

**The interview**  
Dan Kaine tells CIR about  
his recent assignments

**News & analysis**  
A round-up of the latest  
industry news and views

**Business Continuity  
Awards 2021**  
Winners' Review

cirmagazine.com

November-December 2021

# CIR

**CONTINUITY INSURANCE & RISK**

► **Roundtable** How has the experience of the past 18 months impacted companies' approaches to operational resilience?

► **Data protection in a hybrid world** GDPR obligations do not change just because staff are working away from the office

► **Podcast** Highlights from our latest podcast, which focused on insuring property damage as a consequence of cyber attack



## High hopes

► COP26 draws to a close

► View: "Corporates cannot, or will not, pay any more for D&O cover"



# From business interruption claims to supporting vulnerable customers

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Initiative of the Year

*Initiative of the Year Award:*  
Sedgwick's Vulnerable Customer Care Strategy



Loss Adjusting Award

*Loss Adjusting Award:*  
Sedgwick International UK

## Comment

**A**s the nights draw in and the pilot light goes out; fuel prices go through the roof, and NHS service levels go through the floor, I feel sure, dear readers, that you won't mind if I at least start our last issue of the year with something light.

The global index of cities that rank the highest for facilitating remote work has just been published, and the data makes for a welcome virtual tour of some of the places you've not been allowed to visit for the best part of two years.

So for those of you who are thinking of leaving town (if only virtually for two minutes) the first stop is sunny Melbourne. Australia's second most populous city is the highest ranking city in employment specialist, WorkMotion's global index, scoring well for both employment and compliance factors, citizen happiness, and its 'digital nomad visa', a document that allows remote workers to continue their employment in the country of relocation.

The slightly chillier but arguably more dramatic Canadian city of Montreal is next. Sydney follows, with Wellington, Prague, Toronto, Tallinn, Zagreb, Singapore and Dublin making up the remainder of the top ten cities overall.

Istanbul was found to have the most favourable tax rates for remote workers, ahead of Lisbon, Hong Kong, Singapore, London, Tallinn, San Jose, Bern, Bangkok and Pittsburgh.

In terms of happiness alone, Copenhagen, Bern and Wellington lead the way, bringing smiles to the most workers, according to the data.

If health is your priority, head over to Oslo, Toronto or Vancouver – the top three destinations for best access to good quality healthcare, followed by Sydney, Tokyo, Melbourne, Glasgow, Reykjavik, Gothenburg and Bern.

Dublin ranks best for ease of employment compliance, meaning its compliance regulations are most straightforward, ahead of Helsinki and Copenhagen.

WorkMotion's research comes at a time of split opinions around the efficacy of remote working – with some companies opting for a completely remote workforce, and others heading back to full occupancy on the other side of Christmas.

WorkMotion founder and managing director, Carsten Lebtig, says that while the technology for remote work was well-established and in use prior to the pandemic; the mindset companies have towards remote working has changed.

"Nowadays, many people working in office jobs enjoy flexi working and split their time between their home and office, with little or no effect on productivity levels. Some companies, meanwhile, have been able to reduce the size of their offices, cutting expenses in doing so. Now that the dust is settling, many companies are beginning to look further afield when hiring employees, comfortable with the idea that the best person for the job might be located in a different country," he explains.

"When identifying possible destinations for relocation, remote workers must consider a range of factors...from the practical to the desirable. Not many cities can offer them all, but it's undeniable that cities legislating to attract remote workers become far more attractive than those that don't. Making it easier for employees to work remotely in their city by offering this demographic-specific visa means the relocation process becomes far smoother."

So far, only eleven cities are thought to offer a digital nomad visa. Lebtig expects this to change over the next few years, as remote working becomes more common, and cities begin to recognise the benefits it can bring.

Happy travels (real or virtual) this festive season.



▶ Deborah Ritchie

# You're Prepared London Prepared



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# COP26

## ➤ THE INTERVIEW

### An instinct for risk

Deborah Ritchie speaks to Dan Kaine about his work in Afghanistan, West Africa and Japan, where his firm, Inherent Risks, has recently been involved in a number of crisis response assignments

## ➤ COVER STORY

### High hopes

The COP26 UN Climate Summit concluded in November with nearly 200 countries agreeing the Glasgow Climate Pact, following two weeks of negotiations. Deborah Ritchie looks at some of the reactions



## ➤ On the sustainability of sustainability

Following months of build up ahead of COP26, and as ESG risks rise on the corporate agenda, Dr Chris Needham-Bennett asks whether laudable but unrealistic climate goals could lead companies down the wrong path, and scupper progress in the process

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## ➤ CRISIS COMMUNICATIONS

### Start spreading the news

Effective communication is important to any organisation at the best of times, but in a crisis it takes on a whole new level of significance. Martin Allen-Smith asks how mass notification systems are increasing their effectiveness and versatility in dealing with a wide range of potential new threats

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### Data protection considerations for the hybrid environment

Obligations under the General Data Protection Regulation do not change just because staff are working away from the office. Choy Lau and Alex Dittel outline how risk assessment changes for hybrid working

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## ➤ PODCAST HIGHLIGHTS

### Insuring cyber physical

Property damage as a consequence of cyber attack is often excluded from standard property policies. With its new cyber property insurance policy, AXIS Insurance has found a way to close this widening coverage gap and address the emerging and potentially costly risks. Deborah Ritchie speaks to the team

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### BUSINESS CONTINUITY

#### AWARDS 2021

##### Winners' Review

The winners of the 2021 Business Continuity Awards have been revealed. Find out who took away a trophy at the gala dinner and awards presentation ceremony held at the London Marriott Grosvenor Square in September

### ROUNDTABLE

#### Operational resilience in a post-pandemic world

There has been much speculation about what the world will be like after the pandemic, but what effects have the last 18 months had on approaches to resilience? Our recent roundtable with Sungard Availability Services discussed developments

## An instinct for risk

Deborah Ritchie speaks to Dan Kaine about his work in Afghanistan, West Africa and Japan, where his firm, Inherent Risks, has recently been involved in a number of crisis response assignments

What can you tell us about the COVID-19 compliance Programme Games in Japan?

After successfully leading a team that provided on the ground risk advisory and incident response for sponsors of the 2016 Olympic Games in Brazil, I was approached by an insurer to conduct a risk assessment and travel risk management plan for staff attending the postponed 2020 Olympic Games in Japan.

At the time, there was a lot of speculation in the media about whether the Games would go ahead or not, and sponsors were receiving media backlash for planning to attend during a global pandemic. Fans had also been ordered not to attend. A global event like the Olympic Games involves a considerable amount of support staff providing anything from administration and logistics, to nutrition and medical functions. Inherent Risks was initially retained to conduct a COVID-19 compliance risk assessment for 37 people to attend the Games. This was later increased to 79 - from eight different countries.

Ultimately we were asked by the insurer for an honest opinion of whether or not this was possible, safely, and if so, to formulate a plan as to how it might work.

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policies in place, based on their own country's government guidelines, and not one cohesive plan.

Inherent Risks presented a comprehensive and proactive plan to the insurer that would require all 11 organisations to comply with one standardised duty of care and was supported by a multilingual, 24/7 special assistance team set up specifically for this event.

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# Google wins UK Supreme Court appeal

✓ The UK Supreme Court has blocked a multi-million-pound lawsuit brought against tech giant Google, in a ruling that is expected to have a significant impact on UK firms that handle customer data. We examine some of the reactions

The UK Supreme Court in November handed down its decision in *Lloyd v Google* and blocked a multi-million-pound lawsuit brought by Richard Lloyd, a former director of consumer rights group, Which?, against tech giant Google. The case related to search engine data collected by Google, and whether consumers had suffered damage and could claim compensation.

The case has been described as one of the most significant in recent legal history, after Lloyd sued Google for collecting web browsing data from iPhone users between 2011 and 2012, despite the tech firm claiming at the time that it was prevented from doing so by the default privacy settings in Safari. Lloyd brought the claim not just as an individual, but representing over four million people.

The ruling is expected to have a significant impact on UK firms that handle customer data, according to lawyers close to the case.

Rupert Cowper-Coles, data disputes partner at RPC, which supported intervening party, techUK, in the Supreme Court hearing, said: "Although the Supreme Court has left the door

open for representative actions to proceed in relation to claims for breaches of data protection legislation, the rejection of the concept of 'loss of control' damages and the requirement that individuals must prove they have suffered damage means that a representative action is unlikely to be a financially viable option for legal advisers and funders in most cases."

RPC partner and head of IP and tech, David Cran, said the judgment will also be warmly welcomed by the insurance market, which, following the Court of Appeal's judgment, was exposed to quite significant potential liability arising from data claims, even if no specific damage was shown to have been suffered by any individual. "The Supreme Court's judgment has firmly rejected the basis of this class action and many others that were waiting in the wings: it is likely to have a very significant impact on UK industry across many different sectors that handle customer data, as well as the UK legal market, including claimant firms, litigation funders and after the event insurers," he opined.

The Confederation of British Industry also welcomed the decision. Said Matthew Fell, chief policy director at the business group: "The CBI welcomes this decision. Data is at the heart of modern business operations in sectors from logistics to financial services, and firms know how they treat customers' data has a real impact on trust in technology.

"Introducing a US-style class action could have put a chill on investment and a detrimental impact on firms across the economy without improving access to justice for the majority of consumers."

Looking at the case from a data privacy perspective, Jake Moore, former head of digital forensics at Dorset Police and now a cyber security specialist at cyber security firm, ESET, said the case highlights the power of technology giants.

"The privacy debate places more onus on the user and we need to take more care with our personal information ourselves. Our private data is preyed upon everytime we use the internet as it makes up the financial backbone of the internet. There are ways to control it via using more privacy focused apps but many people wrongly assume they are private by default.

"Tracking is big business but there are tricks to reduce tracking available such as using VPNs, privacy focused messaging services and even the use of the dark web making us more anonymous. However, contextual advertising still persists and even though we may request limited tracking, it is impossible to completely evade all tracking online."



## Inspiration for resilience professionals

CHRIS ATEGEKA



# THE UNINTENDED CONSEQUENCES OF TECHNOLOGY

SOLUTIONS, BREAKTHROUGHS  
AND THE RESTART WE NEED

WILEY

## ➤ The Unintended Consequences of Technology: Solutions, Breakthroughs and the Restart We Need

By Chris Ategeka, John Wiley & Sons, 2021

wiley.com

In a recent book review for this page, we took a look at a guide to crisis management, which, I assured readers, would help them to sleep at night – safe in the knowledge that they would be prepared to weather any storm.

This issue, we present a book that promises to do the opposite: to keep you awake until the small hours, and possibly even make you unplug your Alexa unit once and for all.

It's no exaggeration to say that technology and its algorithms have taken over many of our lives – from the news we read to the people we meet, vote for and, of course, the ads we see and the things we buy.

An explosion of technology and its myriad advancements in recent years are already reshaping what it means to be human. This is the premise of Chris Ategeka's new book, *The Unintended Consequences of Technology: Solutions, Breakthroughs, and the Restart We Need*.

Technology is a double edged sword, he writes. Used properly it can have hugely positive, even life-changing impacts; on the flip side, it can cause serious damage.

In *The Unintended Consequences of Technology*, Ategeka outlines the technologies and trends that threaten humanity and the planet, and seeks to examine the ways in which they can be managed.

In the opening pages to his new book, the author lays out a number of uncomfortable truths and side-effects from

technologies that are already a part of our everyday lives: "A technology promising us democratic values such as freedom of speech and agency can also threaten democracies... In a world of infinite digital connectivity, millions of people still feel alone. Isolation and depression are public health crises... Digital technology is aiding our culture to reject reason yet heavily rewards outrage, untruths and myths."

Ategeka is an engineer, entrepreneur and philanthropist. He is the founder of the Centre for the Unintended Consequences of Technology, a company that focuses on finding solutions to the challenges at the intersection of technology and humanity. A TED fellow, and one of Forbes magazine's 30 Under 30 in 2014, he was also recently recognised as a Young Global Leader by the World Economic Forum.

The unintended consequences of technology are a huge existential crisis, he argues, but solving them also represents a huge opportunity, too. The author has selected a number of technologies and trends that he believes have the ability to transform what it means to be human, and offers a series of tips on how business leaders and decision-makers can prepare themselves for what's to come. As such, he analyses the potential ramifications in AI, big data, gene editing, 5G, and the quite frightening sounding, but very real behaviour modification technologies – all of which hold both promise and uncertainty in equal measure.

A thought-provoking read for anyone interested in technology and risk.



## News briefing

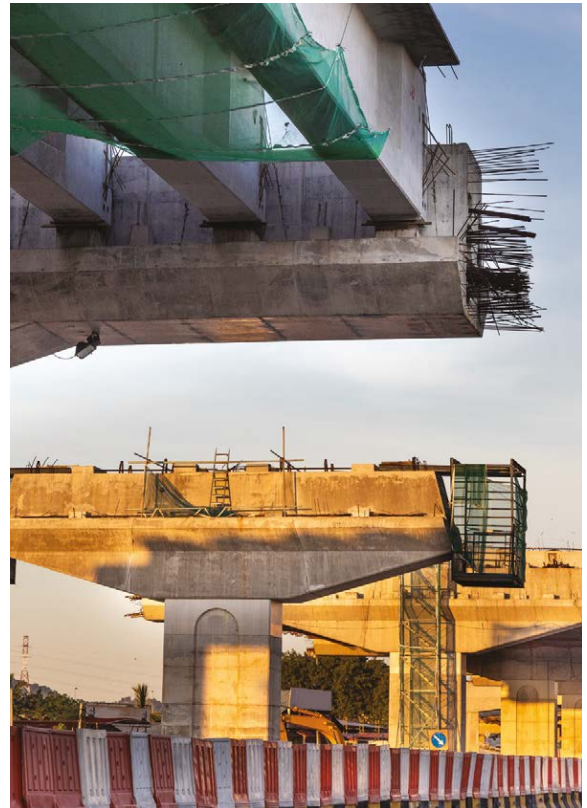
### > A round-up of the latest industry news

➤ Regulatory change and new technology are not enough to avoid future fire disasters in the built environment, Dame Judith Hackitt said at a Resilience First event, as she called for culture change in the construction industry. The root cause of the failures that led to the Grenfell fire was systemic, the author of the Hackitt Review of Building Regulations and Fire Safety added – only leadership in the built-environment industry and cultural change on fire safety issues will prevent another disaster.

➤ Material and staff shortages were behind another growth slowdown in the construction industry, as output volumes rose in September by the smallest amount for eight months, according to research carried out by the Chartered Institute of Procurement and Supply, and IHS Markit. Concerns about supply shortages over the next quarter escalated further throughout October, according to a separate study from the CBI. Almost two-thirds of firms polled for its quarterly Industrial Trends Survey cited availability of materials and components as a factor likely to limit output next quarter – the highest share since January 1975, according to the business group.

➤ The industry was meanwhile urged to address mounting climate and sustainability risks, as it attempts to tackle the dual challenges of net zero and expanding global output. Sector specialists at Marsh, Guy Carpenter and Oxford Economics highlighted in a joint report the growing risk of greater pollution and waste as the industry expands to meet demand fuelled by government stimuli. By their calculations, output across the industry is set to grow by 6.6% in 2021 and by some 42% by 2030.

➤ Sian Fisher announced plans to step down from her position as CEO of the Chartered Insurance Institute. During her tenure, she oversaw the delivery of a new Manifesto, strategy, IT transformation and a significant culture change programme. After more than six years with the professional body, Ms Fisher will step down next year.



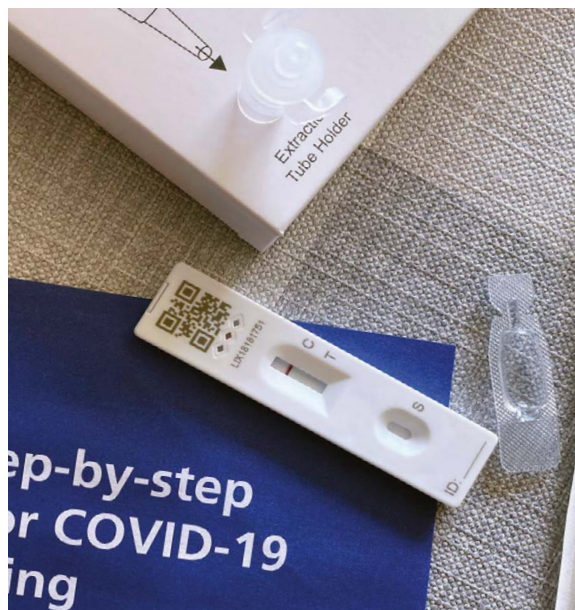
➤ Business interruption and recovery were confirmed by Allianz in its latest analysis of the cyber threat landscape to be the main causes of financial loss following a ransomware attack. The increasing frequency and severity of ransomware incidents was found to be driven by the growing number of different attack patterns (such as 'double' and 'triple' extortion campaigns); a criminal business model around 'ransomware as a service' and cryptocurrencies; the recent skyrocketing of ransom demands; and the rise of supply chain attacks.

➤ Tokio Marine Kiln joined forces with CarbonChain to measure greenhouse gas emissions as part of its underwriting process. The two companies began exploring the partnership in the summer of 2021 as part of a project within the Lloyd's Lab. The first phase of the project looked at a portfolio of approximately 2,000 companies.

For the full story behind all these headlines, visit [cirmagazine.com](https://www.cirmagazine.com)

➤ The International Standards Organisation published new guidance on a phased approach to energy management. Recognising that some companies may not have the resources to implement a complete system in one go, ISO 50005, *Energy management systems – Guidelines for a phased implementation*, provides guidance for a step-by-step process, helping organisations to more easily allocate the appropriate resources and priority levels based on their needs and capacities.

➤ As part of its new approach to stamping out greenwashing, the UK Government this month said some large businesses will need to set out their green credentials to potential investors under new reporting rules. The new Sustainability Disclosure Requirements will compel pension schemes, investment products and asset managers and owners to disclose their environmental impact.



➤ The British Insurance Brokers' Association, the Association of British Insurers and Flood Re opened registration for their new Flood Insurance Directory. The organisations called for intermediaries and insurers that can provide cover for residential buildings and/or contents insurance for consumers who are struggling to obtain flood insurance to register.

➤ Research conducted by Marsh found that only 30% of FTSE 100 companies showed evidence of reporting climate change risk in accordance with TCFD recommendations the UK government intends to make mandatory by 2025. The TCFD's framework has gained significant traction of late, with an agreement anticipated at the COP26 UN Climate Summit.

➤ The vast majority of major banks and asset managers have acknowledged the need to act on climate risk, and while they have made some progress, practical implementation is slow, according to Acin's analysis of the annual, sustainability and climate reports of 63 of the world's leading banks and asset managers across Europe, North America and Asia.

➤ Fully vaccinated passengers and most under 18s arriving in England from countries not on the red list will now be able to show lateral flow test results instead of PCR, on or before day two of their arrival into the UK. The change to the rules came as the UK's COVID case numbers soared to levels not seen since July, and worries of a more virulent variant than Delta circulated.

➤ Some 755 fines have so far been issued since the General Data Protection Regulation was introduced in 2018, totalling more than €1bn, according to data compiled by cyber security specialists at ESET.

➤ Howden reached an agreement to acquire Aston Lark, marking the broker's largest acquisition to date, and creating a UK business managing over £6bn of GWP for more than 1.7 million policyholders.

➤ Cyber exposures accumulating in the US property insurance market could lead to US\$12.5bn in non-physical damage losses, as well as a deterioration in capital adequacy ratios for up to 18 carriers, according to a joint study from CyberCube, AM Best and Aon.

# An instinct for risk

✓ Deborah Ritchie speaks to Dan Kaine about his work in Afghanistan, West Africa and Japan, where his firm, Inherent Risks, has recently been involved in a number of crisis response assignments

## What can you tell us about the COVID-19 compliance programme you created and ran for the Olympic Games in Japan?

After successfully leading a team that provided on the ground risk advisory and incident response for sponsors of the 2016 Olympic Games in Brazil, I was approached by an insurer to conduct a risk assessment and travel risk management plan for staff attending the postponed 2020 Olympic Games in Japan.

At the time, there was a lot of speculation in the media about whether the Games would go ahead or not, and sponsors were receiving media backlash for planning to attend during a global pandemic. Fans had also been ordered not to attend.

A global event like the Olympic Games involves a considerable amount of support staff providing anything from administration and logistics, to nutrition and medical functions. Inherent Risks was initially retained to conduct a COVID-19 compliance risk assessment for 37 people to attend the Games. This was later increased to 79 – from eight different countries.

Ultimately we were asked by the insurer for an honest opinion of whether or not this was possible, safely, and if so, to formulate a plan as to how it might work.

Our first hurdle was that the 37 people belonged to six organisations (later increased to 79 people from a total of 11 organisations from eight countries). This added to the complexity as each of these organisations had their own risk management and duty of care

policies in place, based on their own countries' government guidelines, and not one cohesive plan.

Inherent Risks presented a comprehensive and proactive plan to the insurer that would require all 11 organisations to comply with one standardised duty of care and travel risk management plan, that was supported by a multilingual, 24/7 special assistance team set up specifically for this event.

**"I've been involved in providing pandemic response in Africa since 2015 when the Ebola outbreak hit Liberia, Guinea and Sierra Leone. We coordinated the medical evacuation of close to 300 oil and gas staff from the region, and helped with getting medical supplies, which is an extremely complex task in West Africa"**

Over four weeks, our team successfully managed 167 journeys to and from Japan, coordinated and recorded daily COVID-19 testing, tracked over 2,500 local journeys to and from hotels and events, provided medical assistance for 12 cases, security assistance for three cases, and trauma counselling for one.

In addition, our team handled over 160 calls and emails from staff and their families after a 6.0 magnitude earthquake struck off the coast of Japan.

**COVID-19 is not the only virus outbreak, of course. What can you**

## tell us about the Ebola situation in West Africa, and other health risks?

I've personally been involved in providing pandemic response in Africa since 2015 when the Ebola outbreak hit Liberia, Guinea and Sierra Leone. At that time, we coordinated the medical evacuation of close to 300 oil and gas company staff from the region, and helped with getting medical supplies, which is an extremely complex task in West Africa.

Many of the lessons learned from those times I have adapted to assisting clients throughout the COVID-19 pandemic. Those experiences also led to me completing fields of study with Harvard University on Preventing and Responding to the Next Pandemic; the London School of Hygiene and Tropical Medicine on Tackling the Novel Coronavirus; and the World Health Organisation on Rapid Response to Pandemics.

During the COVID pandemic, Inherent Risks was called upon to provide supply chain sourcing and logistics support for an Ebola outbreak in Liberia, followed by a separate, but linked outbreak in the Democratic Republic of Congo.

Our first task was to coordinate the pick-up of medical tents and crates of PPE from three separate countries, transport them by air, and then safely deliver them by road to two field hospitals, in two extremely complex and challenging environments.

We were also asked to source additional medical tents, PPE and Ebola vaccines that needed to be cold-chain transported and stored.

After successfully sourcing medical tents from Germany, Dubai and South Africa, approved PPE from Turkey, and vaccines in Switzerland, we were faced with the complex task of coordinating transport that was required at extremely short notice.

Through our existing global partnerships, we canvassed their capabilities and availabilities to transport this cargo from five separate countries, during a global lockdown, and into two regions that required additional permits, and in-country security to guarantee its safe delivery.

We deployed our retained crisis consultants from Sierra Leone and South Sudan to Liberia and DRC to secure the required permits, conduct a risk assessment of the supply routes, and coordinate the required ground security. At the same time, we organised delivery of all cargo to the relevant departure airports for inspection, and coordinated charter flights.

**What can you tell readers about your recent assignment in Afghanistan?**

You may have seen world leaders and intelligence agencies quoted in the media as saying that the coup by the Taliban in Afghanistan was unforeseen. That's simply inaccurate.

On the 11th August, Inherent Risks contacted several organisations with expat and local employees on the ground to inform them of a potential security situation, and to advise them to consider evacuating their staff and assets from the country. This advisory came as

**“You may have seen world leaders and intelligence agencies quoted in the media as saying that the coup by the Taliban in Afghanistan was unforeseen. That's simply inaccurate”**

a result of the Taliban closing all border crossings between the 5th and 6th August. By the 9th, they had seized control of all land borders.

Local intelligence also suggested that the Taliban were closing in on Kabul as early as the 10th, and by the 13th, they had completely surrounded the capital. On the 14th August, the US Embassy (followed by several other countries) warned all of their citizens to evacuate the country immediately. The Taliban took control of the country on the 15th.

By the early hours of the 16th, we were inundated with calls and emails. Our first task was to identify safe havens for 24 foreign citizens, and to coordinate transportation out of Kabul so staff could hibernate until a more comprehensive evacuation plan could be established.

This resulted in providing foreign embassies with the exact locations of their citizens, should rescue operations be conducted, and providing advice to those hibernating on what to do, and what not to do in this situation.

From the 16th to the 31st of August (the deadline of which the Taliban had given coalition troops to leave the country) Inherent Risks staff provided advisory services to 11 separate organisations, assisting 91 foreign citizens, and over 300 Afghans to evacuate the country.

As we speak, we continue to provide ongoing consultancy to expats and locals who chose to remain behind, or who did not manage to evacuate.

**What makes your recently launched advisory unique in the market?**

Inherent Risks at its core is a risk advisory firm that specialises in finding solutions to complex problems in challenging environments. By design, we also have two completely separate, but fully integrated divisions providing medical assistance and

**“Through specialty brokers we have worked with and built relationships with over several years, we were able to identify a carrier that requested several specific risk assessments, including an in-country risk assessment”**

crisis management services. This enables us to provide a proactive and holistic turnkey solution, not only to the insurance industry, but to organisations with people and assets abroad. This month, for instance, we start a new contract with an international NGO with contracts in South Sudan, Democratic Republic of Congo, Sierra Leone, Liberia and Iraq. They originally approached us knowing that their 'end-game' was to secure Inherent Risks as their medical assistance and incident response provider, and tasked us with finding them an insurance carrier that has the risk appetite for the countries they operate in, and a carrier with whom we had an agreement.

Through specialty brokers we have worked with and built relationships with over several years, we were able to identify a carrier that requested several specific risk assessments, including an in-country risk assessment, which we carried out. The carrier also placed a caveat on the NGO that all local and expat staff needed to undergo country-specific hazardous environment training, which our firm also conducted.

As well as providing medical assistance and incident response, which includes emergency evacuations, we also provide secure journey management, and coordinate COVID-19 testing, as well as alcohol and drug testing for over 10,000 total trips per year for this client.

**Interview by Deborah Ritchie**

**I**t has been increasingly hard to move for headlines and talk around COP26 in recent months, and, as the second week of talks in Glasgow drew to a close, you would be forgiven for breathing a sigh of relief. Climate change – and the COP26 UN Climate Summit itself – are enormous and quite often overwhelming topics – fraught with differences in opinion, political posturing, and not just a little hot air.

Hosted by a UK government and leader suffering from some of their worst ever approval ratings amid renewed sleaze and corruption allegations, the messaging around COP26 from the government's own PR machine felt even more unconvincing than usual.

That was certainly (and not surprisingly) the view of Swedish climate activist, Greta Thunberg, who mocked world leaders over empty environmental pledges, dismissing their “blah, blah, blah” as she addressed angry crowds gathered at a rally organised in the Scottish host city.

As the summit neared its conclusion, it was beginning to look like Thunberg's words had made a greater impression than those of the world's political luminaries.

The mood in business circles was more upbeat. As Airmic's Julia Graham points out in her View this issue, if the 2015 COP21 in Paris was the ‘political COP’, then COP26 in 2021 is the ‘business COP’.

The CBI concurs, saying record levels of CEO attendance at the

**“As the summit neared its conclusion, it was beginning to look like Thunberg's words had made a greater impression than those of the world's political luminaries”**

# High hopes

**The COP26 UN Climate Summit concluded in November with nearly 200 countries agreeing the Glasgow Climate Pact, following two weeks of negotiations. Deborah Ritchie looks at some of the reactions**



summit proved that businesses were beginning to see the commercial opportunities bound up in climate change.

Speaking at a summit dinner, director-general of the CBI, Tony Danker, told delegates: “Regardless of political progress, we in business are ready, willing and able to deliver a net zero world. Bold targets or timid ones. Total agreement or partial agreement. I don’t believe any of you have come to Glasgow to give the job to someone else. This job is on us.”

Danker spoke of the commercial imperative of transforming business models as policy and market demands shift. He said that boardrooms around the world had “run the numbers, and have realised that the business case, too, has shifted. “To put it bluntly, in purely commercial terms, the cost of inaction is, for the first time, higher than the cost of action,” he explained. “Every business has faced strategic challenges of this kind before. When the future attacks the present, the answer is never to protect the present. It is always to run to the future.

“... there is an emerging gap now between firms who want to be at the forefront of the net zero transition and those who are resisting the inevitable. It’s time for firms to choose – either lead the way or be left behind.”

### **Steady progress**

As 14 days turned into 15, the summit concluded with nearly 200 countries agreeing the Glasgow Climate Pact. Participants agreed to revisit and strengthen their current emissions targets to 2030, known as Nationally Determined Contributions, in 2022. This is expected to be combined with a yearly political roundtable to consider a global progress report, followed by a further summit in 2023.

The Paris Rulebook (the guidelines for how the Paris Agreement is

### **“As 14 days turned into 15, the summit concluded with nearly 200 countries agreeing the Glasgow Climate Pact”**

delivered) was also completed at the summit, after no fewer than six years of discussion. The UN says this will allow for the full delivery of the accord, after agreement on a transparency process designed to hold countries to account as they deliver on their targets. This includes Article 6, which establishes a framework for countries to exchange carbon credits through the UNFCCC.

During the negotiations, agreement was reached on phasing down fossil fuels, after a late intervention from China and India led to the watering down of initial coal targets.

The transition to zero emissions vehicles also gathered pace, with some of the largest car manufacturers pledging to make all new car sales zero emission by 2040 (and by 2035 in leading markets); and countries and cities agreeing to petrol and diesel car phaseout dates.

Meanwhile, commitments were made to protect natural habitats, with 90 per cent of the world’s forests covered by a pledge from 130 countries to end deforestation by 2030.

Independent analysis conducted by The Climate Action Tracker shows that with the full implementation of the fresh collective commitments could hold temperature rise to 1.8C.

At the conclusion of the fortnight-long assembly, a clearly emotional COP26 president Alok Sharma said: “We can now say with credibility that we have kept 1.5 degrees alive. But, its pulse is weak and it will only survive if we keep our promises and translate commitments into rapid action.

“From here, we must now move forward together and deliver on the expectations set out in the Glasgow Climate Pact, and close the vast gap which remains. Because as Prime Minister Mia Mottley told us at the start of this conference, for Barbados and other small island states, ‘two degrees is a death sentence’.

“It is up to all of us to sustain our lodestar of keeping 1.5 degrees within reach and to continue our efforts to get finance flowing and boost adaptation.”

Commenting on the conclusion of the summit, the CBI’s Danker said that while proceedings were generally successful, negotiators, activists and businesses have more work to do to keep the 1.5 degree target alive.

“While profound movement on methane reduction and deforestation – alongside the historic US-China bilateral agreement and Indian government’s setting of net zero targets – represent huge strides forward, more must be done in the next twelve months under the UK’s presidency,” he said.

“Pressure will surely fall on negotiators to come back to the table in Cairo to strengthen Nationally Determined Contributions and in particular address the stubborn issues of reducing coal use, the development of carbon markets, limiting fossil fuel subsidies and delivering necessary transition finance for nature loss and damage.”

It was the contribution of business that made the event “truly pioneering” for Danker, with businesses proving their commitment to moving from “laggard to leader”, with “fresh impetus, innovation and ingenuity” to delivering net zero – regardless of the political outcome.

**A turning point in negotiations**  
Responding to the Pact, the

University of Cambridge Institute for Sustainability Leadership, welcomed the turning point in negotiations that saw the introduction of direct fossil fuels phaseout language into the main text of the agreement.

“This, as well as the progress made on ending the financing of fossil fuels abroad, indicate that COP26 has cut a less uncertain path toward tackling climate change at the levels needed to prevent catastrophic impacts,” said Dr Nina Seega, research director, Sustainable Finance, CISL.

“The announcement of the collaboration between China and the US is important geopolitically as well as presenting an opportunity to accelerate coal phaseout, bring China into the discussion on methane and put a stop to illegal deforestation imports. The commitment of 137 countries, covering 90 per cent of global forests to halt and reverse forest loss and land degradation by 2030 is integral to the goal of creating a nature positive and a net zero future. However, much remains to be done. The key to all these pledges would be setting short term targets and moving into immediate implementation.

“As we move from pledges into action, the consolidation of the Climate Disclosure Standards Board and the Value Reporting Foundation into the International Sustainability Standards Board, will go some way

**“We are entering the decade of delivery, perhaps the last decade when we can manage climate impacts rather than have them manage us and even as the global negotiations make slow progress, there’s a tangible increase in the appetite for change”**



to creating global alignment in the area of standards and frameworks. An agreement on Article 6, creating viable and properly structured carbon market, will also support increased ambition on NDCs.”

Seega reflected on progress made at the summit in transition financing – the first COP to place such an emphasis on mainstream finance. “The Glasgow Financial Alliance for Net Zero has committed US\$130 trillion to the net zero transition, which will need to be backed up by individual net zero commitments and transition plans,” she said.

This quietly upbeat tone was echoed by climate-focused business organisation, Corporate Leaders Group, whose director for UK and Europe, Eliot Whittington said that while the summit did not lay out a path for warming levels below 1.5C, the range of commitments could lead to more ambitious new targets next year.

“Glasgow has triggered a wave of new commitments and actions and we welcome not only what has been achieved but the energy that has been generated around the summit.

“The energy and activity that has

been shown on the sides of the formal COP negotiations – from youth movements looking at how to change the system, to financiers working out how to move their money, to businesses committing to innovate and invest – has in many ways been the most positive part of the event and these discussions and plans for changes in the economy are what should be urgently picked up. We are entering the decade of delivery, perhaps the last decade when we can manage climate impacts rather than have them manage us and even as the global negotiations make slow progress, there’s a tangible increase in the appetite for change.

“But there is understandable caution from all sides about whether these warm words will result in real change and for every plan or pledge in the right direction we need to know how and when these will be delivered, and what mechanisms will be used to measure progress. We must not fritter away any time misunderstanding the difference between the green economy and greenwash.”

**▶ Deborah Ritchie is editor of CIR Magazine**

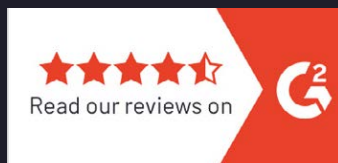
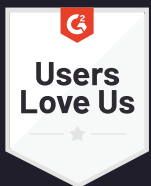
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# On the sustainability of sustainability

Following months of build up ahead of COP26, and as ESG risks rise on the corporate agenda, Dr Chris Needham-Bennett asks whether laudable but unrealistic climate goals could lead companies down the wrong path, and scupper progress in the process

Having been deluged with government declarations of COP26 ‘successes’ it is worth pondering Abraham Lincoln’s reputed observation: “Give me six hours to chop down a tree and I will spend the first four sharpening the axe.” Whilst admittedly Lincoln’s comment was not made in the face of global existential climate threat, nevertheless, the apparent compulsion to achieve net zero earlier than the 2050 target does appear somewhat intemperate.

Many major companies have expressed the ambition to beat the date of 2050 by a considerable margin. This, if achievable, is highly laudable. However, by implication, such publicly-stated aims place perhaps intolerable pressures on other companies to follow suit and fosters a corporate economy with the truth in order to remain trendily competitive. This might be especially the case with companies in their supply chains on whom they can exert procurement conformist pressure. Financial Times

columnist and former chairman of the Official Monetary and Financial Institutions Forum, John Plender, noted how this temptation has already been criticised by former chief investment officer of Blackrock, Tariq Fancy, who denounced some funds’ claims as marketing gimmicks, and that assertions that ESG investing will deliver higher returns were dubious.

It might be easy to dismiss such negativity given the weight of media/investor pressure to ‘do something’ and ‘anything is better than



nothing'; but given the inadequacy of any standard measure of net zero the deliberate or inadvertent greenwashing pitfall remains. Law firms everywhere are increasingly focused on the growing risk of ESG litigation as the potential for increased greenwashing claims rises.

Thus we seem to have painted ourselves into a corner where there is a real imperative to reduce emissions to net zero by 2050 but it has generated a competitive immediacy which, in the absence of any common metrics, risks litigation and sadly bringing genuine changes into equal disrepute. Furthermore, if this rate of change has to be maintained over the next three decades, the sustainability of sustainability is questionable; one is perhaps more likely to succumb to climate fatigue.

The question therefore is what might Abe Lincoln advise if he were here now?

#### Measure anyway

One might feel that Lincoln would have endorsed Lord Kelvin's sentiment that without measurement one's knowledge is of a meagre kind. Perhaps we can assume that as there are so many vested interests, global agreement of a common measurement is not going to happen speedily. Perhaps paradoxically it does not matter if you measure something in inches, centimetres, 'hands' or the size of your ski boot. As long as you keep using a consistent metric for measurement, it still works. The point is to measure it now and reduce levels

**"If this rate of change has to be maintained over the next three decades, the sustainability of sustainability is questionable; one is perhaps more likely to succumb to climate fatigue"**

accordingly and then integrate it into a common measure later. It is worth remembering that when building the pyramids, the Egyptians measured with knotted strings and poles based on anthropic units – but at least they were roughly the same length.

#### Speed of reduction

The well-known maxim, 'more haste less speed' seems to have eluded many ESG planners. A rapid response possibly brings with it more significant risks. The transition risks highlighted by the Task Force on Climate-related Financial Disclosures could be exacerbated and there is a genuine risk of significant social unrest swinging away from a mild sympathy with climate protests to an adverse reaction to ill-considered but attention-grabbing legislative changes. Similarly, an overly fast change, such as from petrol/diesel cars to electric (2030 in the UK) promises commercial mayhem and perhaps disadvantaging those least able to afford such changes. In the drive to be greener than the grass next door it also seems that basic maths has also been lost on many planners. At its most mathematically simple, a four per cent reduction each year for the next 28 years is all that is required to reach the 2050 target. Of course, there is a compelling argument that achieving the consistent reductions would become progressively more difficult to achieve.

An optimist might counter this argument with a focus on the likely technological advantages in the same time; and if one looks back to the utility of Microsoft Windows version 1.1 (launched in 1985) for instance, this is not an unreasonable stance to adopt.

#### The question of inheritance

The average tenure of a UK FTSE 100

**"There is a genuine risk of significant social unrest swinging away from a mild sympathy with climate protests to an adverse reaction to ill-considered but attention-grabbing legislative changes"**

CEO in 2019 was, for males, 6.6 years and for females 3.3, according to data from Statista. The average age of the CEOs is 55. Apart from the gender disparity this means there will be 4.24 male CEOs or 8.48 female CEOs during the transition to net zero. However, given the remaining life expectancy at age 65 of 18.5 years for males and 21 years for females, then at least the first generation of CEOs will have died before the end of the project and even the third generation will probably have retired. Perhaps never before has there been a single project that exceeds the working lifetime of three quarters of the project's leaders. Given the apparent rapid greening of the world's companies, it is equally uncertain that there will be anything left for the latter CEOs to do – indeed there are a fair amount of unknown unknowns.

It seems clear that two main reactions are possible, with two potential consequences. Plender cited a Harvard Business School study on impact-weighted accounts which suggested that "of 1,694 companies covered, 15 per cent would lose all profitability if external impact costs were included, while 32 per cent would see profitability reduced by 25 per cent or more". If this is the case, the two reactions are that many CEOs might be tempted to leave the real problem for their successors. Alternatively, they might try to do more than is required in their tenure and make all the mistakes of rushing. The consequences in either event



are that the last CEO in the chain risks picking over the pieces of a broken company or a failed illusory greening policy.

### **The compliance appeal**

The dreadful management maxim of grabbing ‘low hanging fruit’ is often mentioned in the same breath as measures taken under the ESG umbrella. A prime example of this was the recent decision made by a number of golf clubs to sensationally ban plastic tees whilst at the same time promoting the sale of unrecyclable golf club bags with a far higher volume of unrecyclable plastics. This sort of reaction is a recipe for pseudo green compliance and does very little to solve the problem. This rather trite example becomes more important if the same appeal of compliance is adopted by large corporations. Worryingly, a June 2021 survey conducted by Ernst and Young suggests this is at least in part the case, when it points out that most directors are approaching ESG as a

**“Perhaps never before has there been a single project that exceeds the working lifetime of three quarters of the project’s leaders”**

compliance matter rather than as a strategic opportunity.

It is genuinely difficult to rebrand potentially reduced profitability as a strategic opportunity. It can only really be envisioned if one adopts a ‘post capitalist’ model where Friedman’s maximisation of shareholder value at all costs is replaced by a broader judgement of value. In the study by Harvard mentioned above this is proposed in an outline form. However, its adoption by the financial markets is likely to be pedestrian as opposed to rapid; indeed were it to be rapid the risks of market volatility might outweigh the benefits.

### **The bad boys**

One inconvenient truth remains almost wholly disregarded: some items and products can probably never be greened to the point where they are genuinely carbon neutral. Despite some cigarette manufacturers being admitted to the pantheon of ‘green companies’ on some exchanges, a host of extraction companies, aggregates, metals, butter, cheese, meat, weapons makers, and, rather curiously, ice cream manufacturers (think of their total chilling carbon footprint and the source of the raw materials), seem doomed to either


**“It is genuinely difficult to rebrand potentially reduced profitability as a strategic opportunity”**

increase their costs through offsetting their carbon profile or become the ‘bad boys’ of the market – the ‘dark investments’. Paradoxically, the irredeemably non-green producers could end up being the most profitable. It is conceivable to predict non-green funds whose returns are significant, appealing to less ethical investors.

### **The future**

In November 1942 Churchill wisely noted during World War 2 (a seven-year event) that a recent victory was “not the end. It is not even the beginning of the end. But it is, perhaps, the end of the beginning.” Current politicians seem to act as if their boastful measures will solve a three-decade project almost within their tenure of power. Albeit many politicians are keen to hack out a place in history, the reality is that in three decades, Johnson, Merkel, Putin, and Biden will seem as remote to a new generation as do Wilson, Brandt, Brezhnev and Eisenhower to my own generation. It seems therefore that the sustainability of sustainability depends on good old-fashioned Lincolnian qualities of patience, determination and modesty as opposed to political flamboyance, dogma and intemperance.

Finally, one needs a constantly questioning mind, far removed from cynicism but acute nevertheless in order to discern truth from fakery. So, as Abraham Lincoln also famously observed: “Don’t believe everything you read on the internet!”

 **Dr Chris Needham-Bennett is managing director of Needhams 1834**

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# Start spreading the news

**Effective communication is important to any organisation at the best of times, but in a crisis it takes on a whole new level of significance. Martin Allen-Smith asks how mass notification systems are increasing their effectiveness and versatility in dealing with a wide range of potential new threats**

**W**hen a critical incident hits, the most important commodity becomes information; specifically to employees and other stakeholders to ensure that everyone knows what steps need to be taken to respond quickly and effectively. Doing this within a large organisation increasingly demands an emergency and mass notification system that can be relied upon to reach the right people fast – no matter what the developing incident may be, and the products on offer today are a world apart from those of even a decade ago. And over recent years, a number of events and changes to the risk landscape have impacted the way EMNS is used within firms.

“Of the numerous changes in the risk landscape that have led to a greater importance for EMNS solutions, perhaps the most striking is the distributed workforce as a consequence of COVID,” says John Davison, managing director at F24 UK. “Employees are much more distributed and less concentrated, meaning that in terms of emergency communications, it is much more difficult to contact [them]. Having a trusted EMNS solution that has the ability to reach employees through multiple channels and not being dependent on an organisation’s own IT infrastructure is absolutely critical.”

Systems must now also take account of a far wider and more dynamic range of factors than they did in the past. As Kelly Moore,



director of safety leadership at US-based provider, CrisisGo, says, long gone are the days when companies only needed to consider what was predictable from an industry perspective. “When we look at an organisation that deals in chemicals and chemical storage, those risks are well known and managed based on data sheets and what we know about those specific chemicals,” he explains. “We know that we have secured the chemicals in lockable storage containers that have spill containment barriers surrounding them. We have to train our employees how to handle those chemicals and what to do should there be some sort of mishap. Traditionally, this would typically meet all of the requirements to mitigate the risk for this organisation.

“Now, we have to look at deliberate actions that might cause the release of those chemicals to cause harm to the organisation or the surrounding environment. We have gone from mitigating risk from mishaps to deliberate acts.”

Even with a greater understanding and acceptance that external

malicious actors may be among the primary causes of such an emergency, the exact form of such a risk has rapidly changed, he explains, and it is one with potentially huge repercussions for the effectiveness of an organisation’s crisis communications strategy – particularly in a world where expectations have intensified through increasing regulatory scrutiny, greater connectivity and empowerment via social media.

## **New normal, new comms**

Among the well-documented repercussions for businesses of the COVID-19 pandemic was the greater reliance on IT systems – and all the inherent risks that come along with that.

Tony Watson, director at UK-based mass notification and lone worker security systems provider, Callmy, says the shift has major implications for emergency comms.

“The need for greater IT resilience and cyber security has come to the fore. This has been exacerbated by the pandemic, where users working

remotely have a far greater reliance on reliable IT comms, whilst they have become a soft target for cyber criminals,” he explains.

“Being able to communicate around these issues, with air-gapped and cloud based EMNS, is becoming vital.”

Changing norms as a result of the pandemic are shaping the most likely direction of travel for effective EMNS in the future, according to F24’s Davison. “The widespread application of video conferencing like Teams or Zoom are clearly dictating the appetite for companies to work in a more virtual manner, meaning that the typical emergency response room is more likely to be virtual online rather than physical,” he explains. “As a consequence, technology enablement is driving richer capability from EMNS solution providers to become more all-encompassing in order to not just support communications, but also to provide greater capability to handle critical events and, in some cases, the entire incident lifecycle.

“This means having the ability to easily share and integrate data from multiple sources, digitalise plans and action cards as well as providing a comprehensive auditable log of everything related to the incident are all effective compliments to EMNS.”

EMNS can now connect entry access and management to threat assessment, behaviour intervention to mental health services, and all of that to emergency notification, response and management. Holistically, this allows organisations to address all of the areas of risk identification and mitigation by addressing identification; mitigation; response; recovery; and risk reduction in the future.

“One of the most important features of the current iterations of EMNS...is the ability to collect

## **“Technology enablement is driving richer capability from EMNS solution providers to become more all-encompassing in order to not just support communications, but also to provide greater capability to handle critical events and, in some cases, the entire incident lifecycle”**

actionable information to drive policy and decisions for future risk mitigation,” he explains. “Being able to collect data from multiple platforms and applications allows one to potentially establish the relationship between cause and effect for the entire organisation or community as opposed to a single entity.”

F24’s Davison sees a move towards increasingly sophisticated systems to help organisations respond effectively to the unexpected: “I predict continued enhancements to EMNS solutions to really empower organisations to manage the entire crisis management programme from risk monitoring, mobilisation incident handling along to recovery and lessons learned. Organisations need to adapt to growing threats and embrace technology and EMNS solutions in order to be better prepared – especially to the growing threat of cyber attacks that are becoming more and more prominent.

“The EMNS market will continue to evolve with greater sophistication – especially in the listening, handling and recovery aspects of an incident – and those who can provide all are likely to thrive and grow wider customer bases.”

### **New normal, new data**

CrisisGo’s Moore is excited about the hidden potential of the data that today’s more feature-rich systems create.

“Only a few short years ago, EMNS was not much more than an [SMS group]. It was used to simply make notifications to let people know

of an emergency, but now it has taken this to several levels beyond simple notification. It can be used to train our employees in how to respond. We have two-way communication, we can add audio and video, we can communicate with tens of thousands of people in an instant, then communicate with a specific user or group of people. We can essentially manage an entire incident from a smartphone. We can connect multiple agencies and users quickly who can assess threats, communicate, conduct surveys, and assign and monitor tasks on the same platform – whether that is within a single isolated location or across oceans.”

The constantly evolving range and scope of potential threats can be addressed with a raft of new functionalities and innovations that are re-shaping the EMNS market. For Watson, greater integration is the major game changer. “Having an EMNS that is integrated with other technology removes the human factor, and has the scope to improve situational awareness and speed up response.

“There also needs to be a move away from DIY systems that rely on call trees – yes, companies do still use them! – email/SMS distribution groups and social media. The recent WhatsApp outage was very telling and will hopefully [encourage businesses] to consider more robust solutions that are specifically designed for emergency communications.”

 **Martin Allen-Smith is a freelance journalist**

# Data protection considerations for the hybrid environment

**C**hanges in working practices will have an effect on the employer's information security obligations under data protection laws. Every data controller must implement "appropriate technical and organisational measures" to safeguard personal data. But how will the risk assessment change for hybrid working? The GDPR security obligations do not fall away just because staff are not at the office.

## Access to company systems

While business systems used to be exclusively accessed from the well-guarded office network, hybrid working means that remote access is granted to a large number of external users. This increases the risk of

**Companies' obligations under the General Data Protection Regulation do not change just because staff are working away from the office. Choy Lau and Alex Dittel outline how risk assessment changes for hybrid working**

infiltration by malicious third parties.

However, instead of hacking the system, many attackers focus on hacking the person. The convenience of home working comes at the cost of workers being more isolated and therefore more susceptible to phishing attacks such as emails disguised as genuine VC invites or emails from HR, designed to extract the worker's

**"Firewalls, network monitoring and other measures are much needed but the business must strike a balance between safety and inconvenience"**

login credentials. The convenience of simply asking the person sitting next to you if they also received that weird email is gone and with it the natural safety net that colleagues create in an office environment.

A secure VPN, strong passwords and two-factor authentication are the bare minimum for remote access. Firewalls, network monitoring and other measures are much needed but the business must strike a balance between safety and inconvenience.

All staff should use the same systems and apps, as too many systems could multiply the security exposure.



### Remote but where?

Will the employee be allowed to work from anywhere when not in the office? Working in public spaces exposes the company to higher risks; confidential conversations may be overheard and laptop screens may be visible to unauthorised persons. If staff do not have appropriate Internet connection, the employer should offer a secure solution to mitigate these risks.

### **“Any excessive requirements may defeat information security efforts. Instead of isolated training, companies must focus on establishing a security culture”**

Allowing staff to work from abroad will have information security as well as tax and employment law implications. In addition, the act of accessing company systems from abroad could in some cases constitute an international data transfer which is subject to additional rules under data protection laws.

### Paper files

Notwithstanding the environmental arguments, some staff simply work better with printed documents. Instead of restricting printing which could affect productivity, employers could explore safe ways to manage documents.

Staff must have secure storage at home and shredding facilities to dispose of documents. Bringing documents back to the office for disposal will probably increase the risk of data loss in transit.

Staff must understand the importance of keeping documents safe and the risks of a data breach, breach of confidentiality and the resulting liability. The company's home working policy must explain that any breach will result in



disciplinary action and could, in serious cases, lead to dismissal.

### Equipment

Equipment must be properly secured. Encryption, hardware locks, firewalls, antivirus, monitoring and remote wiping software will help reduce the risk.

However, if security software slows down every task, it becomes a hindrance and staff will soon find ways to make their lives easier. Controlling the employee's ability to travel with the company laptop could also backfire if staff decide to use their personal equipment for business data storage in breach of policy.

### Documentation

Written policies and procedures will be essential but any chunky documents may be ignored by staff. Clear easy-to-follow policies must be implemented and accompanied by regular training.

### Training

We have seen IT departments stepping up and creating a security

culture at work. Training videos and quizzes alone will no longer suffice. Instead, best practices and incident awareness are fostered by firmwide security campaigns by email, notice boards, screensavers, incident debriefs and reliable IT support on-site.

### Moving forward

Appropriate security comes in different shapes and forms and there is no one size fits all. The risk assessment must be a fluid exercise that anticipates and counters new risks as they arise. Any changes in work practices will likely give rise to new risks or increase existing risks.

A home working policy should set critical rules which must be appropriate as well as reasonable. Any excessive requirements may defeat information security efforts. Instead of isolated training, companies must focus on establishing

### **“In some cases, convenience over security may be appropriate if supported by a risk assessment and justified in a data privacy impact assessment”**

a security culture.

Hybrid working adds complexity to the risk assessment. Nevertheless, highest security may not always be the most appropriate and proportionate solution. In some cases, convenience over security may be appropriate if supported by a risk assessment and justified in a data privacy impact assessment.

Businesses should also be reminded to check their insurance policies to ensure that they cover staff working from home.

**Choy Lau is employment lawyer and Alex Dittel is data protection lawyer at Wedlake Bell LLP**



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▶ *Property damage as a consequence of cyber attack is often excluded from standard property policies. With its new cyber property insurance policy, AXIS seeks to close this widening insurance coverage gap and address this emerging and potentially costly risk. Deborah Ritchie speaks to the team*

## Insuring cyber physical

### Are traditional property and cyber policies no longer fit for purpose?

Georgie Furness-Smith: As you may know, in 2019 Lloyd's mandated that all property policies must either affirmatively include or exclude cyber, whereas before, some policies were silent on whether or not they would cover a cyber loss. The result of the intervention by Lloyd's was that the majority of property policies started excluding cyber as a peril.

Because cyber has been excluded from many property policies, there's now a gap in cover. So if a malicious actor seeks to target an insured and manages to cause property damage, it is likely to be excluded by the property market, along with the resulting business interruption.

It's for that reason that AXIS Insurance has developed two specific products with the aim of filling the gap. The first, Marine Cyber Connect, covers vessels if they suffer malicious cyber property damage which would be excluded under their hull and machinery policies. It also gives

# Insuring cyber physical

**Property damage as a consequence of cyber attack is often excluded from standard property policies. With its new cyber property insurance policy, AXIS Insurance has found a way to close this widening coverage gap and address the emerging and potentially costly risks. Deborah Ritchie speaks to the team**

them incident response, business interruption and ransomware coverage, as well as more traditional cyber coverages.

The second product, which we launched at the beginning of this year, is our AXIS Cyber Property Insurance Policy. This covers property damage caused by a cyber incident with an option to purchase business interruption. These coverages are affirmative so insureds do not have to rely on cover being declined elsewhere. This is important from a claims perspective.

We tend to mirror the deductibles and the waiting periods found in the

underlying property policy, which makes the process more streamlined for the client.

### For which sectors, specifically, have your new products been developed?

GFS: That's a good question, because different insurers are often focused on different sectors and have developed their own niches. But having said that, the market tends to be quite willing to try to find a solution for any insured wishing to fill a gap that they find themselves with, providing that we can obtain the necessary information we need to price and feel comfortable with insuring the risk.

The sectors where we have seen most interest in our Cyber Property policy include shipping, energy, renewable energy and manufacturing. Generally our product is designed for medium to large businesses across multiple industry sectors.

I would expect this reach to grow and develop along with demand and education, and as we see and hear about more instances of attacks.

One of the main benefits of our policies is the ability to cover the damage to the physical property following a cyber attack with the option to extend to cover the business interruption that ensues.

It is worth adding that we would cover interim payments for business interruption and extra expense to get the insured back up and running as quickly as possible, as well as covering



forensic costs to locate the source of the cyber attack, and to contain or remove anything nefarious.

### Could you tell us a little more about the underwriting process behind the new cover?

GFS: There are three key pieces of information we need to assess the risk. The first is a schedule of values, which provides us with an understanding of the type of assets that the insured owns, as well as their locations and values. The second would be a copy of the underlying property policy, so that we can check what is covered, and understand the deductible and the waiting period structure.

Thirdly, our application form needs to be completed so that we can understand the security posture of the insured.

Once we have all of this information, we can establish the exposure and the perceived threat level, which helps to guide our pricing. As this is a relatively new area of cover, the majority of clients are first-time buyers, and so the process from the first submission to buying the policy can take longer as the insured explores their options.

### What are the typical risk management expectations of an insured?

Sharif Gardner: Insureds now need to consider being secure by default. Any information security professional within a corporate organisation and those that run technology environments are thinking of three pillars at all stages: How do I keep my information confidential? How do I ensure that the integrity of that information is doing what it is supposed to be doing? How do I ensure that I've got availability and uptime for my processes to work?

Good internet citizenry is now a

### "One of the biggest problems that we're seeing with the Internet of Things is that mass manufactured devices come with default username and password settings, and that just isn't good enough"

must. Insureds either need to develop or follow a trusted IoT security guidance for standards, and there are plenty now coming into fruition that can be followed. They are risk-based dependent on the environment that an insured operates in. They are also jurisdictional. There's the IoT security compliance framework, and the Open Web Application Security Project. The US Senate also passed an IoT Cyber Security Improvement Act, which can act as a useful guideline.

One of the biggest problems that we're seeing with the introduction of the Internet of Things is that mass manufactured devices all come with default name and passwords, and that just isn't good enough.

Bug reporting and vulnerability disclosure is another area to watch out for. Manufacturers should be able to provide some form of vulnerability reporting system so that organisations can report issues. Making sure that device software is kept updated is vital, of course – as is some form of credential management or having password management software in place.

Minimising the attack surface will be one of the more challenging things in a hybrid environment with legacy software environments, so in high-risk environments ensuring that there's authenticated access to all gateways into the network is important. The challenge there is establishing a level of authentication or protection.

Device monitoring comes next, which, it is worth noting, can be done

particularly well in cloud computing environments.

### Given this pace of change and all of the inherent complexities, how do you see the cover and the wider market for cyber property cover evolving as the IIoT itself evolves?

SG: Highly sophisticated attacks leading to physical damage are nothing new, and while they are rare, their impact is considerable when they do happen. This means a complete step change in thinking for our insureds and anyone looking for insurance in this space.

Fundamentally, there has to be a mindset of security by default. Cyber crime is going to evolve and we need to be mindful of that. And finally, as insurers, we need to ensure that we are confident that companies are adopting the appropriate policies and following the right guidance.

**These are just a few highlights from this podcast, which you can listen to in full at [cirmagazine.com](http://cirmagazine.com)**

**Find out more about AXIS Insurance at [axiscapital.com](http://axiscapital.com)**



**Sharif Gardner**  
Head of Training & Advisory Services  
AXIS Insurance



**Georgie Furness-Smith**  
Senior Underwriter - Cyber  
AXIS Insurance



**Deborah Ritchie**  
Editor  
CIR



# BUSINESS CONTINUITY AWARDS 2021

## 2021 Winners



**CIR**

# BUSINESS CONTINUITY AWARDS 2021

## WINNERS' REVIEW

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# BUSINESS CONTINUITY AWARDS 2021

## 2021 Winners

### Best Contribution to Continuity & Resilience

**Winner:** Marks & Spencer & NaCTSO

### Global Award

**Winner:** Saudi Customs

### Cloud-based Services

**Winner:** YUDU Sentinel

### Most Innovative Product of the Year

**Winner:** Reskube, Fortress Availability Services

### BCM Planning Software of the Year

**Winner:** Daisy Corporate Services

### Excellence in BC in Industry

**Winner:** DHL Supply Chain

### Excellence in BC in the Retail Sector

**Winner:** Marks & Spencer

### Excellence in BC in the Financial Sector

**Winner:** T. Rowe Price & PA Consulting

### Resilient Workforce Award

**Winner:** Royal Mail Group

### Transformation Award

**Winner:** Roche

### Incident Management Award

**Winner:** South Yorkshire Fire & Rescue

### Initiative of the Year

**Winner:** Unilever & PA Consulting



## 2021 Winners

**Strategy through Partnership****Winner:** Horizonscan BCP & PD Ports**Strategy of the Year****Winner:** Coca-Cola EuroPacific Partners**Most Effective Recovery of the Year****Winner:** Alan Lloyd, Daisy Corporate Services**Specialist Technology Company of the Year****Winner:** F-24 UK**Specialist Company of the Year****Winner:** KRTS International**Team of the Year****Winner:** Experian**Adviser of the Year****Winner:** Russ Parramore, National Fire Chiefs Council**Newcomer of the Year****Winner:** Emily Clemente, Castellan Solutions**Highly commended:** David Field, London North  
Eastern Railway**Student of the Year****Winner:** Julia Lobnig, UCL**Lifetime Achievement****Winner:** Brian Zawada**Business Continuity / Resilience Manager of the Year****Winner:** Chris Godsmark, Roche**Highly commended:** Jayne Romanczuk, Bupa



# BUSINESS CONTINUITY AWARDS 2021

## 2021 Winners



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## Strategy of the Year



Monica Sekhri, director of business continuity and resilience, Coca-Cola Europacific Partners, pictured with James Stevenson, insurance manager, Mileway and host Hal Cruttendon

**Winner** Coca-Cola EuroPacific Partners

**The judges:** A truly innovative and ground breaking strategy – and one that many in the industry could learn a great deal from

**The entry:** The innovative approach demonstrated in implementing their business continuity and resilience processes across 26 different European, Asian and Australasian countries made CCEP the judges' first choice in this important category.

The focus and objective of the strategy is to understand what really matters to CCEP and to prioritise making those parts of the business resilient, whilst considering that all elements of the enterprise are vital to the success of the business.

The strategy is ongoing and constantly evolving as the BCR Team hits new milestones and achievements. This includes achieving ISO 22301 for Europe's largest soft drinks manufacturing site and two shared service centres, which means the methodology is now externally certified, giving confidence to the business. In addition, the response to COVID-19 demonstrated how truly effective the tried and tested business continuity processes were.

**CIR** **WINNER**  
**BUSINESS CONTINUITY**  
**AWARDS 2021**  
**STRATEGY OF THE YEAR**

**The winner:** Commenting on the win, Monica Sekhri, director of business continuity and resilience, Coca-Cola EuroPacific Partners, said: "Winning the Business Continuity Strategy of the Year award is a true honour. We are incredibly proud at Coca-Cola EuroPacific Partners to have won this award, as it signifies how far business continuity has come over the past few years and how business continuity can truly integrate into all areas of an organisation."

"The focus and objective of our strategy is to understand what really matters to our business and to ensure resilience in those areas, whilst considering all elements of the enterprise that are vital to its success. The strategy embeds resilience into the DNA of our organisation and for customers and consumers to feel the benefits of that enhanced preparedness to incidents."

"As a team, we always strive to innovate and push the boundaries of what is expected of a resilience function. When developing the strategy, we took the approach that business continuity should be ingrained into every decision the business takes from an operational, technologic and strategic level and developed a 'resilience towers' approach to ensure resilience and preparedness across the business. Our towered approach provides leverage and flexibility to tackle all risks from a continuity perspective that we may face today and into the future."

[ccep.com](http://ccep.com)

**Coca-Cola**  
**EUROPACIFIC**  
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## Excellence in BC in Industry



Alexander Zippel, global security and BCM operations manager at DHL Supply Chain

**Winner DHL Supply Chain**

**The judges:** This sector is one of the most challenging for business continuity management professionals and this team certainly has done an outstanding job of it.

**The entry:** DHL Supply Chain is a global logistics provider with more than 3,000 operations in over 60 countries, and approximately 165,000 employees.

DHL's business continuity management system is applied as an integral part of fundamental operational basics. The responsibility for implementation, management, maintenance and testing of the business continuity programme sits with the local business continuity champions and cross-functional incident management teams at site level.

To ensure a flexible response to crises, DHL Supply Chain implemented a digital application, mirroring the company's ten-step management programme across its global footprint.

A dedicated COVID-19 intranet page was also established by the global business continuity team to share information, lessons learned as well as using more than 60 digital media and best practice resources.

**CIR** **BUSINESS CONTINUITY  
AWARDS 2021**  
**WINNER**  
**EXCELLENCE IN BC IN INDUSTRY**

**The winner:** Commenting on the win, global security and BCM operations manager at DHL Supply Chain, Alexander Zippel, said: "We are incredibly proud to have won the Award for Business Continuity Excellence in the industry this year. As the world's leading contract logistics provider, our purpose at DHL Supply Chain is connecting people and improving lives. This is something we focus on every day but has been particularly clear during the COVID-19 pandemic, as we have worked with our customers to help them succeed during this challenging time."

"This award is also great recognition of the sustainable Business Continuity investments in our operations and innovative mitigation solutions we provide. It means a great deal to the entire global DHL business continuity team, which has worked with extraordinary dedication to protect our people and businesses as part of our business continuity DNA."

"However, we will not stop striving for operational excellence, and over the coming months will be focusing on new digital initiatives to ensure we are bringing the next level of operational resilience to the business, and providing a major differentiator for customers evaluating their supply chains. We are already living our strategy and growing stronger each day."

**dhl.com**



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## Specialist Technology Company of the Year



John Davison, managing director of F-24 UK, pictured with awards host Hal Cruttendon

**Winner F-24**

**The judges said:** Some simply fantastic work carried out by this company, which stood out in a very strong category. Shining customer testimonials are the cherry on top.

**The entry:** Founded in 2000, F24 AG is headquartered in Munich, Germany, and supports companies and organisations in more than 100 countries around the globe. Over 3,000 clients trust in FACT24 when critical information needs to be distributed, alerts activated, and decisions made in response to an incident or crisis. As FACT24 is cloud based and guaranteed to be 99.99% available, clients were able to trust that FACT24 could support their requirements at the point they needed it most. This availability continued even when usage was high during the first wave of the pandemic in early 2020. Client endorsements from the past 12 months demonstrate an exceptional level of service offered for day-to-day, emergency and business continuity requirements.

**The winner:** Commenting on the win, John Davison, managing director at F-24 UK, said: "On behalf of everyone at F24 we are absolutely delighted to be recognised by the judging panel as the Specialist Technology Company of the Year. Special thanks to the entire F24 team who worked extremely hard in delivering a continued high-quality service, in what was an extra ordinary year

**CIR** **WINNER**  
**BUSINESS CONTINUITY**  
**AWARDS 2021**  
**SPECIALIST TECHNOLOGY COMPANY**  
**OF THE YEAR**

for both our clients and our employees. The past 12 months have been a difficult year for most organisations around the globe and throughout these turbulent times F24 has been supporting its clients to eliminate and reduce business disruptions using the emergency notifications and crisis management capability from within the FACT24 solution. This has included support for existing clients, enabling them to effectively manage the different stages of the pandemic and indeed other critical incidents, to the onboarding of new clients and remotely integrating the FACT24 solution within customer legacy systems, sometimes within 48 hours, so that our clients can keep their operations running smoothly, with minimal interruption.

"Winning this award clearly demonstrates that FACT24 is highly regarded as the emergency notification/crisis management solution of choice by leading enterprises who recognise the importance of emergency response and business continuity.

"2022 is set to be another exciting year for F24, as we launch enhanced crisis management capability and evolve our specialist solution portfolio to meet our clients' growing needs and demands in an ever-changing world of threats and risks. F24's outlook is for continued growth and to maintain our position as Europe's leading software-as-a-service provider for incident/crisis management and emergency notifications."

[f24.com](https://f24.com)

# F24



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**AWARDS 2021**

STRATEGY THROUGH PARTNERSHIP



## Strategy through Partnership



Shane McMahon, lead consultant, Horizonscan and Neal Armstrong, head of police, security and resilience, PD Ports; pictured with awards judge, Russell Williams, business continuity lead EMEA & LATAM, Control Risks at Facebook, and host Hal Cruttendon

### Winner Horizonscan BCP & PD Ports

**The judges:** In a highly competitive category, this entry was able to demonstrate some incredible achievements for a recently established working partnership

**The entry:** PD Ports is a ports and logistics company. Teesport is the biggest of its sites and is the only major port in England to handle more exports than imports. It operates 24/7 and welcomes upwards of 4,000 vessels annually. As well as owning and running this site, PD Ports is the Statutory Harbour Authority with responsibility for the safe use and maintenance of the river.

Horizonscan are business continuity specialists. Based in Kent, the team works with large private and public sector clients across Europe, North America and Asia. The business has grown rapidly since its formation in 2012, and in the last two years alone its workforce has doubled and our turnover increased by 50%. Horizonscan began working with PD Ports at the start of 2020. The partnership looked initially at the capabilities of the organisation across the pillars of resilience. The initial engagement developed into a programme to develop and formalise business continuity management procedures while working towards ISO 22301:2019 certification. As the programme started, the pandemic

## WINNER CIR BUSINESS CONTINUITY AWARDS 2021 STRATEGY THROUGH PARTNERSHIP

hit the UK and the programme plans. Many organisations may have decided to put the programme on hold while responding to the crisis of a generation, but PD Ports and its people have resilience in their DNA and made a deliberate choice to 'lean into' the resilience work with Horizonscan. They recognised that COVID-19 was a step-change moment and used it as the spur for a wider, root-and-branch assessment of preparedness across the organisation.

"PD Ports plays a critical role in facilitating the nation's trade, operating in 12 key locations nationwide to provide businesses with essential access to global markets. Our main operation at Teesport is the fifth largest port in the UK and only major port in England to handle more exports than imports. It supports 22,000 jobs and contributes £1.4 billion to the UK economy each year," said Neal Armstrong, head of police, security and resilience, PD Ports. "Directly employing more than 1,300 people, we own and operate well-connected ports along the East coast of the UK; unlocking key markets and providing access to the hub ports across the globe. Our trusted international partners stretch our reach far beyond the UK, allowing services to be delivered throughout Europe and the rest of the world."

"As Statutory Harbour Authority for the River Tees, responsible for safe use and maintenance of the river, we are wholly committed to ensuring that the river plays its full part in supporting the future growth of our region and the UK as a whole."

[horizonscanbcp.com](http://horizonscanbcp.com)

[pdports.co.uk](http://pdports.co.uk)

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# Business Continuity Specialist Company of the Year 2021

## We are proud to be CIR Business Continuity Award winners

The CIR Business Continuity Awards 2021 recognised the specialist expertise that KRTS International brings to managing the human risks posed by the impact of workplace crises and trauma. KRTS is passionate about helping organisations around the world build crisis-informed emotional resilience with their underpinning model of “Prepare, Prevent, Protect.” KRTS products and services are effective, scalable, easily implemented and based on decades of experience working in this specialist field.

Workplace crises are a global issue, and no company is immune. We take time to listen carefully and understand each organisation’s specific situation. This allows us to provide the right solution for the unique needs of any setting.

Find out more at [www.krtsinternational.com](http://www.krtsinternational.com)

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## Specialist Company of the Year



Dr Liz Royle, director, KRTS International, pictured with Brendan Seifried, commercial director, Workplace Recovery Solutions and awards host Hal Cruttenden

### Winner KRTS International Ltd

**The judges:** This is truly unique company, addressing an essential and often overlooked component of continuity and resilience when mental health and well-being have never been more relevant.

**The entry:** KRTS International offers a range of preventative and responsive solutions for managing the risks posed by the human impact of workplace crises. KRTS works with the NHS, private and public sectors across the UK and globally.

Further developing a previously established working relationship, KRTS implemented a crisis response service for the Wrightington, Wigan and Leigh NHS Foundation Trust. Amid the pandemic, face to face training was deemed an inappropriate risk. KRTS quickly developed an innovative package allowing the Trust to provide a needs-based range of services to fit seamlessly alongside their existing processes. This adhered to clinical best practice, recommendations by the World Health Organisation for support for health workers during the pandemic, and ISO 22330: Guidelines for People Aspects of Business Continuity. The solution included the deployment of KRTS's own crisis management app, Power to Respond, to all employees across the Trust, enabling blanket coverage for maximum resilience.

## WINNER CIR BUSINESS CONTINUITY AWARDS 2021 SPECIALIST COMPANY OF THE YEAR

**The winner:** Commenting on the win, Dr Liz Royle, director of KRTS International, said: "This Business Continuity Award is an important validation of our expertise and our commitment to quality.

"COVID increased awareness of the need for effective, quality approaches to resilience and mental health gained a much higher profile. However, this also brought negative consequences. Organisations didn't always have time to properly assess solutions before implementing them. Mental health expertise was claimed by household names or via slick marketing campaigns without the foundation of appropriate qualifications and experience. Some even cynically saw this as a financial opportunity. This risks the use of ineffective, unused or piecemeal services. Everyone then loses out – the purchasing organisation wastes time and money, the users don't get effective, accessible support and the harm extends to families and communities. Negative attitudes towards the efficacy of mental health support then become entrenched.

"Workplace crises are a global issue and no organisation is immune. We pride ourselves on being agile, innovative and able to create effective, accessible solutions including an exciting new product in development to build emotional resilience within teams and individuals. KRTS is passionate about helping organisations build crisis-informed resilience. This award is a recognition of the importance of what we do and that people are an integral part of business continuity."

[krtsinternational.com](https://krtsinternational.com)



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## Resilient Workforce Award



Freddie Warnock, Royal Mail's head of safety operations, pictured with awards host Hal Cruttendon

**Winner** Royal Mail Group

**The judges:** This highly impressive submission demonstrated clearly how Royal Mail and its entire workforce succeeded in dealing with the most trying of times, despite the risks to and impacts on their personal safety.

**The entry:** Royal Mail has connected people in the UK and beyond for more than 500 years. The group has been widely recognised for its resilient workforce throughout the COVID-19 pandemic as its people worked tirelessly to enable the country to stay at home and safe, confident that online orders will be delivered to all 30 million addresses in the UK. This resilience underpinned the government's testing programme to grow through Royal Mail's national reach in collecting over 120 million test kits from individual NHS and other key workers home addresses, 33,000 specified pillar boxes and 200 testing sites around the country, providing next day delivery to testing laboratories; as well as millions of vital PPE to care homes and schools. This submission demonstrated how a business continuity programme can contribute to building a culture of trust that is essential in creating a resilient workforce.

**The winner:** Commenting on the win, Freddie Warnock, Royal Mail's head of safety operations, said: "Royal Mail is delighted to

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**BUSINESS CONTINUITY**  
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**RESILIENT WORKFORCE AWARD**

have been recognised for its collective response to COVID over the last 18 months by winning the prestigious Resilient Workforce Award at the 2021 Business Continuity Awards."

Dr Shaun Davis, global director, compliance and sustainability, at Royal Mail Group said the submission highlighted the trust that was built as the business responded to the challenges of COVID to keep its people safe as it continued to deliver for the nation.

Gary Sassoon-Hales, national representative at Unite/CMA commented: "This award is a fantastic recognition of the contribution made by everyone in Royal Mail."

Dave Joyce, national health and safety officer at CWU, concluded: "I am delighted to see some well-deserved public recognition of the heroic commitment and dedication of UK front line CWU grade postal workers in Royal Mail and Parcelforce, in keeping the country connected and resiliently maintaining the postal service during the COVID pandemic by delivering for the nation, not only a normal service but one which saw record levels of traffic passing through our network. The country, the government and the NHS depended on us and we delivered, proving that Royal Mail is the best in the world. I would personally like to dedicate this award to those colleagues who were COVID victims and are sadly no longer with us."

[royalmail.com](https://royalmail.com)





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## Roundtable

# Operational resilience in a post-pandemic world

➤ There has been much speculation about what the world will be like after the pandemic, but what effects have the last 18 months had on businesses' approaches to resilience?

Our recent roundtable with Sungard Availability Services discussed developments

It has become increasingly clear that the future for many businesses will involve a hybrid-working strategy, which has a knock-on effect not only for real-estate and finding more cost-effective and flexible ways of giving staff collaborative space, but also IT disaster recovery and ensuring effective communication in a crisis.

Managing dispersed workforces is therefore becoming the norm, adding another level of complexity to overall operational resilience and ensuring key customer services can still be delivered in a crisis. A recent rise in cyber attacks, particularly as a result of ransomware and increasingly phishing, adds yet another layer of risk. Forward thinking organisations are reviewing their crisis response strategies in this new environment.

A group of global heads of business continuity and resilience at a number of high profile financial services companies and insurers was convened to discuss how businesses are tackling all these new challenges, and even using the new dynamics to gain competitive advantage.

### A new normal

With the hybrid working genie really out of the bottle, now is a good time to take stock and consider how the experiences of the past 18 months might influence

how we approach resilience going forward. There is no one-size-fits-all solution and no playbook – as different functions and sectors all have unique needs.

Planning around hybrid working requires structure and process. Employees of course need to be provided with the right tools and equipment to operate effectively and safely.

The importance of leadership support, clear communications, planning, horizon scanning, collaboration, internally and externally, and supporting employees throughout cannot be understated. Ultimately, it is about sharing information and collaborative working across functional silos with coordinated interaction between and across the technology, business operations and executive layers.

“A learning and resilient culture is required in order to bounce forward, rather than bouncing back to where you were pre-COVID. I would encourage practitioners to conduct lessons capture as part of a continuous improvement process – ask what responses were

effective, and what fell short of expectations. Whatever your experience, lesson capture is going to be critical in producing better processes and plans for the future, which is important when you consider further waves of the current pandemic, to say nothing of other potential disruptions,” Tom Holloway, principal resilience consultant, Sungard Availability Services, commented. “That planning and analysis should start now – and you might need to throw your old rulebook out.

“The experience of all organisations over the last year-and-a-half is akin to a searching stress test of business models. We’re hearing that younger employees yearn for a return to the office environment as quickly as possible, to pick up their career development, mentoring, and in many cases, induction activity that’s been on hold over this time,” Holloway added. “Also consider the reported increase in mental health related issues over this period.”

The good news as a result of the last 18 months, is that operational resilience, in its broader sense, and

**“In my view, operational resilience is as much a product of an organisation’s culture and approach, as it is of its procedures.” Tom Holloway, Principal Resilience Consultant, Sungard Availability Services**



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## Roundtable

**“We’re highly involved in the return to work, with customers using our facilities as stepping stones to get back in.”**

**Pat Morley, UK Service Delivery Director, Sungard Availability Services**

business continuity are now much better understood and taken more seriously at the C-Suite level.

“Executive engagement is an important enabler to any resilience programme, establishing the tone, setting cross-functional objectives, and directing resources,” Holloway explained. “My concern is that leaders of many businesses now consider themselves to be masters of resilience and ready for anything on the basis that they’ve survived the various lockdowns, with working from home the go-to solution for all disruptions – something we don’t concur with.”

### Cyber risk

The growing cyber threat needs no introduction. And with cyber insurance premiums skyrocketing, and carriers demanding a much more robust approach to cyber security, there is an immense pressure to protect data, and put in place plans to recover from an attack if the worst does happen.

“We advocate a programme approach to cyber recovery, working out, as you do with your business, what’s vital – and tiering your data based on its confidentiality, integrity and availability. You need to be able to prioritise. That’s the whole purpose of a programme approach to complex cyber recovery,”

Chris Butler, principal consultant, Risk, Resilience & Security, Sungard Availability Services, said. “It also helps to differentiate IT disaster recovery from data recovery, as they are two different things.”

It should also be taken into account that there is an increasing unwillingness among boards to allow ransom payments to be made. In some companies it is already forbidden. It is also against the law in some countries, including the UK and the US, to pay prescribed terrorist organisations – which some hacker groups are now considered.”

“I think we are going to see more and more cracking down on the payment of ransoms, with insurance companies continuing to cover remediation in the aftermath of an attack.”

### Real estate and workforce

Under the new hybrid model, businesses have less need for real estate. Pre-pandemic, most offices would not be full – roughly around 80 per cent of desks would be in use on a daily basis (due to staff off sick, on holiday, or working away from the office). Going forward, there is an expectation of closer to 60 per cent of desks in use.

“There’s a huge amount of work going on in this area,” said Pat Morley, UK service delivery director, Sungard Availability Services. “Our customers are now counting the dedicated spaces that they have with us as part of their real estate environment. The seats that used to be there in an emergency, have now become an extension of the day-to-day office environment. The procurement and real estate team want to get more value for money out of those seats. There is also a much greater emphasis on staff well-being and better utilisation of space.

“We’re talking to a lot of customers

**“We advocate a programme approach to cyber recovery, working out, as you do with your business, what’s vital – and tiering your data based on its confidentiality, integrity and availability.”**  
**Chris Butler, Principal Consultant, Risk, Resilience & Security, Sungard Availability Services**

who still want a London office, but don’t need 1,000 seats. Rather, they want a small office in central London, based near a mainline station, and subsidiary offices outside of the capital with good parking that enables customers and staff to turn up, park and enter those sites safely,” he added.

“One of our biggest call centre customers is picking up lots of business because they moved to a split-site working model and have split their site between their normal office and a Sungard office, and they are hitting every SLA for calls, whereas their home-based competitors are failing badly in that respect.

“Suite layout has also changed considerably, as high occupancy in a small space is no longer acceptable – not even for a day. Customers are also asking for more space per desk, plus their own shared areas, such as kitchens and meeting rooms.”

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## Industry views

➤ If the 2015 COP21 in Paris was the ‘political COP’, then COP26 in 2021 has become the ‘business COP’. While the commitments of national leaders will continue to dominate the headlines, this year’s COP26 saw much more of a corporate showing than previously, and Airmic was invited to attend. Leading the charge in Glasgow has been the former governor of the Bank of England, Mark Carney, who serves as the UK Prime Minister’s Finance Advisor for COP26 and UN Special Envoy for Climate Action and Finance.

While governments can legislate change, there is increased recognition that businesses are the economic engine to implement national targets for climate action. As one speaker noted during the event: “Governments commit the billions, but businesses can mobilise the trillions”.

The CBI held two hustings to make its case to world leaders and negotiators, with a focus on sustainable finance and green energy. It included some demands for what businesses need governments to do: primarily to set and ensure a level playing field on issues such as carbon pricing; and to take a lead on public-private investment collaboration.

The CBI is pushing for clear standards and frameworks from the government, while the government is looking for input from businesses on how best to mobilise finance already

pledged to realise climate commitments. Business perception of climate risk has transformed within the past five years. As CBI chief executive Tony Danker noted, climate issues have gone from being seen primarily as a reputational risk, to becoming acknowledged as a prominent threat on the risk register, while a proactive stance is now recognised as a business opportunity.

Businesses should take every opportunity to engage with the government on climate issues where possible. The UK government, represented at the CBI event by John Glen, economic secretary to the Treasury, said that the government would streamline the compliance requirements on sustainability disclosures into a single return.



➤ **Julia Graham is CEO of Airmic**

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**airmic**

➤ For decades, D&O insurance was seen as a relatively stable and popular class of cover, and discounting was common. But from 2018 onward, stress was obvious in D&O pricing and 2019-2020 became notorious for cost increases. The smaller markets of Latin America suffered just as badly as the US and Europe, while in Asia, markets such as China, which were growing, also began to see increased claims and price rises.

While COVID has accelerated D&O price rises, it is not the main cause for the hardening market. The real reason for rising premiums has been a gradual appreciation that there is a greater D&O risk in corporate mismanagement and financial misrepresentation, together with a widening exposure to new risks such as cyber, environmental and employment issues.

Many of our network members from around the world recently reported that the ceiling in pricing has been reached in the D&O market. Corporates cannot, or will not, pay any more for D&O cover, and as a result, some interesting trends have begun to bubble along in this class.

One alternative is the trend towards self-insuring. First seen in 2019 when Elon Musk was unable to insure his Tesla directors and officers, and as a result, personally funded his company’s corporate D&O cover, the trend is gaining traction.

There is certainly no short-term fix on the horizon for D&O

insurance, and currently the market remains dysfunctional. New entrants are also shaking up the market to the benefit of buyers. In the UK there are early, tentative signs that market conditions may be starting to soften, as a number of insurers have spotted an opportunity to enter the marketplace, drawn to the level of premiums that they can currently command.

If this is true and new capacity does come onstream, it may be that prices stabilise and correct in the coming 18 months. However, without any prospect of major issues, such as environmental and cyber concerns, going away, it still seems likely that many corporates will need to consider reducing the breadth of their cover, insuring cyber risk separately, or even undertaking an element of self-insurance to get the protection that their directors and officers need.



➤ **Jim Sherwood is a partner at BLM and chairman of Global Insurance Law Connect**

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What's your view? Email the editor at [deborah.ritchie@cirmagazine.com](mailto:deborah.ritchie@cirmagazine.com)

Following COP26, most responsible leaders will be thinking about what they need to do to make their organisations part of the response to the climate emergency and the resulting collective action to address environmental and social challenges. Many forward-thinking businesses are already highlighting their commitment to achieving carbon neutrality and promoting their sustainability agenda, but it's never been more important to move from talk to action. The only way an organisation can contribute to a sustainable future is to place sustainability at the heart of its organisational purpose and strategy and turn this into concrete steps.

The climate crisis is not going to be solved by someone else. It can only be solved by us all behaving differently. Most people, anxious about climate change, already believe they are doing what they can – and that governments and institutions now need to step up.

Age-period-cohort analysis is often used to assess how changing attitudes work through the population. Age, or lifecycle, effects explore variation by age, cohort effects relate to the unique, common experience of a group of people, and period effects are those that affect everybody equally.

Generational differences in attitudes towards sustainability were abundantly evident at COP26. Generally speaking, young people are more likely to be pro-environmental in their views, while older people are less likely to embrace measures that affect their own lifestyles, such as reducing energy consumption, favouring public transport, or reducing meat consumption. Our experience over the past few decades has shown how 'period' effects can lead to rapid change – such as after the financial crisis or through COVID-19. As more of us experience wildfires, heatwaves, drought and flooding, the need for change will become even clearer.

This means the focus on organisations to deliver rapid progress will become relentless. Young people are demanding change now. Older people are looking to institutions and organisations for action. Governments, under pressure, will introduce regulatory frameworks and seek accountability. The appearance of the heads of major oil companies before the US

Congress at the end of October this year may, for example, prove to be a turning point as consequential for oil as congressional hearings into smoking were for big tobacco in 1994.

Putting sustainability at the heart of your business is not only about managing downside risk, but also about responding to an opportunity. Tesla has grown to one of the world's largest companies as cities worldwide begin to limit or ban fossil fuel cars.

As risk leaders, the next step is to start a conversation about how your organisation is thinking about sustainability, how this translates into your approach to ESG, and what action is needed now. The IRM has recently published a practitioner's guide to managing climate change risks that will help you assess your organisation's risk maturity, engage with stakeholders, and start to measure and report on environmental and social outcomes.

Positive action on climate change requires risk leaders to focus on long-term risks and outcomes. This isn't so much about the risks in the business today as your ability to identify and manage risks and opportunities based on long-term planning horizons. Responding to the challenge of the climate emergency requires a really positive role for risk leaders, providing the opportunity to have a significant impact on how effectively businesses and organisations understand and manage climate change risk and build sustainable long-term strategy. It's both a challenge and an opportunity, and it's not one that can wait.



▶ **Stephen Sidebottom is chairman of the Institute of Risk Management**

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## D&O landscape shifting

✓ **Global pressure persists in D&O across the globe, with prices up 30% to 100% in some countries. But could there be some respite on the horizon? Research from Global Insurance Law Connect's suggests that may be the case**

**D**&O pricing has risen in almost every country in the world during the course of this year, with increases of between 30% and 100% reported. Only Taiwan, where high barriers to litigation against directors and officers render the line little needed, has seen prices decrease.

While there have been a number of common causes behind the price rises, most countries have unique drivers for the steep hikes. In Brazil, João Marcelo dos Santos of Santos Bevilacqua says: "Rising D&O claims in the last five years link to corruption charges, environmental damages, administrative liability around securities operations, mergers and acquisitions impacts on tax, labour and anti-competition faults."

GILC's report has uncovered some significant trends away from traditional D&O buying as a result of the global price pressure. In Denmark a number of publicly-listed companies have reportedly retreated from purchasing D&O insurance policies with full liability coverage, opting instead to self-insure D&O through a letter of indemnity. A number of companies in Switzerland have also been actively investigating the establishment of captives for their D&O risks.

### Buyers cap spend

In some countries, there are signs that the price limit has simply been reached. Dino Liistro of Sparke Helmore in Australia says: "The recent experience of underwriters is that whilst insureds had been prepared to increase their spend, the limit appears to have been reached. Over the last year, insureds began maintaining the same legal spend in the face of rising premiums by increasing excesses or reducing limits of cover and in some cases looking to other risk management solutions to bridge the gap."

Despite the soaring numbers, demand for D&O cover continues to grow. GILC's report reflects a particularly growing appetite for D&O in emerging markets, with China and India leading the way. The same is the case in Latin America, where the need for D&O insurance is significant, and capacity short.

European markets still have capacity for growth, according to the report. Joachim Skjelsbæk of Riisa says the Norwegian



market for D&O is still relatively new and has been growing steadily with increased publicity around claims.

Commenting on the report's findings, Jim Sherwood, chairman of Global Insurance Law Connect says: "In many countries D&O rates are rising, and in some places those increases are extreme, but this is not the case everywhere. In a few markets the green shoots of recovery are showing, as clients reach the limits of what they are prepared to pay, and prices look set to finally stabilise.

"The changes of the past decade and recent economic shocks have led to an increased need for protection for directors and officers, in a market which lacks capacity to supply it. The impact has been a notable growth in self-insuring for this class of cover, alongside the increased use of letters of indemnity for directors and officers."

➤ **View GILC's report in full at:** <https://www.globalinsurancelaw.com/wp-content/uploads/2021/11/GILC-DO-whitepaper.pdf>

# PROFESSIONAL SERVICES GUIDE

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