Secure Design Integration: Designing from the Beginning with Safety and Security in Mind 2012 Global Congress on Travel and Risk Management hospitalitylawyers.com October 1, 2012

Lee E. Martin, AIA Robson Forensic, Inc.

The world is a dangerous place. Each of us is exposed to risk, and engages in risk assessment, every day. Driving to and from work, crossing a street, climbing a ladder, walking on wet floor tile on a rainy day, or riding a bicycle involve risk. Subconsciously, we assess these risks prior to engaging in these and other activities. As owners and managers of hospitality venues, we need to apply the same principal to our work, but in a much more conscious and comprehensive manner. When safety and security features are incorporated into our facility designs and operating policies and procedures, our guests will be exposed to a minimal amount of risk during their stays in our venues, and the safety/security elements of the building will be relatively inconspicuous.

Freedom from risk is a luxury. Hospitality guests check in and take personal safety for granted. While hospitality venues are not required to ensure the personal safety of their guests, innkeepers are held to the highest standard of care of all landlords (Kaminsky, 2001). It is therefore necessary for owners and managers of hospitality venues to make sure that their facilities are in compliance with applicable codes and regulations at the time of construction, and properly maintained from that point forward. Safety and security features in most cases must be incorporated into building plans prior to construction, and must be conducive to policies and procedures that promote positive guest experiences.

A. Areas of Risk

Hospitality venues possess characteristics of a wide variety of occupancy types, some riskier than others. Most locations have Residential, Assembly, Business, Mercantile and Industrial occupancy characteristics (Craighead, 2009). Those use groups require large pieces of mechanical and electrical equipment, elevators and escalators, ovens and other heat-producing appliances, as well as construction of parking garages, swimming pools, exercise rooms, restaurants and bars, as well as other facilities that increase risk through staff or guest use, and which are susceptible to a variety of internal and external threats. A listing of threats to safety and security, in ascending order of severity, would include the following:

Hierarchy of Safety/Security Threats

- 1. Premises Liability/Personal Injury Slips, trips and falls
- 2. Site/Parking Lot security
- 3. Crimes

Prostitution Drug use/sales Assault

- 4. Room security Theft
- 5. Workplace Violence
- 6. Public Disturbances
- 7. Fire

Electrical distribution systems Laundry Kitchenette

8. Acts of Nature

Hurricane Tornado

Flood/Tsunami

- 9. Contractible Disease
- 10. Terrorism

NBC Attack Bomb Kidnapping/hostage Situation

B. Risk Assessment/Emergency Planning

Risk assessment is the basis for building design as well as ownership policy and procedure decisions. While it might be possible to build a risk-free hospitality venue, it is likely no one would want to stay in a fireproof bunker with nothing to do. Risk assessment is, therefore, a compromise between function and safety where reasonable steps are taken in a given area to minimize the likelihood of harm to staff and guests.

Best's Underwriting Guide for Hotels, Motels and Conference Centers (A.M. Best, 2004) indicates that hospitality venues rank high in risk in areas pertaining to automobile and general liability. Risk increases if venues provide guest transportation services, or book conventions and trade shows. High-rise buildings present additional security considerations. Best's Guide indicates that:

Insureds should have a detailed risk management plan in place as well as dedicated security and/or safety managers. The plan should be tailored to the type of service the hotel offers. A safety committee that meets at least once a month to review safety issues and problems is a positive underwriting sign...Two basic liability and life safety considerations are the age and construction of the hotel...(Insurer should) address the insured's fire response plans...The insured may be held liable for damage and injuries resulting from criminal acts, particularly those facilitated by lack of adequate lighting and security...

Risk assessments vary in complexity and cost, and are often done by outside consultants. Risk assessments consist of identifying and rating potential threats to the object of the assessment, placing values on its assets, performing a vulnerability assessment, and then completing the risk assessment, which is then used by owners and managers of the object of the assessment to make risk management decisions (Craighead, 2009).

A number of generally-accepted organizations establish criteria for assessing risk. They include:

- 1. Building Security Rating Program- *Promoting Logical Unified Security* (PLUS) by the Building Security Council (BSC)
- Federal Emergency Management Administration (FEMA) Risk Management series, including: FEMA 426- Reference Manual to Mitigate Potential Terrorist Attacks Against Buildings FEMA 430- Primer for Incorporating Building Security Components in Architectural Design FEMA 452- Methodology for Preparing Threat Assessments for Commercial Buildings

C. Responses to Safety /Security Threats

The risk assessment will offer specific recommendations for incorporating features into the physical plant or into the operating policies and procedures employed by management to reduce risk to an acceptable level in the following areas:

- 1. Premises Liability/Personal Injury
- 2. Site/Parking Lot security
- 3. Crimes
- 4. Room security Theft
- 5. Workplace Violence
- 6. Fire

Electrical distribution systems Laundry Kitchenette

- 7. Acts of Nature Hurricane Tornado Flood/Tsunami
- 8. Contractible Disease
- 9. Terrorism
 - NBC Attack Bomb Kidnapping/hostage Situation

D. Trends in Hospitality Safety and Security

Several technological advances have occurred recently that offer owners and managers of hospitality venues opportunities to improve safety and security at the same time they improve service to guests. Those include:

- 1. Improved camera technology
- 2. Face recognition software
- 3. Registration by cell phone or automobile
- 4. Other