patient interactions.

However, healthcare providers that have embraced telehealth during the pandemic now face the threat of being left without adequate insurance protection. Providers that are now offering services which do not mirror those originally disclosed to insurers could experience denied claims due to exclusions or a lack of affirmative coverage while many traditional insurers simply don't address the emerging liability exposures in connection with telehealth.

While the potential benefits to patients are huge, there are associated risks affecting both patients and healthcare providers. Bridging the healthcare and technology sectors, companies operating in this space are exposed to both emerging and traditional risks but are in a grey area as questions around medical responsibility in the event of bodily injury or harm to a patient are debated.

Insurers are naturally cautious of evolving or emerging exposures, but this development presents the added complexity of insurers combining multiple skills-learnt underwriting medical malpractice, technology and cyber liability to mitigate the risks of the digital healthcare sector.

This new wave of emerging risks magnified during the pandemic calls for a revolutionary approach from the broking community to ensure these uncertainties are affirmatively addressed.

Telehealth met its moment in 2020. But with concerning trends in claims and provider confusion around inconsistent prescribing rules, varying privacy laws, misunderstanding licensure requirements and non-uniform scope of practice rules, creating adequate insurance protection for these emerging exposures is not enough. It's going to require greater focus on tailored risk management to mitigate the rising tide of emerging threats to patient safety.

Tim Boyce is healthcare practice leader at CFC Underwriting

The most personal of data

A recent data breach case in France involving the medical data of half a million people serves as a stark reminder of the potential risks involved with processing patient data. As the digital delivery of healthcare booms, Elizabeth Kilburn considers the data risks for UK healthcare firms

Earlier this year, French data protection regulator, CNIL announced it was investigating a data breach involving the publication of a file containing the medical data of nearly half a million people. CNIL is progressing its investigation by looking at whether or not appropriate technical measures were taken to secure the data processed by the various actors involved. The case serves as a stark reminder of the potential risks involved with processing patient data.

UK healthcare firms should be well aware of these risks following a major data breach in 2017. In May of that year, the NHS was a victim of the WannaCry ransomware attack, which targeted computers and data files on more than 200,000 computers in 150 countries.

Unfortunately, since the start of the COVID-19 pandemic, the threat has only heightened. In its 2020 Annual Review, the National Cyber Security Centre, reported that of the 723 incidents the NCSC handled in 2020, around 200 of these related to the pandemic, including attacks aimed at the healthcare sector. As an example, in July 2020 the NCSC revealed that Russian cyber actors were targeting organisations involved in the development of the coronavirus vaccine.

To the extent that healthcare firms have had staff operating remotely during the pandemic, the risks associated with homeworking also come into play. For example, the potential for the inadvertent disclosure of sensitive material due to staff working in close proximity with other individuals.

As we know, the financial implications of suffering a personal data breach are significant. In the event a healthcare firm were to suffer a ransomware attack, the ransom demanded by criminals could be enormous. In addition, there will likely be costs implications associated with the denial of access to the firm's systems during the period of the attack. The firm may then face an investigation from the UK's data protection regulator, the Information Commissioner's Office, and possibly a monetary fine.

Finally, in the last few years we have seen the advent of group litigation claims brought by affected data subjects against organisations which have failed to protect their personal data. Individuals have the right under the UK GDPR to compensation for 'material damage' (a financial loss) or 'non-material

damage' (eg. suffering distress). Even if the individual sums awarded to claimants in such litigation are relatively small, the sums *en masse* could be huge.

UK GDPR compliance

As a starting point, UK healthcare firms should take the opportunity now to reassess the measures they have implemented to comply with the UK GDPR. As we near the three-year mark since the implementation of the GDPR, compliance projects undertaken prior to this will be due a review. Healthcare firms should ensure the appropriate accountability documents are in place, such as data protection policies (updated to reflect any staff working from home, where applicable) and procedures for the safe destruction and deletion of personal data. Records of processing activities and of data breaches must be kept up-to-date, and all data breaches must be recorded, regardless of whether or not they were deemed material or notifiable to the ICO.

Healthcare firms that have not yet appointed a data protection officer should consider doing so. The UK GDPR requires an organisation to appoint a DPO if it is a public authority or if its core activities include large scale processing of special categories of data (which includes information relating to an individual's health).

A key consideration, as highlighted by CNIL in the French healthcare data breach, is that healthcare firms must have adequate technical and organisational security measures in place. Healthcare firms must invest in their IT systems and be aware of their system vulnerabilities. Organisational measures are also required, which necessitate staff training and engagement with data protection issues. Staff do not need

to be trained to be data protection experts, but they should be able to identify potential data protection risks and breaches, and raise such issues with the DPO or internal compliance team.

Dealing with a data breach

Healthcare firms must have an adequate and functional data breach procedure and response plan. Staff should be able to identify a potential breach, and escalate it according to the response plan. An internal team should deal with the immediate aftermath of any breach, involving members of the IT and legal teams, and the firm's DPO or external professional advisers. All steps should be documented for evidential purposes.

Firms must notify the ICO of a breach within 72 hours of becoming aware of it, unless it is unlikely to result in a risk to the rights and freedoms of individuals. Firms must also notify the affected individuals where the breach is likely to result in a high risk to their rights and freedoms. This may be the case if particularly sensitive health data have been leaked and in large numbers.

The ICO has the ability to investigate breaches of data protection law and to impose fines, and is a well-resourced and active regulator. The ICO has shown that it is not hesitant to issue fines; it recently fined British Airways £20 million for failing to protect the personal and financial details of more than 400,000 of its customers, and fined Marriott International Inc £18.4 million for failing to keep around 339 million guest records secure. Healthcare firms should take the opportunity now to ensure they have taken all precautionary measures available to mitigate the risks associated with processing patient data.

Elizabeth Kilburn is an associate at Wedlake Bell LLP

The globalisation of collective redress

Not all group litigations were created equal. What they do have in common, however, is their upward trend. Duncan Strachan and Lucy Dyson examine the changing legal landscape in collective redress

Collective redress goes by many names in different jurisdictions: class actions, group litigation, group actions… Whatever the name, there is a clear trend for countries to promote an efficient legal mechanism for individuals (whether they are consumers or shareholders) to join together to obtain access to justice.

The increase in litigation is being driven by the pro-activity of plaintiff law firms in seeking out claimant classes, and more accessible litigation funding arrangements. At the same time, regulation and civil procedure is evolving to allow individuals with a common complaint to join together to bring legitimate claims that would not otherwise be viable.

The courts are also playing a role in ensuring that victims are able to access justice and large corporates can no longer hide behind corporate veils or being domiciled in 'safe' jurisdictions.

"The class action is known as the dominion of the US plaintiff lawyer, typically targeting multinational companies on behalf of an 'opt-out' class of victim"

Whilst the US remains the heartland for class actions, the appetite for seeking collective redress has gathered pace in the UK and the EU, and US-style systems have become established in Israel and Australia. In many places, there is tension between not wanting to open the floodgates to US-style litigation and recognising the need to level the playing field to enable valid claims to proceed.

US Class actions

The class action is known as the dominion of the US plaintiff lawyer, typically targeting multinational companies on behalf of an 'opt-out' class of victim. This method efficiently means that all individuals within a specified class are included in the litigation, unless they decide otherwise.

These cases often involve product liability and massive punitive damages awards. They have become synonymous with providing access to justice for consumers and punishing corporations for egregious or negligent conduct.

The structure of the US legal industry has materially contributed to the US becoming the hotbed for class action lawsuits. In particular, access to contingency fee agreements shields plaintiffs from costs if their case fails. If successful, plaintiff law firms and litigation funders can take a fee of up to 45 per cent of the damages awarded. Jury trials are also a significant factor in how the cases are brought and the exorbitant damages awarded.

Australia and Israel – a US model

The opt out model is rarely used outside the US, but Australia and Israel are two notable exceptions.

Class actions in Israel are available to all individuals and non-profit organisations under the Class Actions Law 2006. Such claims have become commonplace, particularly in relation to the protection of consumer rights as public awareness has grown and fuelled litigation against manufacturers and retailers.

In Australia, the use of the class action regime in the Federal and Supreme Courts is in flux. Most of the claims brought under the opt out model for class actions have related to allegations of misrepresentation by securities holders against listed entities. A recent Government review has highlighted concerns with the current regime that look set to bring in closer control of the litigation funding market. The criticism of the recommendations, which are yet to be implemented, are indicative of the evolution of the class actions procedure and the need to balance business concerns with an accessible judicial system.

Group litigation in the UK

In contrast to the US-style system, the English legal system does not currently permit an opt-out style of class action. Group Litigation Orders are permitted in much narrower factual scenarios and cases are heard by judges, not juries. The English legal system is still yet to see the scale of litigation (and size of claimant class) commonplace in the US. Claimant law firms are also subject to more stringent rules regarding contingency fee arrangements.

The use of GLOs seems set to continue to increase as companies come to terms with risks such as data privacy and environmental protection that have the potential to affect huge numbers of people. All eyes are currently on the British Airways data breach claim, which is the largest group claim ever brought in the UK.

We are seeing a rise in group litigation orders and 'forum shopping', with a spate of group actions being brought by foreign litigants against English domiciled multinationals. The recent decisions by the Supreme Court in Vedanta v Lungowe (2019) and Okpabi and others v Royal Dutch Shell (2021) show that the English courts are increasingly willing to grant permission for foreign litigants to bring claims against UK-domiciled parent companies, particularly where there is a risk that litigants would be deprived access to justice in their home jurisdiction.

In Scotland, 'group proceedings' have been allowed since July 2020 enabling groups of claimants to pursue claims collectively on an opt-in basis. This change brings about a significant increase in risk to companies operating in Scotland.

EU Collective redress

Various European countries have introduced new procedures enabling collective redress over the past decade. These changes are subject to specific laws and regulation in each jurisdiction.

In recognition of the need for a harmonised system, the European Union passed the Representative Action Directive, which came into force on 4th December 2020. The Directive is a crucial part of the New Deal for Consumers and comes as a response to a recent series of scandals related to breaches of consumers' rights by multinational companies.

"The English legal system is still yet to see the scale of litigation commonplace in the US. Claimant law firms are also subject to more stringent rules regarding contingency fee arrangements"

Under the Directive, all member states must ensure they have at least one effective procedural mechanism that allows qualified entities (eg. consumer organisations or public bodies) to bring lawsuits for collective redress or injunctions. Interestingly, the Directive grants discretion for each Member State to decide whether to use an opt out or opt in mechanism, despite the initial draft making the case for an opt out system.

Legislation already exists in many countries enabling an action to be brought by a representative organisation (typically a consumer body) on behalf of a group of individuals. Whereas Belgium provides for all affected individuals to be represented on an opt-out basis, the procedures in most other countries require an individual to opt in.

In Germany, the Model Case Proceedings introduced in 2018 enables certain consumer bodies to seek a binding determination from a court on factual or legal issues affecting consumers. The introduction of this new procedure was largely a result of the Dieselgate scandal and lack of any efficient mechanism for German claimants to recover damages from Volkswagen. It seems likely that this mechanism will need to continue to evolve in response to the Directive and emerging risks.

The recognition of a need to enable access to justice, together with procedural reform, means risk managers need to watch developments in Europe closely. The Netherlands leads the way, after the introduction of the Class Action Act in 2020, which introduced an opt-out procedure for Dutch class members and an opt-in procedure for foreign claimants. Much like in the UK, the courts in the Netherlands are increasingly willing to allow cases against multi-national companies that involve a Dutch-domiciled 'anchor defendant'.

Conclusions

The developments described highlight a widespread recognition of the need for procedure to evolve to make claims more efficient. This trend is driven by a sense that citizens should have access to justice and companies should be held to account for their mistakes – particularly where they occur over a sustained period of time or affect a wide group of people.

It is important that companies check their exposure to these types of pervasive risk – from product safety to data privacy and environmental protection. This requires a critical analysis of the legislation and litigation landscape across jurisdictions where they supply goods or services, as well as having the appropriate insurance programme in place and a well-developed litigation strategy.

Duncan Strachan and Lucy Dyson are partners in the global group at international law firm DAC Beachcroft

High-rise, new lows

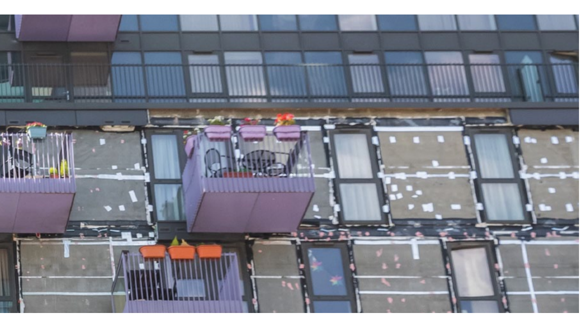
The building safety issue continues to rage, with the exact number of affected buildings still uncertain, and plans to remedy the problem not considered fit for purpose. Deborah Ritchie reports

Almost four years after the tragic fire at Grenfell Tower, the building safety debacle rages on.

As has been well documented, the type of cladding used at Grenfell Tower was found to be a significant factor in the rapid spread of fire, and hence the 'cladding scandal' that is making increasingly frequent and progressively alarming headlines.

Since the devastating fire in West London that claimed the lives of 72 people and injured 70 others, many other high-rise buildings across the country have been identified as potentially at risk. But while the headlines are typically focused on the issue of cladding, the safety issue is a much wider one, with inspections revealing until now hidden construction issues such as missing fire breaks, and problems with insulation and other features, such as wooden terraces.

Addressing these issues is proving difficult. Changes in government advice in January 2020 mandated that all buildings now require an External Wall Systems (EWS1) form – in a move intended to provide assurance to residents, buyers, sellers, lenders and valuers about a building's safety. What was not considered at the time was the number – or rather lack – of qualified professionals deemed competent to sign off the new form.



According to a briefing note from DBRS Morningstar, a mere 300 qualified professionals are currently able to issue an EWS1, and the pool of assessors cannot be bolstered without the appropriate professional indemnity cover – something insurers have not shown an appetite for due to unknown levels of liability.

Some progress has been made in this regard when in early February the housing minister, Robert Jenrick announced plans to work towards a targeted, state-backed indemnity scheme for qualified assessors unable to obtain professional indemnity insurance for the completion of the new form. The Ministry of Housing Communities and Local Government has been working with the British Insurance Brokers' Association (which had outlined its commitment to the cladding cause in its last Manifesto) to design a suitable state-backed scheme, the details of which are expected imminently.

The Association of British Insurers has also been vocal on the topic, with its director of general insurance policy, James Dalton saying that 2021 must be the "year of action" on the issue. "We are on the side of leaseholders in calling on the government to help fix all buildings with combustible cladding as soon as possible and we have been calling for overall reforms to make our buildings safer from the risks of fire since well before the Grenfell Tower tragedy," he said early last month.

One step forward, two back?

On 10th February, the housing minister announced the government's plan to "bring an end to unsafe cladding". Hailing his "landmark intervention", Jenrick said the plans will "make homes safer and free those who did the right thing – saving for years to get on the property ladder – to enjoy the homes in which they have invested so much".

Those plans included a commitment from the government to pay for the removal of unsafe cladding for leaseholders in all residential buildings 18 metres and over (six storeys) in England; a finance scheme to provide reassurance for leaseholders in buildings between 11 and 18 metres (four to six storeys), ensuring they "never pay more than £50 a month" for cladding removal; an industry levy and tax to ensure developers "play their part".

The plans were met with widespread disappointment, with leaseholders expressing concern that the proposals do not offer sufficient protection against spiralling costs to fix homes that they bought in good faith; and wider rancour over the absence of any plans to hold any negligent contractors and developers to account.

While the exact number of affected buildings is still uncertain, analysis from DBRS Morningstar suggests that as many as 1.5 million residential apartments could be affected by a fire safety issue of some

SPOTLIGHT: Rockwool

UK-based Rockwool produces a range of insulation products for the construction industry.

Will Wigfield, product manager at the company, says the focus of its recent conversations with contractors has been around the most practical, straightforward and effective ways to manage fire risk in new buildings and refurbishments – which is to ensure that all substantive materials are non-combustible, so that they will not burn or contribute to the spread of fire.

"The easiest way to confirm that a product is non-combustible is to check its Declaration of Performance for a Euroclass A1 or A2-s1, d0 rating," he explains.

Rockwool fully endorses the work and efforts of companies like Zurich in campaigning for the combustible cladding ban to be extended to apply to the entire external envelope of buildings.

"We believe that buildings with non-combustible materials throughout the envelope can be relied on more than those that don't," Wigfield asserts.

Already established in offering non-combustible insulation and non-combustible cladding panels via its sister company, Rockpanel, the ongoing cladding debacle has seen the company develop new products for applications affected by the ban on combustible materials, specifically Hardrock UB34, a Euroclass A2-s1, d0 fibre cement-faced stone wool board for insulating roof upstands.

"To reduce potential confusion, we have simplified our range of open-state cavity barriers and now only offer two products, both of which provide up to two hours integrity and insulation," Wigfield explains.

"We're also pleased to be receiving many more enquiries requesting underlying test evidence and certification – a sign that people are interrogating design details to a greater degree than previously."

The scale of the remedial work being undertaken in the UK is enormous, and when combined with those cases where intrusive investigations for combustible cladding have revealed other issues with buildings, it looks like the problem may be even bigger than previously thought.

"There have been numerous reports of systemic problems extending beyond the cladding placed on buildings – including inappropriate or missing fire barriers, and even missing wall ties," Wigfield says.

"Correct installation and detailing of firestopping is important. As a manufacturer it is our responsibility to ensure the correct third-party accreditations have been undertaken for our products and that up-to-date tests and assessments are in place. The supporting documentation for these is made available to contractors as independent evidence."

kind. A number of these blocks are also home to commercial businesses, hotels and restaurants.

FM Global's Tom Roche has long been vocal on the cladding debate, making clear his views on the risks in 2018 following the government's post-Grenfell Hackitt Review into Building Regulations and Fire Safety. Roche said at the time that while high-rise residential buildings were rightly an important focus, failings across the UK's fire safety systems were not just specific to high-rise buildings, and that when it comes to fire safety, the same level of rigour must be applied to all buildings, including homes, schools, hospitals and workplaces, many of which are low-rise.

Roche's advice is valid today as it was in 2018; building owners need to get ahead of the issues and have a fire safety strategy in place. Speaking to CIR this month, Roche says that while much of the attention given to cladding issues is rightly focused on the residential space, it's vital that risk and facility managers, along with business leaders, are not complacent. "Combustible construction materials and forms of cladding are present on buildings with a commercial use in the UK and around the world. History shows that a fire involving such materials could cause significant property damage and business interruption. Understanding if such materials are present is a vital part of any risk assessment, as is an acknowledgement of their potential impact and any mitigation measures that are needed. One thing that is clear is that assuming the adherence to regulatory guidance has eliminated any risk is not a sound approach," he explains. "When mitigating the risks caused by combustible cladding, proven risk management concepts apply. Understanding the potential scenarios and the direct impact that these can cause is key to determining what actions to take. Making sure that the selection of materials used is either non-combustible or proven in realistic testing scenarios, should be encouraged. Mitigating factors like sprinkler systems, whilst not able to stop an external fire, can slow the progress into a building and should therefore be considered when investing in risk management. Overall, it is good business to understand these potential risks and take appropriate actions to mitigate them."

As this issue of the magazine goes to print, stakeholders will be looking out for changes the imminent Fire Safety Bill, which has been subject to a number of recent amendments, the latest of which relates specifically to concern about remediation costs; with the House of Lords voting 326 to 248 to prevent those costs from being passed to leaseholders and tenants. Instead, peers want the government to pay, later recouping the costs from developers, construction firms and cladding manufacturers.

Deborah Ritchie is editor of CIR

Understanding cladding systems
Property managers, lessees, mortgage lenders and insurers all face a similar challenge in understanding cladding systems that have become commonplace in blocks of flats using modern methods of construction. Whilst cladding systems are commonplace they can vary enormously in terms of fire safety and it is not easy to know the good from the bad.

To provide some reassurance to mortgage lenders RICS led a cross industry working group to bring a simplified process to certifying external wall systems on high-rise residential buildings with a process called EWS1. The idea was that an external wall system using non-combustible materials could be certified as such by a surveyor who would rate a safe building as option A if they could clearly identity the material used. Where a system contained less fire-retardant materials it would become option B and would need to be certified by a specialist fire expert. 'High-rise' is defined as a building where the floor slab of the highest flat is 18 meters or more above ground level.

The professional indemnity market was less than impressed with the EWS1 process, considering it onerous, and promptly withdrew cover for surveyors wanting to complete EWS1 forms. As a result, only a few hundred specialist fire experts are considered suitably qualified for some insurers to grant them PI cover resulting in a market failure.

Whilst the EWS1 form was only designed for buildings of 18 meters and above, many lenders refused to lend against flats regardless of height without sight of an EWS1 form. This became rather controversial last year with some lenders asking for EWS1 forms on properties without cladding. The government clarified this in November last year with an agreement between RICS, UK Finance and the Building Societies Association, stating that lenders would not request EWS1 forms on buildings without cladding. Lenders however could exercise a commercial decision and request them on buildings under 18 meters which are clad. As such there is enormous demand for EWS1 forms to be completed and with so few qualified consultants insured to undertake this work you can understand the need for the government to intervene. The government has announced a state-backed indemnity scheme to remedy this and we await details of when this will be made available to surveyors.

However, the problem is far more complicated as the EWS1 process is also identifying other defects in construction, particularly with the installation of fire breaks. Additionally, balconies with wooden decking are undergoing scrutiny.

The problem we all need to understand is simply what does good look like? Most importantly, what is safe for residents and, secondly what is the fire risk for buildings insurers.

I believe we have a lot of catching up to do with modern materials. Across the world there has been a drive for thermal efficiency and that in itself is a good thing to prevent fuel poverty and global warming. But with the extensive use of materials such as expanded polystyrene (EPS) for its thermal efficiency we need to understand it better. It would not be unfair to suggest the insurance industry in the UK may have a bit of work to do, too. Simply writing definitions into the policy as to the meaning of standard construction containing no less than a percentage of combustibles is not the solution. Whilst arguably a policyholder can reasonably calculate the percentage of flat roof on a building how can they possibly understand the percentage of potentially combustible insulation hidden in a building?

Many insurers are now running scared and understandably so. This is a complex issue to unravel and one of the things that the EWS1 process has unveiled is that not all is as it might seem on the outside. Simply looking at a building's skin will not tell you what is underneath. EPS materials are extensively used in modern buildings yet with blocks of flats the insurance industry still bases its fire rate for blocks of flats on whether the floors are concrete or wooden. Now we need to consider other factors which takes considerable understanding.

One of the biggest challenges is that if a residential block has an element of combustible materials then they may not have been installed properly and therefore the cladding system may not perform as it was tested. Even if a building was designed with a cladding system conforming to BS 8414: Part 2 that doesn't actually mean it was built with that system. If cheaper materials have been used, it is also possible that the fire breaks were not installed. But this is all hidden from view and only intrusive testing can reveal the truth.

The insurance industry has already seen a market failure with PI for the EWS1 process but that may only be the thin end of the wedge. Insuring modern buildings with cladding has suddenly become a lot more complicated. Property managing agents, brokers and insurers all need to up their game to ensure suitable insurance solutions are available.

Paul Robertson is managing director Midway Insurance and author of Robertson's Insurance principles for leasehold flats.

ESG and the US$60bn hole

The move away from fossil fuels has implications for insurers, and it could be difficult for the renewables industry to begin to fill the gap that would be left. On top of that, there are numerous natural perils to consider. Tom Johansmeyer writes

The institutional investor community has become increasingly vocal on environmental, social and governance practices, and the global re/insurance industry has taken notice. Only a couple years ago, trading catastrophe risk could roughly be equated to 'doing something' about climate change. Increasing investor sophistication, though, has led to the sorts of questions that can make underwriters uncomfortable.

The reevaluation of how close catastrophe risk comes to qualifying as an ESG class of business has led to a broader review of where the re/insurance industry could do more to support corporate social responsibility. And now, PCS's own research suggests that there can be tangible benefits to doing so.

Much has been made about the recent Lloyd's of London announcement about moving away from covering certain fossil fuels by 2030. So, let's review the market dynamics that may have contributed to this decision – and others like it that we've learned about.

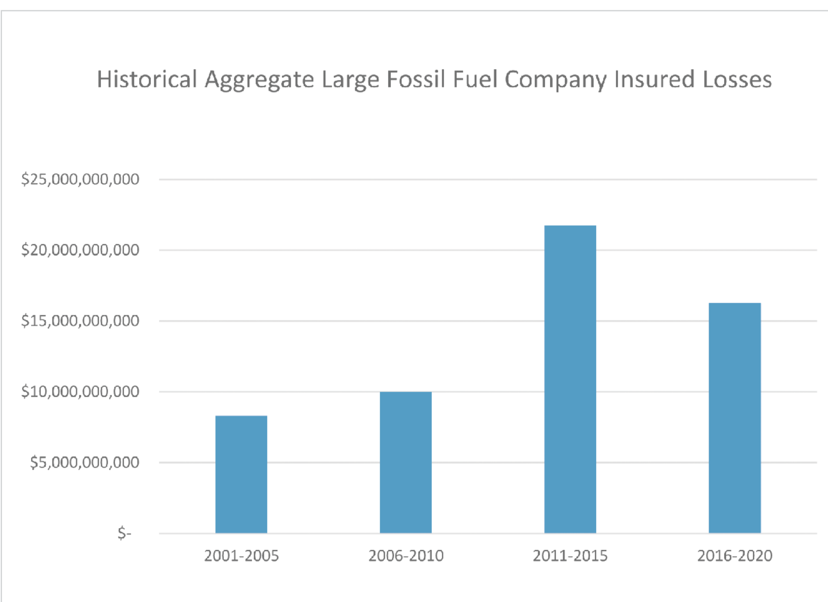
The PCS team has reviewed approximately 30 years of large insurance industry losses (both onshore and offshore), and what we found was stunning. Based on 194 qualifying loss events for which PCS has estimated insured losses, we identified 113 as being from companies in the fossil fuel sector – by which we mean mining/extraction, transportation of fossil fuel materials, or production. In aggregate, they account for just over US$61 billion in insured losses, out of total large risk losses for the period of US$93 billion.

What's particularly alarming is that large losses are becoming much more frequent and larger. Nearly two thirds of fossil fuel large risk losses have come within the past decade. Twenty-six per cent of them occurred in just the past five years. The average year's large insured loss from the fossil fuel sector is almost US$4 billion since 2011, with a per-event average for that period calculated as US$500 million.

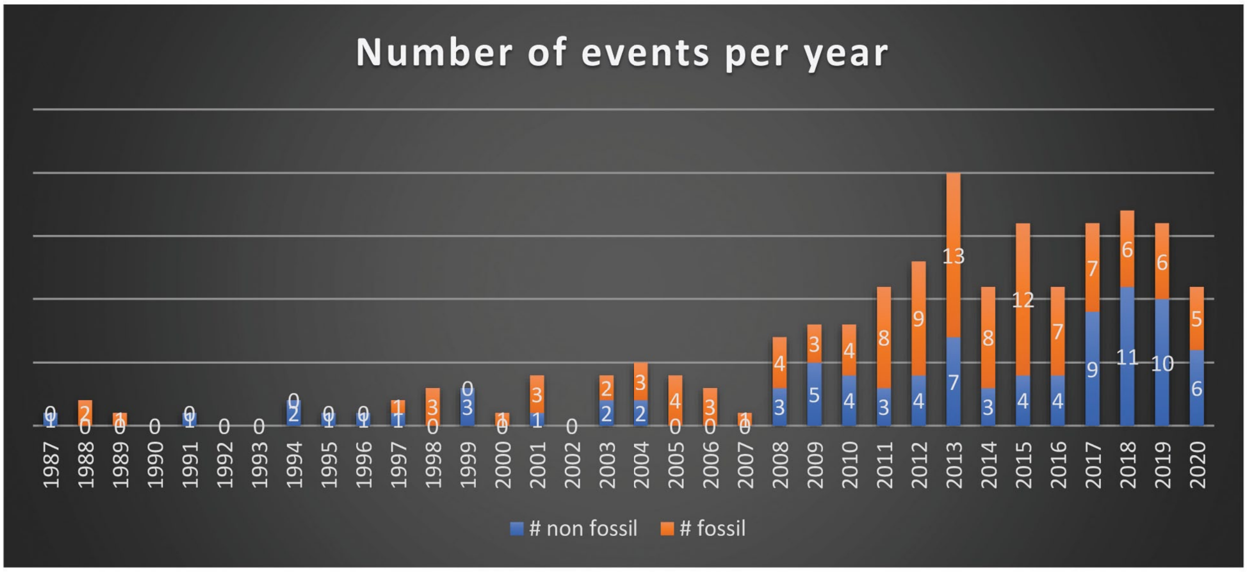
With both frequency and severity generally rising in fossil fuel company large single risk losses, the sector's risks seem evident. However, it's difficult to leave one class of business (and its revenue) if you don't have a replacement category in the works.

Intuitively, renewables would seem like a good fit. It's still in the energy space, and it presumably represents that sector's next generation. By migrating from fossil fuels to renewables, the global re/insurance industry would demonstrate an ESG commitment with potential. That's a lot more compelling than a decision made simply to demonstrate good corporate citizenship.

Even with a decade of runway, per the Lloyd's announcement, it could be difficult for the renewables industry to begin to fill the gap that would be left by fossil fuels. In addition to being small, the sector has to address



Sources: PCS Global Large Loss, PCS Global Marine and Energy



Sources: PCS Global Large Loss, PCS Global Marine and Energy

some natural peril concerns – issues that predated the frozen windmills in Texas early this year.

To understand the challenge faced by the renewable energy insurance sector, it helps to focus on US solar, for which the most generous industry-wide premium estimates are below US$500 million annually. The underlying industry is growing rapidly, with 2019 seeing utility-scale solar markets growing by 38 per cent. The problem, of course, is location.

The three most popular states for solar in the United States are California, Texas, and Florida. Unfortunately, they are some of the most catastrophe-affected states in the country, according to historical PCS data. In 2020 alone, at least one of those three states were included in 55 per cent of PCS-designated catastrophe events. For insurance underwriters in renewables, this poses a problem.

In recent market stakeholder conversations, PCS has learned that solar facilities can struggle to gain access to sufficient insurance protection for some natural perils. Premiums have climbed by up to 400 per cent since 2018 – and that's in cases where such projects can get sufficient insurance protection. Hail has been mentioned most frequently as the culprit, although deeper discussions have revealed difficulties associated with wildfire and tropical storm, as well. So, the states that are best for solar power are likely the worst for solar insurance.

PCS doesn't see this as a permanent barrier to market development. Improved data collection and risk analysis should help the insurance underwriting community better understand historical insurance performance in relation to new technology in the renewables sector, which may make it easier to allocate more capacity to this emerging class of business. The upside won't just be an alternative to fossil fuel insurance revenue – it will ultimately be an alternative to global climate volatility.

State	Events including wildfire as a % of state's total events since 2011	Events including hail as a % of state's total events since 2011	Events including tropical storm/hurricane as a % of state's total events since 2011
California	48%	12%	0%
Florida	0%	59%	34%
Texas	<1%	88%	5%

Source: PCS, Verisk

Tom Johansmeyer is head of PCS, Verisk

The anatomy of protest

In fragile economic times, and against a backdrop of political uncertainty, Dr Chris Needham-Bennett offers a series of hypotheses for forecasting movements that manifest violent social unrest

I expect that most readers will already have a social unrest plan as part of their duty of care to their staff. This plan will vary considerably in scope, detail and threat depending on where staff are in the world. For those of you who have not personally been caught up in violent social unrest, it can be deeply troubling, particularly if you are unable to anticipate the level of threat. The speed at which the threat of violent unrest can manifest itself is stunning and the cause or trigger may be wholly unpredictable. My own experience in the former Zaire in 1996 when President Mobutu was overthrown by Laurent Kabila brought this home to me vividly.

Academics at University College London have anticipated a 'cascading effect' of social unrest post-COVID and many other studies concur. Although trying to distil a predictive model for potential violent unrest is plagued with notable exceptions, variables and valid counter-arguments, nevertheless, some attempt at logic and some perhaps intemperate generalisations can form hypotheses for a more sophisticated model.

So, which factors might promote violent social unrest, and how might they be dealt with by response planning?

What are we looking for?

Current literature considers many aspects of social unrest ranging from causality to prediction. Historical analysis of social unrest, such as Archer's *Social Unrest and Popular Protest in England 1780-1840* (Cambridge University Press, 2000), has focused on the root causes with corollary consideration of subsequent effects. The specific issue of the potential for violence is less considered. I am not going to debate causes or flashpoints or the impact of social media, worthy though these debates are; instead I will examine three of a number of issues that might help to predict a social movement's propensity for violent unrest.

Legitimacy

Legitimacy is important as it gives any movement credibility which in turn generates intellectual and political debate and/or traction for the movement. Legitimacy has several subsets, of which clear, realistic aims and objectives; (paradoxically) a structured opposition to their aims; and a moral foundation are three.

Realistic aims and objectives

If success is to be considered, then the movement has to have, or have had, a realistic and clear strategic or tactical intent in the first place. The poll tax 'rioters' (1989-90) and the UK suffragette movement, for example, both had relatively clear aims and they can easily be distinguished from other episodes such as the bizarre St Scholastica Day riots in Oxford in 1354, which lacked any intent for national social change (it began as an argument over the quality of wine in a tavern but nevertheless cost 90 lives).

This need for stated aims seems critical in the first place – although aims can be 'refined' as a movement gains momentum. For example, in terms of gay rights timelines, the UK Wolfenden Report recommended in 1954 the decriminalisation of homosexuality, and could scarcely have envisaged the far-reaching developments that have occurred since.

By the same token, a movement with wholly unrealistic, or ill-defined ambitions are far less likely to achieve any success. For example, the student riots in France (and elsewhere) in 1968 are widely regarded as having been almost spontaneous, unplanned and without a shared ideology. Nor did they have any single charismatic leader. They originated in demands for sexual liberalism in halls of residence, morphed into demands for educational reform and ended in the proposition of a socialist revolution. The result was the re-election of the incumbent President de Gaulle's party with a larger majority.

Opposition; the sincerest form of flattery?

A powerful voice against the cause of UK Suffragette movement came, paradoxically, from a well-organised and intellectually credible women's anti-suffrage campaign. The further irony is that the formation of a coherent group in opposition meant that the proponents' arguments for suffrage were actually quite worthy of opposition and by extension had some merit.

The evangelist force with which the proponents make their arguments is also a distinguishing feature of a credible movement (this is not the same as endlessly iterating a baseless allegation so that it eventually gains traction with the gullible). The sheer passion with which suffragettes held their opinions was commented on by Dr Julia Bush in her 2018 article on the topic. "Anti-suffragists could not match the fervour of their opponents, but they were clearly a force to be reckoned with rather than merely a target for suffragist ridicule," she noted.

Thus, coherent opposition to a cause is not merely flattering; it conveys intellectual credibility to the proponents of the movement.

A moral foundation

The successful movement (and potentially increasingly less violent) also appears to have a more readily recognisable moral basis which is begrudgingly appreciated by non-sympathisers and even their active opposition. This is very difficult to define as even terrorist organisations claim a spurious moral high ground. Nonetheless, movements closely allied to seeking equality, freedom, justice, or some redress of legitimate grievances appear to have more chance of success unless confronted with a resolutely totalitarian or highly effective government-backed opposition.

This power of a moral foundation was commented upon (in a US context) by J.M. Jasper in his 1997 book, *The Art of Moral Protest* (Chicago University Press). "Moral protest spans not only state lines but class boundaries… What moral visons inspire outrage about often distant practices and institutions," he wrote.

It appears that this moral basis is a unifying feature that allows shared values to generate global empathy with just causes.

A movement demonstrating legitimacy through these three elements will tend to be focused, taken seriously and less willing to compromise its integrity by violence, which would rob it of any moral position.

A charismatic leader

Despite the success of some 'cellular' movements which act as a loose federation – notably the anti-poll tax movement in the UK and the disparate aims of the Gilet Jaunes in France – many movements coalesce behind a single charismatic figure. This is especially the case of political movements such as Indian Independence, Gandhi, South African Apartheid, Mandela, and more recently the Ugandan opposition leader and former singer Bobi Wine. Generally, this leadership makes the movement less prone to violent protest; many effective leaders actively discourage violence especially if their cause is 'externally' and/or 'globally' perceived to be legitimate; Svetlana Tikhanovskaya, the arguably disenfranchised candidate pitted against the long-time incumbent Alexander Lukashenko in the Belarus elections, once deported to Lithuania called specifically for peaceful protests. In most of these cases any violence resulting from initially peaceful protests is generally directed at government and state institutions. However, a movement with a leader with a less moral credibility can be prone to incite followers to forms of insurrection and unilateral action by factions is possibly more likely – as evidenced by the unfortunate events in the US recently.

"Coherent opposition to a cause is not merely flattering; it conveys intellectual credibility to the proponents of the movement"

In many ways, the US violence was curious hybrid between a led movement, the Republican Party and a leaderless faction with a supposed

'shadowy' virtual leader, 'Q', part of the Q Anon movement. The cellular and now 'virtual' leaderless version of a movement is probably the least predictable.

The implicit autonomy granted to local or regional organisers is by implication almost unbounded. Without denigrating in any way the aims of Black Lives Matter, it currently has no leader akin to the earlier US Civil Rights Movement where leadership could be seen to vest in Martin Luther King or, depending on persuasions, Malcom X.

Consequently, the demonstrations of support for BLM ranged wildly from Formula 1 drivers 'taking the knee' before the race, to, in the immediate aftermath of the death of George Floyd, widespread opportunistic arson and looting with little or no relationship to the cause of BLM, as well as other minor sympathetic disturbances outside the US.

Thus, an assessment of the leader, their control, their degree of legitimacy, and naturally their direction to followers is critical to forecasting the potential for violent protest.

Maturity of the social movement

As social movements mature and their aims and objectives are either taken seriously or achieved to a limited extent, they often shift from any violent conflict to a more persuasive conventional position. As Herbert Blumer noted in his 1995 book, *Social Movements* (Palgrave Macmillan): "As a social movement develops, it takes on the character of a society. It acquires organisation and form, a body of customs and traditions, established leadership, an enduring division of labour, social rules and social values."

The argument is that mature movements pose less threat of violence than their less predictable embryonic siblings for whom violent protest seems the only thing that attracts attention their cause. Interestingly, in the UK, the Black Lives Matter movement has already rebranded as the Black Liberation

"A movement demonstrating legitimacy will tend to be focused, taken seriously and less willing to compromise its integrity by violence, which would rob it of any moral position"

Movement, thereby gaining legal status and becoming a political movement. Arguably the movement is becoming a more mature, controlled and conventional movement where non-adherents to direction can be excluded from membership.

One hesitates to summarise these propositions, but as a rough guide on which one might base security and response planning decisions, I offer the following 'rules of thumb', or more precisely hypotheses, which readers of this magazine may wish to consider:

- Embryonic movements tend to use violent protest to attract attention to their cause.
- Any organisation with a 'Youth Wing' will almost certainly be prone to violent protest.
- Any movement without clear aims and objectives and/or a moral foundation might be more prone to compensatory violent protests.
- Any serious repression of almost any legitimate social movement with a reasonable moral foundation will tend to lend it legitimacy and globalise it.
- Charismatic leaders of morally credible movements tend to discourage violent protest.
- Cellular, dispersed, factional protest organisations without a strong leader are less predictable and prone to violent protest.

Dr Chris Needham-Bennett is managing director of Needhams 1834

Towards a new normal

The COVID-19 pandemic has affected the way we work like nothing else before it – with lasting effects on operational resilience, crisis management and communications. Deborah Ritchie takes a look at some of the changes

The year 2020 will always be remembered for having challenged business resilience on another level.

For many, continuity and comms were tested like never before, and as businesses in the UK start to gear up for the next big return to work, careful consideration must be given to what worked, what did not, and what the new normal should look like.

As with many things, there is no one-size-fits-all. Business group Resilience First warned office-based firms not to plan for full occupancy, and said business leaders must realise that any return to the office will be a hybrid one. Goldman Sachs CEO, David Solomon said he wanted all his people back in the office. HSBC said it was planning to almost halve its global office footprint. AXA, meanwhile, offered employees the option to work remotely two days per week.

The speed and extent of the return to offices and cities was also addressed by Prime Minister Boris Johnson when he said (at a virtual Network Rail conference) that commuting would be back "in a few short months" and that the current WFH approach was "a temporary thing".

Naturally, it is a topic that the resilience community has been debating heavily.

Cory Cowgill, chief technology officer at Fusion Risk Management, says many leaders have come to recognise the benefits of remote working, and that, as such, the return to the office is likely to be a hybrid model. He expects organisations to dedicate more time and resources to adapting and improving their operational resilience as a result.

"When it comes to remote working, while some organisations had established policies, procedures, and technology to support this model, many did not. This year, organisations will dedicate resources to creating a robust remote working programme. This process includes increased interest in operational resilience by executive leadership, who are committed to elevating their risk and continuity programmes from siloed approaches to an holistic and action-oriented approach.

"With a more fragmented workforce, there is a heightened need for detailed executive insights, actionable risk recommendations and close organisational monitoring of operational resilience at a more granular level – by function, team and other parts of the business."

Cowgill says an increasing reliance on data instead of plans also provides organisations with the opportunity to resolve problems as they arise. "Whether employees are remote or

Spotlight: Using WhatsApp for business communications

The recent changes to WhatsApp's data and privacy policy have raised concerns among users. The controversy and backlash was caused by a misunderstanding that the change in terms meant WhatsApp could read messages and share data with Facebook.

The actual policy change isn't as significant as the controversy might suggest. WhatsApp already added end-to-end encryption to its messages back in 2016, meaning content is not shared with WhatsApp or Facebook. The recent policy changes are about how the company will monetise the app, how businesses communicate directly with other users and how Facebook is able to target its advertising.

There are risks with any free service. These aren't necessarily concerns about the app's suitability for mass communication or emergency notifications; the larger question is around using a consumer tool for business that can't be adequately audited and controlled. For example, there is no option to manage users, remove them when they leave or lock them out, which you can do with collaboration tools like Teams and Slack.

There has always been an interesting use-case for WhatsApp in emergency communications. If you have an IT incident and your primary communications method is down, you need an alternative. Larger enterprises do have dedicated mass communications and emergency notifications tools, but these come at an additional cost and need to be maintained. If you don't have a dedicated tool in place, you would just use a call tree but they take time and any break in the tree means that some people won't get the message.

The main advantage for using WhatsApp as a mass communication tool is that it is ubiquitous. Most people are already familiar with how it works and many companies have used it to successfully coordinate their incident responses. One company we know was unable to reach the crisis management team out of hours to notify them of a fire using other methods, so it set up a WhatsApp group with the crisis management team and suppliers. In this case, it was a success, as it meant they could organise and respond very quickly.

On the other hand, another organisation created emergency management groups ahead of time on WhatsApp but failed to keep them up-to-date. This meant that when they had an incident, they sent a message to the group and inadvertently broadcast that information to several ex-team members that had left the company to join competitors.

There are valid security concerns around using WhatsApp. It does collect metadata (which is not encrypted), including your phone number, device information and usage. Back-ups of your messages are also not encrypted in Google Drive or iCloud. Although the Privacy Policy change does not relate specifically to these issues, it could serve as a prompt for organisations to review its use.

This may all be a moot point. The widespread adoption of cloud communications tools like Slack and Teams could, eventually, make using WhatsApp for emergency communications redundant.

Oscar Arean is head of operations at Databarracks

on location, if organisations rely on good data, they will be able to address any risk-related issues without relying on meticulous planning and tabletop exercises – which could be unusable due to key workers not being in the office, or not having the required information and technology at their fingertips," he explains.

"Increasingly, we are also noticing the emergence of the chief resilience officer. In this role, CROs have oversight of all business verticals, including any traditionally siloed areas. Organisations are adopting an approach where risk and resilience are interlinked with all activities of the business, ensuring that any employee has access to real-time insights to inform their actions, regardless of where they are physically."

These views chime with the findings of standards group, BSI, whose fourth annual *Organisational Resilience Index* offers a series of insights into how organisations survived, stabilised and even started re-building in 2020.

Among the headline trends was this increased emphasis on people and process – while agile leadership remained a defining factor, the people and process categories saw the greatest increase in perceived importance. Prioritising the health, safety and well-being of employees, clients and communities was also indicated to have had a positive impact on rebuilding organisational resilience.

For the respondents to BSI's study, COVID-19 represented a global test for organisational resilience. It also demonstrated the prominent organisational abilities required to cope with incremental or sudden disruption – and to come back from them in a sustainable way.

Similar themes run through a January briefing note from Bain and Company looking into recalibrating resilience strategies.

It says a fixation on efficiency has made companies more vulnerable to shocks, and that the experience of the fall-out from the pandemic has left more executives open to investing in their business resilience.

Analysis of the *Bain Resilience Index* shows that while high risk can generate high rewards, more resilient companies have nearly double the survival rate over the long run.

As the report points out: "Senior leaders will need to acknowledge the trade-offs involved and make choices around their revenue portfolio and their operations. With turbulence likely to intensify, improving resilience can position a company to thrive through the crises to come."

Deborah Ritchie is editor of CIR

Resilience in action

Deborah Ritchie spoke with Kieran Munnelly, senior crisis management and resilience expert at Allianz Technology in Germany, about the challenges it has faced during the crisis, how it has responded, and the degree to which the crisis has re-shaped attitudes and approaches

As global lead for global incident management, crisis management, and resilience strategy, what new challenges are you facing in your day-to-day role?
Some of the new day-to-day challenges emerging from COVID-19 are rightfully being viewed as opportunities across our global organisation. Right now, a key challenge, or rather opportunity, is how we frame what it means to be a resilient organisation going forward.

The pandemic has demonstrated how resilience is better understood as something more than simply following procedures to recover our business processes and activities, or how we plan to manage a crisis. It has become increasingly obvious that organisations cannot hide behind disciplines such as business continuity and crisis management to believe that it is these ingredients alone that make an organisation resilient. Organisational resilience is much more strategic than that. This paradigm shift in resilience thinking had started before COVID-19 even entered our lives. COVID-19 has only emphasized the importance of organisational resilience, particularly from senior leaders who are embracing and further realising its strategic benefits.

As we critically reflect on what organisational resilience is, what it means for Allianz Technology and the wider Allianz Group, challenges come with conceptualising, characterising, assessing and reporting on the true meaning of organisational resilience, in hopes to better inform strategic decision-making, better use resources, and drive change whilst always keeping in mind our strategic objectives.

As resilience practitioners, we are fully aware that there is no shortage of available literature contributing to resilience thinking. However, despite this, organisational resilience remains contested. It can no longer be accepted as being 'new' or 'innovative' – the resilience debate has been ongoing for years. Yet, in many cases, and as a resilience community, we often find ourselves as an industry asking the same questions.

Resilience was the buzzword of 2020, is likely to remain so this year, too, and it can be safely assumed that its strategic importance will continue to be emphasised in the years to come. Despite numerous disciplines being incorporated into the framing of organisational resilience, for us it is likely that the responsibility for driving and coordinating organisational resilience will be with the practitioners who traditionally perform business continuity and crisis management.

Therefore, my day-to-day work as a resilience practitioner is becoming much more strategic, requiring expertise that does not focus on bouncing back from adverse events, but rather looking at the organisation holistically to understand how we remain competitive, adjust to our environment and focus on long-term success by effectively managing our strategic risks. After all, addressing strategic workforce planning, automation, and climate change have little to do with how well we manage a disruption or crisis.

These day-to-day challenges do bring exciting opportunities. However, at the same time, finding the necessary time and space to collectively focus on our traditional programme work, responding to the pandemic crisis and trying to drive new resilience thinking is indeed very challenging. The outlook suggests that it will remain challenging for some time, too.

What major changes have you made and were they hard to establish?
Small adjustments have (for now) been made to our policies and standards based on learning not only from the pandemic but also exercising which we continued to do during the crisis. Rather than detailed response planning, we aim to now put a greater emphasis on organisational capabilities as part of our new resilience thinking. So the major changes to our framework discussions relate very much to the aforementioned challenges and opportunities.

The shift from operational to organisational resilience is still ongoing – from looking at resilience as more than just managing events, but also adapting and transforming to ensure long-term success. Gratefully, pandemic has helped pushed us in this direction and, intriguingly, direction has come from the top. As practitioners, we have not really had to try so hard to sell this resilience approach, the pandemic has made it clearer than it was previously.

At the height of the crisis, the

board wanted to know how prepared we were for other threats that could impact our people and our operations – certainly an interesting request while we were focused on the response to the biggest crisis of our careers! Nevertheless, it was an important question for the board to understand. An emerging threat assessment led by Allianz Technology with support from the Allianz Group quickly made it apparent that we were focussing on something much more than just crisis scenarios, but strategic threats to our organisation. It required a multi-disciplinary approach to understand what strategic actions would be required to build organisational resilience.

As the organisational understanding of resilience continued to develop, so did the ideas to support it. We are now in the process of designing an updated strategic organisational resilience framework for Allianz Technology, based on our own ideas as well as what we consider as good practice from the literature, to strengthen not only our understanding of what it means to be truly resilient, but to also make it actionable to monitor, assess and report on.

The layers of the draft framework focus on the resilience characteristics and abilities that define our organisation, the resilience concepts and behaviours that drive our activities, and the internal and external environment that we operate in. The strategic objectives of Allianz Technology and the wider Allianz Group remain at the heart of the framework. All strategic actions within our resilience strategy must ensure the different layers of the framework are being addressed, so that we understand where the opportunities are to further build organisational resilience.

So what started off as a request from our Board during the crisis has evolved into something much more than that. We are using our heightened profile from the crisis to ensure the resilience shift remains at the top of the agenda. The final step is coming up soon, where we will present our final product to the board in an effort to further strengthen resilience as a topic of strategic importance to the organisation. Regardless of whether the final product is accepted or not, we are fully confident that we have their support to drive resilience further, however that may ultimately look in the end.

How did your global incident management process aid the company's response?

In an attempt to align, harmonise and integrate different incident management processes, Allianz introduced a global incident management approach to ensure incidents were being handled consistently across the group.

In 2018, I designed and implemented a global incident management process for our global organisation, whose framework has since been thoroughly tried and tested through exercising and responding to real incidents. The framework ensures that we can respond correctly to different incident severities across all of our global locations.

The framework consists of four response levels: Level 0 (Information Only), Level 1 (Monitoring), Level 2 (Coordination) and Level 3 (Crisis). It is a simple framework, with straightforward guidance explaining when an incident needs to be escalated and how to assign an appropriate response level. To ensure the process works as required, we regularly train staff so they can respond to a variety of incident types. The framework has demonstrated its value through its ability to sensibly manage the level of attention, resources, situational awareness and other associated activities that an incident receives in accordance with its assigned response level.

COVID-19 has further illustrated its worth as a reliable and sound framework that demonstrates flexibility in our ability to handle incidents. This is because the response levels can be escalated and de-escalated to serve the response that is required for the situation. For example, when we were informed of an epidemic situation slowly worsening in China, we assigned the incident as Level 1, to ensure we kept a close eye on the developing situation. When some countries in Asia where we have operations began to experience cases of COVID-19, we went into Level 2 to ensure our Asian offices had an aligned response to the situation, as well as manage the uncertainty surrounding global travel and keeping senior management regularly informed. Following significant global impacts that were coming, as well as those impacts already being experienced, it was obvious that we needed a Level 3 response which activated our crisis management procedures.

From the moment we heard about the situation in China, the framework provided us with confidence that we were responding as needed to the developing situation. It strengthened our preparedness, situational awareness and stakeholder management, which ultimately enabled us to react as a unified Allianz Technology Group, which fed into the wider coordinated response of Allianz. Being seen as the key driver of resilience across Allianz, the response from Allianz Technology ensured employees could concentrate on what they needed to do in order to manage the crisis, whilst at the same time, allow Allianz to achieve success during the most challenging of times.

Interview by Deborah Ritchie

The essence of resilience

As interest in resilience grows, the time is right for organisations to consider what it really means. Seasoned industry expert, Andrew Mason offers his views on the essence of resilience, and how it can be achieved

The past year has been significant in so many different ways. We have witnessed the tragedy that the pandemic has wrought on people's lives around the world. We have seen the devastating impact on many businesses, but have also seen some businesses not just survive, but thrive.

Whilst COVID-19 has brought the concept of resilience into sharp focus, as an idea it is not new. Resilience as an outcome has been around for some time, for many years without being specifically named as such. Now we have an abundance of organisational, operational and business resilience in job titles, regulatory requirements, international standards and guidance. Despite all this, there is still a lack of clarity around what it means, and therefore a danger that it might be perceived as complex and unachievable.

"One of the challenges is that 'resilience' has many definitions and terminologies. The two standards and the BCI GPG all offer different definitions"

One of the challenges is that 'resilience' has many definitions and terminologies. The two standards for Organisational Resilience, BS 65000 and ISO 22316, and the BCI GPG all propose different definitions.

One area they do agree on is that of the need for collaboration across disciplines. Indeed, my own presentation at the 2015 BCI World Conference, focused on the importance of just that. In my presentation, *Collaboration is Key – Resilience is the Outcome* I explained that organisations cannot 'do' resilience, but they can do many things that makes them more resilient. It was as true then as it is today.

My 'organisational resilience' definition of choice comes from the current, soon to be reviewed BS 65000:2014 Guidance on Organisational Resilience – the "ability of an organisation to anticipate, prepare for, and respond and adapt to incremental change and sudden disruptions in order to survive and prosper". This definition has a simple framework with four key elements that define abilities of a resilient organisation, and which business continuity can achieve.

As readers will be aware, there is debate as to the direction of the business continuity industry. In my view, business continuity practitioners, with their wide cross-organisation remit, are perfectly placed to provide the lead and impetus for organisations to become more resilient.

Most business continuity activities are carried out in peacetime, when the processes in the business continuity lifecycle can be used to anticipate, prepare for and build resilience within our organisations. There are existing business continuity tools that enable you to 'anticipate' – BIAs provide the potential impacts, risk and threat assessments provide the 'what ifs', supported by horizon scanning and threat radars that look for the 'when'.

"Any organisation can react, but only a prepared and trained organisation can respond, and not just respond, but 'adapt' to the situation and the many variables that inevitably arise"

The 'anticipate' activities then inform the 'prepare for' activities. This includes business continuity strategies and risk mitigation, identifying response structures and tools, developing supporting plans, and rehearsing your incident management teams to be able to deal with disruptive events, and embedding the business continuity and resilience messages across your organisation – this all builds resilience.

Then there is 'wartime' when the disruptive events happen, and organisations need to 'respond' and 'adapt' to the situation as it arises. This is where your actual resilience is tested and measured in reality, and the value of the effort put into 'anticipate' and 'prepare for' is highlighted.

I have always believed that you cannot plan for everything, but you can plan for anything. By this I mean that if plans are lean and agile, rather than large and proscriptive, the emphasis is on the ability of the team, ensuring you have the right people at the right time, in the right place (physical or virtual), with the supporting tools, and with the authority and capability to respond to any event. Any organisation can react, but only a prepared and trained organisation can respond, and not just respond, but 'adapt' to the situation and the many variables that inevitably arise. During the pandemic, organisations should be recognising that resilience is not the new normal but the new necessary. For business continuity practitioners, we should not 'react' but 'respond' to the new challenges and opportunities this may bring to our profession and ensure that we do not lose sight of our established methodology, throwing the baby out with the bathwater. As Castellan's Brian Zawada recently noted, resilience is "business continuity done right". And I could not agree more.

Andrew Mason is director of Logical Resilience

A profession in the spotlight

In truly challenging times, the IRM's 2021 Risk Predictions Report has resilience, risk and recovery as its key themes for a profession in the spotlight like never before. Deborah Ritchie looks at the highlights

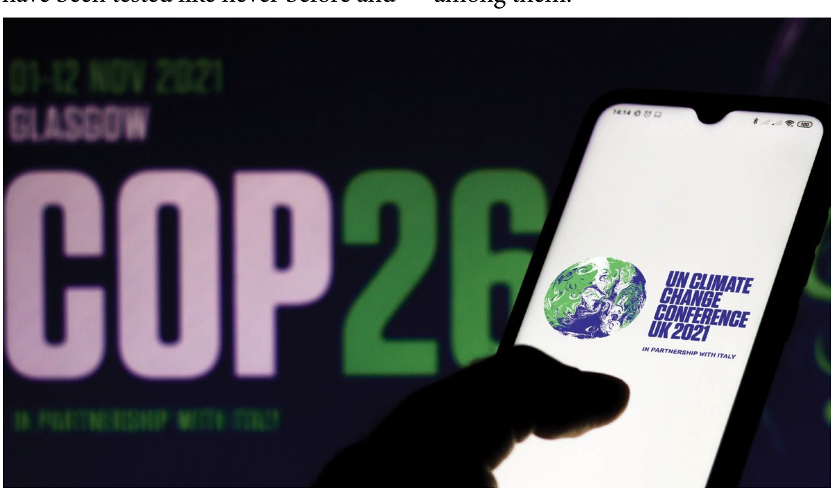
The ongoing pandemic exacerbated some already deep-rooted challenges for businesses and governments. And whilst it has generally been the case that office-based organisations and their employees have found the remote working approach to have worked well, it will not necessarily be plain sailing for those businesses once restrictions are lifted and they transition towards their own versions of a 'new normal'.

As Iain Wright, chair of the Institute of Risk Management writes in the organisation's latest *Risk Predictions Report*, firms are facing increased risks from both internal and external factors, including people risks (mental health, well-being and the physical health of staff), cyber risks, supply chain disruption, ongoing market volatility and geopolitical uncertainty.

"I think it's fair to say that risk professionals have never been so busy and pivotal to the survival of organisations of all types globally; risk management has been at the heart of the global response and our profession is firmly in the spotlight," Wright explains. "Risk managers' competence and resilience have been tested like never before and lessons have undoubtedly been learnt."

The IRM's report this year focuses on a broad range of themes – from risk in the charities and third sector to those faced by infrastructure companies. Mirroring these themes are the institute's Special Interest Groups. Recently established SIGs include groups for Brexit and pandemic risk, details of which can be found on the institute's website.

Never far from headlines, climate change presents a gamut of uncertainties and issues for risk professionals. IRM Climate Change SIG member and chairman of Concordia Consultancy, Paul A J May says climate change is bringing about strategy changes in many areas, among them:



Political

With the UK chairing this year's United Nations Climate Change Conference, also known as COP26, in November, risk managers will have an opportunity to be close to, and to influence, the action.

Incoming President Biden has brought the US back into the Paris Climate Agreement but will continue to be subject to vested interests such as the energy and concrete industries.

The IMF's *World Uncertainty Index* will increase as tensions between nations continue, making climate actions and commitments difficult to verify.

Electricity

Electricity, whatever the generation fuel used to create it, has become the vital driver supporting our lives and businesses. The UK's infrastructure is unlikely to support the expected demands without significant investment – particularly in rapid charging power sockets for electric cars.

Wind and solar generation have massively increased their contribution to the grid, but with coal and oil becoming less acceptable sources, there will be a need to debate the nuclear option.

Insurance
The issues raised in the recent FCA test case judgment on COVID business interruption has seen the reputation of insurance providers, buyers and brokers suffer adversely. Urgent reviews of business interruption coverage, pricing and post-event response – for flood especially – will take place to reflect the rejection of the previously prevailing Orient Express approach to minimising or restricting loss calculations.

Flood Re might start to raise its profile and offer proactive advice.

Travel
Train and plane travel has ground to a halt due to the pandemic. The climate seems to have benefitted, globally as well as locally, with less pollution and noise. However, is there a pent-up demand that will return planes fuelled by jet oil to the skies sooner than might be expected?

Increasing use of email and video services such as Zoom, Teams and WebEx have enabled communication but they depend on electricity which has to be generated.

Mining
Extraction of coal is controversial and will continue to be the cause of continued political risks (such as has been seen in Australia and China), as well as Extinction Rebellion-type disruptive attacks on facilities and distribution.

The metals needed for batteries and mobile phones are in short supply and will limit production, as well as create political complications.

Flood
It is likely that we will continue to see footage of flooded houses, factories and roads across the UK with the occupants expressing the view that 'they' should do more to protect them. Off-the-shelf physical protections for properties against flood damage may progress a tad further than the sandbag.

"Without significant investment, the UK's electricity infrastructure is unlikely to support growing demand – especially from rapid charging power sockets for electric cars"

Construction and infrastructure
The construction sector faces an uncertain time, according to SIG chair and group enterprise risk manager at the Nuclear Decommissioning Authority, Wesley Cadby. The pandemic has had a huge impact across the sector, with many members of the supply chain ceasing to operate.

Cadby cites a recent survey of construction companies that found 87 per cent of businesses in the sector suffering from the detrimental effects of the pandemic, and 38 per cent experiencing significant financial difficulties.

"It is likely that the 'new normal' will take time to recover to anything resembling 'pre-pandemic normal' and as such, our ability to invest in, and deliver work will be compromised for some time to come," Cadby asserts. "Network Rail has already had circa £1 billion cut from the rail infrastructure budget following the chancellor's Spending Review. That has put a question mark over some long-planned improvements to rail infrastructure. This will create significant uncertainty in an already stressed supply chain."

At the same time, Cadby believes the reinstatement of border controls post-Brexit could impede the free flow of construction materials into the UK and disrupt just-in-time deliveries.

"Already constrained megaproject schedules will have to adopt innovative methods to absorb these delays and maintain expected completion dates. In 2019 the UK imported close to £5 billion of construction materials, fixtures and plant from the EU with the most commonly imported items including

Health and care

It seems strange now to reflect that, this time last year, COVID-19 and the resulting global pandemic was not on our radar, beyond initial reports of a new virus in China. How different things feel now, as the UK's...COVID death toll has exceeded 100,000.

The impacts of and response to COVID will loom large in the risk landscape for the health and care system for the coming year and, most probably, years beyond.

At least for the first part of the year the health sector's focus will include:

- Coping with increased infections and further mutations of the virus;
- Simultaneously maintaining and recovering non-COVID critical services that were suspended or significantly reduced/delayed during the pandemic;
- Implementing a sustainable strategy to more effectively manage COVID in the longer term, including delivering an unprecedented vaccination programme, which has dependencies on the impact of virus mutations on the effectiveness of the vaccines; the willingness of the public to be vaccinated; and the need for action global on a global scale;
- Embedding an effective and sustainable, track, trace and isolate system;
- Ensuring the well-being of health and care staff, not just regarding sickness levels but also the impact on staff morale of the traumatic consequences of having to deal with patients, family and colleagues suffering from COVID, which cannot be underestimated and is likely to be a long term issue;
- Reinforcing the resilience of the sector's supply chains, including medicines, personal protective equipment and other critical supplies, such as oxygen. Supply continuity and costswill be inevitably impacted by the UK's recent departure from the EU.

The importance of truly learning lessons and contingency planning to ensure the resilience of the sector has never been more important. The experience of 2020 has demonstrated the need for a robust supply chain and flexibility in procurement processes, whilst maintaining effective oversight and value for money; continuing innovation at pace in treatment, digitisation and other technological advances; and the need to increase collaboration across the health and care sector, including in partnering across the public and private sectors.

It will be interesting to see whether the implicit changes to the sector's risk appetite suggested by decision-making in the response to COVID during 2020 are more explicitly maintained for the long-term – at least at the centre of government. Prime examples include the increased pace and scale of technological innovation, data sharing and rapid emergency COVID activity.

COVID has also exacerbated several pre-existing issues, including the adequacy of the health and care workforce to meet all the demands placed on the sector and the well-being of staff. Ensuring an adequate level of pay across the health and care sectors, as well as a sufficient flow of personnel into the sectors following the UK's EU exit, remain significant issues.

Long-term funding for the health and care sector still needs to be fully and transparently resolved, moving on from the short-term measures put in place during 2020 to meet the costs of handling COVID.

The 'elephant in the room' of effective social care reform, fully integrated with health services still requires serious attention. In particular, the detail of the government's proposals to address this issue is still awaited, despite having been promised for a number of years.

Having said all of this, there are multiple significant opportunities for improvement open to the health and care sectors this year, including:

- Maintaining the scale and pace of innovation demonstrated in 2020, for example in digitisation and the use of technology to enhance remote delivery of services where appropriate; increased use and integration of data, whilst maintaining security and privacy; the rapid development of effective (and often low cost) COVID treatments; and the use of artificial intelligence and other new technologies in the treatment of conditions such as cancer, diabetes and Alzheimer's; and
- Harnessing the pace of development (and approval) of COVID vaccines in the response to future changes to the virus and to other diseases, where RNA vaccines appear to offer considerable promise.

Whilst also presenting a risk of disruption and distraction, restructuring of the NHS and local government presents opportunities to improve service integration and efficiency, through devolution (to local level) and collaboration.

A specific example is plans for reforms to Integrated Care Systems (as part of the implementation of the NHS Long Term Plan) to embed these, with the aims of:

- Improving population health and healthcare;
- Tackling unequal outcomes and access;
- Enhancing productivity and value for money;
- Helping the NHS to support broader social and economic development; and
- Using digital and data to drive system working and improved outcomes.

Care will be needed to fully consider the impacts of these changes on funding (ICS will distribute financial resources and increasingly take on the main commissioning role), governance (and decision making), accountability (can collective accountability work?) and assurance arrangements (maximising assurance received, whilst reducing duplication and bureaucracy).

soft timber, sawn wood, lighting fixtures, boilers, AC units and wiring."

"As risk management professionals, this year has shown us that resilience is as important as prevention. We need to ensure we scan our horizons and plan for the impacts of those uncertain events over which we have no control.

This past year, I'm sure, is a key enabler for businesses and the sector, to put a greater focus on risk management and the obvious value it provides."

The IRM's *Risk Predictions Report* can be downloaded from the institute's website at www.theirm.org

Warning shots

Good news stories about the UK's world-leading vaccination programme were quickly followed by fake news about side-effects, escalating vaccine nationalism and ethical concerns around vaccine passports. Deborah Ritchie writes

The success of the UK's world-leading vaccination programme is undisputed. A major factor in the government's roadmap to a 'new normal', over 25 million have received the first dose of a COVID-19 vaccine, and almost two million have had their second shot.

Numerous companies have been helping to drive the programme. John Lewis, Timpson, Boots, Ikea and Marks and Spencer are among those supporting the rollout, and opportunities for employers to provide vaccination programmes for employees have begun to appear.

But it's not all been good news stories when it comes to vaccines. Deepening vaccine nationalism is just one example, as governments around the world attempt to access fragmented vaccine production. A series of setbacks in the European Union left member countries clamouring for supplies across the bloc. EU president Ursula von der Leyen was accused of acting like a dictator after threatening to seize factories, waive patents and ultimately to ban vaccine exports to the UK unless Boris Johnson surrendered British coronavirus jabs to the bloc.

All this piles added pressure on an already risky situation, with a report from TT Club and BSI flagging the risks of cargo theft of the precious vials.

Unless distribution plans for vaccines are perfectly executed, challenges will arise in protecting the single most valuable cargo of all in the coming months, the joint report warned. Thefts of cargo in transit make up the highest proportion of total cargo thefts across the whole of 2020, with other high-value targets including PPE, face masks and anti-bacterial gel.

Much depends on the outcome of

these developments, and ultimately on how quickly people can be vaccinated and lockdowns ended.

Vaccine passports

As this issue goes to print, details of the European Commission's plans for its Digital Green Certificate were beginning to crystallise.

Chief medical officer at travel risk management company, Healix International, Dr Adrian Hyzler says that while there's no question that any initiative that can enable international travel without increasing the risk of infections from COVID-19 will be welcomed by a beleaguered travel industry, the lack of discrimination from COVID-19 (it affects every age group, every gender, every race, every socio-economic group) could actually be the potential for a very high risk of discrimination if vaccine passports are adopted as the only way to allow international travel.

"I want to be clear. I see no harm in a 'digital immunity certificate', per se, for ease of verification of vaccination status, especially as this will be easier to verify by authorities and less susceptible to a range of forgeries or indecipherable documentation. However, I do worry about the further implications of a 'passport' or 'green pass' that enables those that are vaccinated to do things that others cannot. This form of immune-privilege will disadvantage a number of people, many of whom are already victims of inequity and discrimination, not just as a result of COVID, but dating back well before the pandemic.

"Concerns about the impact on those not yet eligible or unable to have the vaccine have been raised highlighting the very complicated picture. And that concern must be recognised as a global issue. For example, South Africa has declined to use its supplies of the AstraZeneca vaccine claiming that data shows that it is ineffective against the variant in wide circulation. So will they allow travellers who are vaccinated with this vaccine to enter the country? Ukraine, Lithuania and Poland have made a political decision not to allow the Russian Sputnik V vaccine to be used for their citizens – will they

Underwriting: Supporting novel invention in the life sciences sector

The global scientific community's success in developing tests, treatments and vaccines in response to COVID-19 is testament to the extraordinary and rapid advancements within life sciences. But these developments create new and complex risks that demand the support of well-informed insurance partners.

While it is the scientific breakthroughs linked to COVID-19 that have grabbed the headlines, advances are continuing across the board. The field of life sciences is complex in nature due to the high rate of innovation, progression of technology and modernisation. This means the traditional methods of underwriting, such as using actuarial claims data or underwriting guidelines to assist decision making on pricing and risk analysis, are not available for insurers to rely upon. It therefore requires a bespoke review of each risk and for underwriters to make informed decisions from scientific data provided by the creators of the products. It is important to note that life sciences is a risk environment of low frequency, but high severity claims.

Within life sciences, the distinct areas of the sector each have specific risk concerns.

Clinical research organisations that facilitate and manage clinical trials are frequent buyers of specialist insurance covers. Clinical research organisations can be responsible for a multitude of different tasks when setting up a clinical trial, such as writing trial protocols, recruiting trial participants, identifying venues and sourcing appropriate medical professionals to conduct trials. They are highly experienced, global businesses, there to assist on all aspects of clinical trial management. However, one small mistake, such as a typo on a clinical trial protocol, could heavily impact a trial and cost their pharmaceutical sponsors billions of dollars, or delay a product getting regulatory approval to treat patients by many years.

Clinical research organisations typically require bespoke cover and high coverage limits for medical malpractice, professional indemnity (from a bodily injury and financial loss perspective), as well as clinical trials insurance (providing no fault compensation and legal liability) for trial participants.

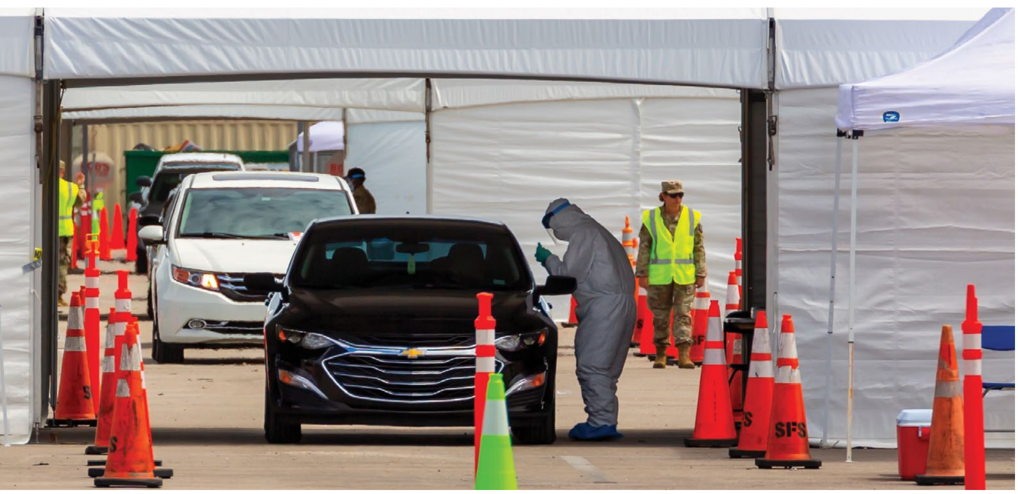
Medical skincare is another sector that has grown significantly in the past few years. Ingredients that in the past could only be prescribed by dermatologists such as tretinoins, alpha and beta hydroxy acids and salicylic acids are now available without prescription in products available in cosmetic stores. These are highly potent ingredients that if not utilised properly, can lead to bodily injury claims from burns and allergic reactions.

Such sophisticated ingredients have not been seen before in skincare products available outside the dermatologist's office and such risks can incorrectly be placed on general liability wordings, which do not offer the level of specialist cover that a life sciences wording would provide.

In a similar vein, cannabidiol (more commonly known as CBD) is a derivative of the cannabis sativa plant and is also being increasingly used in supplements and in topical beauty products. Insurance can be difficult to source due to general concerns regarding the negative association with illicit drugs and the social scrutiny such products excite, despite strong evidence of its potential in both the medical and wellness field. In order to have comfort in underwriting these risks, underwriters need a strong understanding of science and the clinical data behind these products to insure the risk appropriately.

Life sciences is an exciting, fast-moving, and multifaceted sector, which relies on the right insurance partners to help it succeed. Specialist, bespoke insurance is essential to underpin the remarkable breakthroughs and developments being achieved. So too is a clear understanding that no shortcuts can be taken when it comes to research, due diligence and risk management.

Kirsten Shastri is international life sciences and miscellaneous medical underwriter at Beazley



allow travellers entry who have received this vaccine? Slovakia, Hungary and the Czech Republic have authorised the Sputnik V vaccine from the Gamaleya Institute in Russia for their citizens, in response to the perceived slow rollout of EMA approved vaccines from the European Commission – will this be an accepted vaccine for the rest of the European Union member states? Similarly, Hungary and the Czech Republic have licensed the Chinese vaccines, Sinovac and Sinopharm, respectively," he says."

Countries that depend on tourism for their economies have understandably been behind the drive for vaccine passports, with Greece, Italy, Cyprus, Spain and Malta leading the charge – and Denmark and Sweden expected to follow suit.

"There is undoubtedly a demand for a 'digital immunity document' and this will simplify the process of verification of inoculation; confirmation of positive COVID test within a time period of between three and six months; and COVID test notification," Dr Hyzler explains. "From an international travel point of view you could look at this as the equivalent of an airline's app that enables you to store your boarding pass, airline membership card and flight details electronically. Some people use the electronic version but others continue with paper documentation and the process still functions.

"But let's not forget that 3.4 billion people worldwide do not have internet access and over 1 billion people do not have a cellphone of any kind. Therefore, any such scheme will require close cooperation of governments in allowing access to an individual's vaccination records. And that, of course, brings up another issue – data privacy.

"There are two clear discussion points here: the first is the concept of an electronic means of verifying 'immunity/infection status' as opposed to a paper document; the other more complex discussion, that is often confused by the concerns around the 'passport' or 'pass', is what will governments, organisations and businesses choose to do with that information. Will there be a requirement for vaccination for entry to a country, restaurant, gym or music festival, or will it form one of a layer of requirements that will determine what restrictions will be required on entry? This implies that there will be a need for 'immunity security' to prevent entry for the unvaccinated. Is this really what the hospitality industry wants?

"My thought is that vaccination status should be one of the determinants of entry quarantine requirements, in combination with natural immunity and testing. The whole approach to prevention of COVID-19 transmission is dependent on layers of protection – it is not just about masking or physical distancing or even vaccination. No preventive measure is fully protective but each tool of prevention is layered on top of the next and together they form a stronger barrier."

Deborah Ritchie is editor of CIR

Industry views

On 15th January the UK's Supreme Court handed down its judgment for the COVID-19 business interruption insurance test case between the Financial Conduct Authority and a group initially consisting of eight insurers.

The Supreme Court found resoundingly in favour of the FCA and BI policyholders it represented, dismissed the insurers' remaining appeals and allowed all four of the FCA's appeals, in two cases on a qualified basis.

The effect is that the insuring clauses which were in issue on the appeal will provide cover for the BI caused by COVID-19. However, many policies only have cover which focuses on property damage and consequently will still be unable to claim under their insurance.

The BI test case has made national headlines during the pandemic, and the way in which the FCA has worked in favour of policyholders' interests throughout, particularly in its efforts towards clear and effective communication, is deserving of credit for a job well done.

On 3rd March the regulator released its final guidance, setting out the types of evidence and methodologies for policyholders to use when proving the presence of COVID-19 around their premises.

The document is designed to provide clarity for all parties involved in BI insurance, the regulator noted, primarily for policyholders, but also brokers and intermediaries, and insurers themselves, including managing agents at Lloyd's.

The guidance was put together after consultation and follows the FCA's release on 29th January of a policy checker designed to help identify whether a policy would cover a COVID-19 BI claim, as well as a document answering policyholders' FAQs published at the same time.

In addition, the FCA will shortly publish a COVID-19 calculator to assist policyholders in carrying out the calculations in Chapters 7, 8 and 9 of the final guidance – on reported cases of the virus, on estimated cases, and geographical distribution methodology, respectively.

In bringing the test case, the FCA emphasised its aim was to urgently clarify key issues of contractual uncertainty for as many policyholders and insurers as possible. Initially the regulator did this by selecting a representative sample of 21 types of policy, issued by eight insurers, for its test case.

The test case was designed with the policies of smaller businesses in mind, with BI coverage through property damage, disease and prevention of access clauses. Some 370,000 policyholders were identified as holding 700 types of policies, issued by 60 insurers, that may be affected by the outcome of the test case.

The latest communication updates are in line with the regulator's continued aim to provide clarity to policyholders. The policy checker, FAQ and the final guidance are valuable aids to commercial policyholders still wondering where they stand after the Supreme Court's ruling.

Throughout the process the FCA has done what it said it would, when it would, communicated clearly and effectively, and kept policyholders' interests at heart. At Airmic, we commend the FCA for a job well done in this case, and strongly recommend policyholders sign up for the FCA's BI test case email alerts and make the most of the useful resources provided by the regulator.

Julia Graham is deputy CEO and technical director of Airmic

In association with

airmic

What's your view? Email the editor at deboraht.ritchie@cirmagazine.com

With members from 20 different countries, we see a range of regulatory approaches at Global Insurance Law Connect. While the leading markets have regulatory provision that stands up in any court in the world, some countries face poor oversight, stifling nascent insurance markets and preventing growth.

Recent developments in Brazil, however, demonstrate how solid step-by-step work by a regulator can improve this situation. They also demonstrate the pitfalls that can create very real barriers to such change.

Efforts have been underway for some time to modernise and liberalise the regulation of insurance in Brazil. Already, the insurance supervisor, SUSEP, has authorised greater freedom in the creation of new insurance products, with a significant reduction of complexity in the rules around policy wordings.

Further, the law that did not allow health management organisations and pension funds to be direct cedents in reinsurance operations has now been clarified, with the intention to confirm that it is permissible for them to buy their own reinsurance. However, the change became a controversial matter – one which is currently being tested by the Brazilian Supreme Courts. The insurers backing the court action want to remain the only option for risk transfers by HMOs and pension funds. In essence, the insurers have taken the case out to protect their monopoly in Brazil.

This is a typical barrier that regulators face in emerging markets, and one that must be challenged. Even now, things are not as confused as they look. The original resolution is still currently in effect, and the chances of success for the insurers backing the court action remain very remote.

Meanwhile, the same resolution opened a wider debate about whether it was now possible for foreign reinsurers (including Lloyd's) to reinsure risk coverages associated to accumulation products in life and pension plans. After some debate, SUSEP settled its position in favour of the foreign reinsurers. This is a real positive for major corporates, given that Brazil, although a young country, has a large and well-funded private pension system with a real need for risk transfer instruments.

João Marcelo dos Santos is former director and deputy superintendent of SUSEP, president of the National Insurance and Pension Academy, and a partner at Santos Bevilaqua Advogados, a member of GILC

In association with GLOBAL INSURANCE LAW CONNECT

There is huge economic uncertainty as we come out of COVID-19. Many governments are carrying very high levels of debt that need to be serviced and repaid, which may lead to different solutions in different jurisdictions. We also see ongoing high levels of geopolitical risk internationally. Additionally, there is a move towards considering organisational resilience, which is interesting, and frames risk in a way that is perhaps different to how it has been looked at in the past. We as risk professionals need to demonstrate the value we can add. A good example, and one which came out of a survey we ran in the early stages of the pandemic, is that not all organisations had identified a pandemic as an emerging risk, although a sizeable majority had. But, more interestingly, of those organisations that had identified the emerging risk, not all companies had a plan for dealing it. It is our job as risk professionals to ensure that all current and emerging risks are included and that appropriate mitigation plans are in place. We also have a role in ensuring an appropriate risk culture in the organisation, which includes ensuring management understand it is not the role of the risk function to manage risk, but it the responsibility of those who originate risk to identify and manage that risk to an acceptable level within a defined risk appetite.

We are acutely aware that, although COVID-19 has dominated the risk landscape for almost a year now, other risks remain. Accordingly, I am pleased that we have just launched a Climate Change Risk training course in cooperation with Imperial College London and the Grantham Institute. IRM is pleased to be represented by senior IRM member Carol Misiko, who contributes to the WEF *Global Risks Report* which cited climate change as one of the biggest risks facing us all.

Our recent *Global Risk Predictions* also highlighted how climate change will impact every business and that now is the time for action. Risk managers need to be ready to influence the UN Nations Climate Change Conference agenda, something out new Climate Change SIG will be reporting on soon.

Iain Wright is chairman of the Institute of Risk Management

In association with irm

Mental health is wealth

According to a recent study, one in three risk professionals believe mental health issues are set to create declining productivity levels. Dr Rodrigo Rodriguez-Fernandez examines the issues and offers some remedies

The recognition of mental ill health as an issue for the workplace was increasing even before COVID-19, and the pandemic has fuelled this significantly, and underlining existing issues for both individuals and organisations. The desire to develop sophisticated mental well-being strategies to fulfil duty of care responsibilities and help employees with their mental health resilience is now far more widespread than ever.

Beyond the more obvious positive effects these strategies can have for employees, businesses have a direct interest in creating a mental well-being programmes. According to data from our own Risk Outlook, one in three risk professionals believe that mental health issues will contribute significantly to declining productivity levels this year. A business that supports employees appropriately will therefore likely be in a better, more productive place than one that does not.

Below are some of the approaches businesses could take to help employees deal with and prevent mental ill health issues:

Case study

A recent client of International SOS wanted to make a positive contribution to their people's health and well-being amid the global pandemic. Finding creative ways to engage their workforce and promote a healthy lifestyle was proving difficult because of remote working and generally low morale due to job cuts. With their senior occupational health and safety communications team, we developed a strategic virtual well-being programme for the entire global operation. Part of the programme consisted of a digital well-being portal where employees could complete lifestyle assessments, take part in fitness challenges, link their fitness devices, socialise with colleagues, and access a learning library. The messaging and topics were specifically designed for the end user. This helped engage employees and boosted their mental and physical well-being. It resulted in a 92% satisfaction rate with the efforts during the activities, while 68% of participants perceived an improvement in health post-challenge.

Consider mental health and physical health as one From both a medical and behavioural aspect, the two are intricately linked. How we feel changes how we eat and how we exercise. This goes both ways with certain foods, diets and physical activity levels affecting our moods. Well-being programmes should take both on board together.

Know your people Carry out mental health or resilience surveys with tools that have been scientifically validated and can uncover individual pain points. This will provide insights into how your workforce is coping overall and helps to clarify the type of programmes needed to address specific issues.

Recognise that everyone is an individual It is important that businesses enable their leaders with tools to support the individuals in their teams. This helps them to recognise potential stress points and red flags amongst employees, and signpost routes and resources available for support. Actively checking in with employees in general conversation on a one-to-one basis can help managers to form a greater understanding of how individuals are coping through particularly difficult periods.

Make sure people have and are aware of secure routes for *reporting their mental health issues* Employees should be provided with a route to confidentially discuss their mental health issues away from their direct managers and teams. This could be with HR or company-led independent support and should be communicated widely and consistently.

Consider the information employees are receiving People are bombarded in their daily, technology-filled, lives with varying advice and information. Some of the information around the coronavirus is poor quality and factually inaccurate – feeding feelings of mass hysteria and paranoia. Both a lack of information and poor quality information has been shown to increase irrational thinking. Businesses have a key role to play and a responsibility to provide accurate and timely information; according to Edelman's *Trust Barometer,* 76% of employees reported having trust in employer information above all other sources.

Encourage open discourse around mental health As ever, communication is key. It is vitally important to let employees know what support is available, that the organisation is open to supporting discourse around mental (ill) health and actively encourages actions that promote mental health. For instance, regular information on ways to deal with stress, managing workloads and keeping a good work/life balance help to let employees know they are supported.

Dr Rodrigo Rodriguez-Fernandez is senior lecturer at the University of Manchester, and medical director, health consulting, NCDs and wellness at International SOS

BUSINESS CONTINUITY SOFTWARE

Daisy House, No 2 Golden Square,
220 Chester Street, Aston,
Birmingham, B6 4AH

Contact Daisy to find out more about the unique benefits of Shadow-Planner:
Call +44 (0)344 863 3000
Email Enquiry.dcs@dcs.tech
https://dcs.tech/campaign-shadow-planner/

Daisy Shadow-Planner enables you to plan, develop, test and execute more streamlined and structured Business Continuity. Taking the pain out of the entire process, Shadow-Planner helps your people work smarter and faster and enables your business to deliver against its BC commitments more quickly, efficiently and cost effectively.

Designed by BC specialists, this suite of integrated software supports the entire Business Continuity Management (BCM) lifecycle: from impact analysis through developing plans to testing and reporting. Daisy supports you every step of the way, helping you create the strongest and most effective plans to minimise downtime and ensure you can work 'business as usual'.

Shadow-Planner is based on four core modules:
• Business Impact Analysis (BIA)
• Business Continuity Planning
• Notification
• Mobile Plans
Organisations in the financial services sector, public sector and others in regulated industries have used Shadow-Planner to help comply with business continuity standards such as ISO 22301 and other specific codes of practice.

How you benefit
A low-cost solution, requiring no local cap ex or hardware investments, you can:
• Get rid of inefficient, inaccurate and risky manual approaches - Word documents and spreadsheets
• Ensure all essential data (plans, contacts, documentation and more) are in a single secure location, at your fingertips
• Be assured that all data is regularly reviewed, updated and consistent
• Achieve faster ISO 22301 BC certification

RecoveryPlanner
101 Merritt Boulevard, Trumbull, CT 06611 USA and Dartford Kent, UK

Contact Name: Jeff Goldstein, Sales Director

Tel: +1 (203) 455-9990
jgoldstein@recoveryplanner.com
www.recoveryplanner.com
Linkedin: www.linkedin.com/company/recoveryplanner.com/
Twitter: @RP_BCM

Resiliency Solutions Since 1999

RPX BCM Software
Depth, Flexibility & Scope for a Planner, Simple Enough for the Casual User
RecoveryPlanner's all-in-one **RPX** software brings together compliance, resiliency, operational risk and continuity to deliver a mature, integrated solution.

Key Features:
- One Complete Mature Software
- Cloud-based, Strong Security
- SaaS or On-premise License
- Unlimited, Concurrent Licensing
- Multi-lingual UI & Support
- Support in all Time Zones
- Native App - iOS & Android
- Rapid Implementation
- Customizable & Flexible
- Crisis Communications
- Leader in all Gartner's MQ's for BCMP Software

Continuity Consulting
Also available are integrated consulting services to help develop effective Plans and Programs that are tailored to each organization's culture, structure and maturity. Direct representation, support and professional services are available throughout Europe, EMEA and APAC.

Contact us today to see what RPX can do for you!

BUSINESS CONTINUITY, DISASTER RECOVERY & ALWAYS ON INFRASTRUCTURE

Daisy House, No 2 Golden Square,
220 Chester Street, Aston,
Birmingham, B6 4AH

For more information:
Call +44 (0) 344 863 3000
Email Enquiry.dcs@dcs.tech
https://dcs.tech/business-continuity/

Daisy has become the UK's go to partner for resilient, secure and always available communications and IT infrastructure managed services.

As the UK's business continuity industry leader with over 25 years' experience, Daisy is embedding resilience into its entire service portfolio, focussed on enabling today's digital business in the key areas of always-on infrastructure, connect & protect and agile workforce.

Business Continuity Management:
Daisy's BCM consultants and Shadow-Planner software work with you to deliver digital business resilience and address the new risks of the digital economy. We advise, deliver, support and manage all or part of your business continuity management, including emergency response planning; crisis and reputational risk management; operational and business recovery planning; infrastructure process and IT risk analysis; supply chain risk management; authentic exercising, maintenance and awareness.

Workplace and FlexPlace Recovery:
Daisy has got your offices and your people covered from 18 specialist business continuity centres available UK-wide, mobile and virtual office solutions delivered to the home and complex call centre and financial trading positions. We usually have customers up and running within an hour and not just for business interruptions, but to cope with peak or seasonal trading and the flexibility digital businesses now demand.

ITDR, FlexTech and Data Availability:
Daisy's flexible IT and data recovery services will protect your technology, data and communications, available when the need arises and for test and development scenarios. We have nine resilient UK data centres and an award-winning portfolio of data availability services, applauded by industry analysts. For replacement IT onsite fast, we have over 1,000 servers and seven ship-to-site, mobile data centre units, all ready to dispatch if disaster strikes. This can be a safe roll-back recovery option in the event of cyberattack.

BUSINESS CONTINUITY, LOGISTICS

CMAC Business Continuity Transport
The Globe Centre, St James Square,
Accrington, Lancashire BB4 0RE

Contact: Ashley Seed

Tel: +44 (0) 1254 355 126
bctenquiries@cmacgroup.co.uk
www.businesscontinuitytransport.com
Twitter: https://twitter.com/CMACgroupUK
Linkedin: https://www.linkedin.com/company/10540515/

CMAC Business Continuity Transport makes moving your people safely, simple. We believe that everyone should be moved safely, whether it is in an emergency or as a planned exercise. We want everyone to feel secure in the knowledge that if they can no longer work at their usual location, they will be safely moved, just by making one phone call to our 24/7/365 call centre. We were established in 2007 and have become the UK's leading dedicated provider of business continuity transport.

RISK MANAGEMENT SOFTWARE SOLUTIONS

JC Applications Development Ltd
Manor Barn, Hawkley Rd, Liss,
Hampshire, GU33 6JS

Contact: Phil Walden

Tel: +44 (0)1730 172020
sales@jcad.co.uk
www.jcad.co.uk
Twitter: @jcad2

JCAD provides easy to implement and highly effective software for streamlining risk management and claims handling processes in the public and commercial sectors. As a family owned business, we strive to provide excellent, friendly customer support. Our specialist team works continuously to update and improve our products, ensuring our solutions help clients improve efficiency, increase accuracy and save money.

Origami Risk
222 North LaSalle Street
Suite 2125 Chicago, IL 60601

Tel: 312.702.5395
info@origamirisk.com
www.origamirisk.com
YouTube: https://www.youtube.com/channel/UCUSGoJ_XoT0nz_K9HJXk2rQ
LinkedIn: https://www.linkedin.com/company/origami-risk/
Twitter: https://twitter.com/origamirisk

Origami is a leading provider of integrated SaaS solutions for the risk, insurance and compliance industry—from insured corporate and public entities to brokers and risk consultants, insurers, TPAs, and risk pools. Our solutions for RMIS, GRC, EH&S, Core Policy and Claims, and Healthcare Risk Management are highly configurable and completely scalable. Origami delivers a full suite of solutions from a single, secure, cloud-based platform accessible via web browser. Our software is supported by an experienced service team who possess a balance of industry knowledge and technological expertise. With our unique service model and highly configurable solution, our expert team implements and provides ongoing support to align with clients' strategic organizational priorities. Since all components are contained within a single, true SaaS platform, scalability is seamless, enabling clients to focus on their priorities while providing access to the latest technology.

1st Floor, 60 Gresham Street
London EC2V 7BB
United Kingdom

Contact: Keith Davies -
Director Sales and Operations,
U.K. & Europe

Tel: +44 (0) 7828 163 802
keith.davies@protechtgroup.com
www.protechtgroup.com
LinkedIn: au.linkedin.com/company/protecht-advisory-pty-ltd
Twitter: twitter.com/Protecht_Risk
You Tube: www.youtube.com/user/ProtechtPtyLtd

The Protecht Group
Protecht helps organisations through deep understanding, monitoring and management of risk. We provide the complete risk solution—comprised of world-class enterprise risk management, compliance, training and advisory services—to government organisations, key regulators and businesses of all sizes across the world.

With 20+ years at the forefront of risk and compliance solutions, millions of incidents managed across thousands of individual risks, and over 25 thousand people attending our training courses to date, we're one of the most respected and influential voices in risk.

Dynamically manage all your risks in a single platform: Risks, Compliance, Health and Safety, Internal Audit, Incidents, KRIs, BCP, and more.

We're with our clients for their full risk journey. Let's transform the way you understand and manage your risk to create exciting opportunities for growth.

RISK MANAGEMENT SOFTWARE SOLUTIONS

riskHive Software Solutions

riskHive Software Solutions Ltd
Dilkush
Farlers End
Bristol
BS48 4PG

Rebecca.cope-lewis@riskhive.com
+44 7539 592 727

Sandu.hellings@riskhive.com
+44 7768 866 158
www.riskhive.com
Linkedin: www.linkedin.com/company/riskhive/

For over 20 years riskHive have delivered innovative software solutions supported by Subject Matter Experts.

riskHive Enterprise Risk Manager®
is a secure private-cloud risk database that supports your risk management needs as they evolve. Fully configurable to meet the changing requirements of your risk management journey, riskHive ERM supports the way you want to work.
www.riskhive.com

riskHive Arrisca Risk Analyser
is a stress-testing and risk analysis tool that helps you understand, evaluate and assure any Excel spreadsheet. With just a few clicks you can improve confidence in your base spreadsheet models and run Monte Carlo to underpin your decisions.
www.riskhive.com

riskHive's independent Cost Analysis Service (iCAS) has been developed over a 20-year period with UK MoD & industry to deliver fast, high-quality assurance and optimisation of cost, schedule and performance models using proven riskHive tools and techniques.
www.grey-beards.com

Experience. Knowledge. Capability. Expertise.

WORK AREA RECOVERY

Fortress

Fortress Availability Services Limited
City Reach, 5 Greenwich View,
London, E14 9NN

Tel: +44 (0)20 3858 0099
info@fortressas.com
www.fortressas.com
Twitter: @fortressas
LinkedIn: https://www.linkedin.com/company/fortress-availability-services-limited

The FortressAS team are expert in the provision of Operational and Cyber Risk and Resilience services.

Working along the lines of the NIST Framework, we focus on reducing the risk of disastrous events and mitigating the impact of these events when they do happen.

Our services span:

- Advisory (BC and Cybersecurity)
- Managed Services (Endpoint Detection and Response – ED&R, Virtual CISO)
- Solutions (ED&R, Threat Correlated Vuln Management, Identity, Insider Threat)
- Infrastructure Services (DRaaS, BaaS and Workplace Recovery)

We focus on delivering high quality services and those with a high ROI.