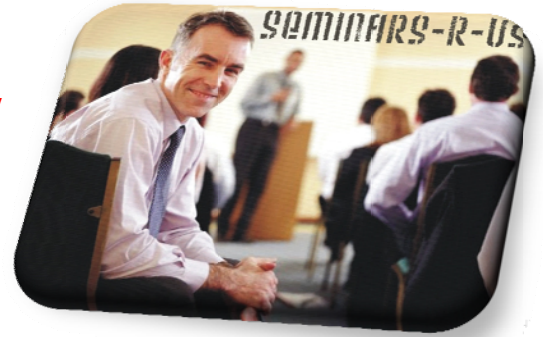


The *Duty of Care* and Why You Need to Know

Our responsibility to others has always been a high priority and logically you would think everybody would understand the need for this important factor in our society.



Duty of Care requires everything *reasonably practicable* to be done to protect the health and safety of others in the workplace. This duty is placed on all employers, their employees and any others who have an influence on hazards, security and day-to-day activities in a workplace.

The latter includes contractors and those who design, manufacture, import, supply or install plant, equipment or materials used within a workplace.

Reasonable practicable means that the requirements of the law vary with the degree of risk in a particular activity or environment which must be balanced against the time, trouble and cost of taking measures to control the risk. It allows the duty holder to choose the most efficient means for controlling a particular risk from the range of feasible possibilities.

The qualification allows those responsible to meet their duty of care at the lowest cost. It also requires change in technology and knowledge to be incorporated but only as and when it is efficient to do so. The duty holder must show that it was not reasonably practicable to do more than what was done or that they have taken *reasonable precautions and exercised that due diligence*.

Specific duties logically flow from the ***Duty of Care***. These include:

- ✓ Provision and maintenance of safe plant and systems of work;
- ✓ Safe systems of work in connection with plant substances;
- ✓ Safe working environment and adequate welfare facilities;
- ✓ Information and instruction on the workplace hazards and supervision of employees in a safe workplace;
- ✓ Disaster preparedness planning and testing of such planning;
- ✓ Security of building and glazing from potential attacks;

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The 'hierarchy of control' refers to the range of feasible options for managing the risk to health and safety. The hierarchy normally ranges over the following controls: elimination of the hazard; its substitution with a less harmful version; its redesign; engineering controls; isolation of the hazard from people at the workplace; safe work practices; redesigning work systems; and the use of personal protective equipment by people at the workplace.

In practical terms you as an employer have the obligation to take reasonable care to avoid causing foreseeable harm to another person or their property. The breach of duty of care is the failures to take reasonable care to avoid injury or damage to a person or their property in a situation where the law imposes a duty of care. It is logical and sadly missed every single day in America's workplace.

Due to the activities of our enemies on September 11th 2001 the responsibility to protect your business, employees, clients and members of the public has increased by one hundred fold. The legal liability is astounding and as any competent lawyer will tell you, you had better have taken measures against such incidents or face the consequences.

In a press release issued back on January 24th 2002, Gartner Inc. in *The Business Continuity Readiness Survey* reports that the areas in which companies and government organizations are least prepared in are the same areas that are most likely to incur loss or damage in physical attacks. Only 13 percent of companies' report that they are "mostly" prepared for major loss of life; 28 percent report business continuity plans for addressing physical attacks; and 38 percent are prepared for loss of transportation infrastructure. Only 36 percent have a plan for complete loss of physical assets and workspace.

Chuck Taylor, Gartner EXP vice president and research director, said; "Scenario planning is never a pleasant exercise. However, CEOs owe it to their employees, their families and to shareholders to protect their most valuable assets -- their people -- and to ensure that business can continue even under the most extreme circumstances. Business continuity should be on the agenda of every corporate board meeting."

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Duty of Care can be your best ally or worst enemy. To make sure all are safe from all eventualities is one thing, but to do nothing at all is total irresponsibility, especially in the field of corporate security. The ability to secure your company to the best of your capability is available and at hand. As the former CEO /President, **SSAF International Ltd.** which having directed over thirty eight years of counter-terrorism/corporate security, I make the following statement.

"Protection and understanding started in Europe protecting the public and companies from the bombers of the seventies all the way through to the events of today and sadly tomorrow. It is not just the terrorists that concern us, activists, protestors and the workplace incidents that are all at the top of our security priority list.

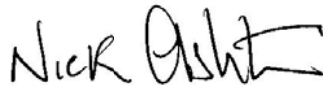
*This is America and there are threats from within, **TRACOMETRY, I.I.C.** survey and investigate all aspects of corporate security, including disaster preparedness, mailroom procedures, chemical and biological potentials, physical building security, safe rooms, redundant operation centers, CCTV, employee background checks, access methods and bomb blast resistance and the corporate training for these events thereof."*

Don't re-invent the wheel, contact the methodical experts today.

TRACOMETRY, I.I.C. stands for **Passive Protection to the Maximum and formal internal training that implemented, succeeds.**

Ignore *Duty of Care* and the cost will stop you dead in your tracks...

Respectfully,



Nick Ashton
CEO/President

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