



ISO 31030: TRAVEL LEGAL RISK AND MITIGATION

ISO 31030 came out in 2021, setting out guidance for travel risk management (TRM). This infographic directs legal and compliance professionals to some key issues



APPROACHING THE ISO 31030 TRM GUIDANCE

Companies sending employees on UK or foreign travel should consider whether **travel security risk management policies are reviewed and enforced** in accordance with ISO 31030

Courts in England and Wales have found **BSI/ISO standards to be influential**

Compliance with ISO 31030 **could demonstrate a business has assessed and managed risks** to the highest available benchmark

CIVIL POSITION IN THE UK



Employers owe a duty of care to their employees to protect their health, safety and security and not to expose them to unnecessary risk



ISO 31030 may make it easier to bring breach of duty claims because it provides standardisation



Standard still new, so not used in UK cases yet



Employees travelling for work who have suffer harm may bring a claim against the employer. A UK court is likely to consider whether:

- ✓ a duty of care was owed
- ✓ that duty was breached
- ✓ the employer's breach of its duty causes loss to the employee



Duty of care

- ✓ Top management is responsible for implementing policies to reduce travel risks
- ✓ An employer's duty of care is personal and non-delegable and an employer will not be excused for a travel company's failures if it should have known of them for employees

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THE ISO STANDARD IS THE FIRST TRULY GLOBAL BENCHMARK FOR TRAVEL RISK MANAGEMENT AND PROVIDES A FRAMEWORK OF GOOD PRACTICE.
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CRIMINAL POSITION IN THE UK

- 1 Criminal law sets out health and safety duties of a company and its directors, managers and employees for ensuring that employees and non-employees **are not exposed to risk from work activities in the UK insofar as is “reasonably practicable”**
- 2 A company **will not be able to escape liability** by showing that it has taken steps at a senior level if all reasonably practicable steps have not been taken at an operating level
- 3 Following the guidance in ISO 31030 **may well be an evidential factor taken into account** when assessing whether adequate and reasonably practicable systems and procedures have adopted in relevant cases

CRIMINAL IMPLICATIONS IN RELATION TO TRAVEL



LEGAL

Bribery, data protection, harm



RISK

IP, health and safety business continuity



COMPLIANCE/HR

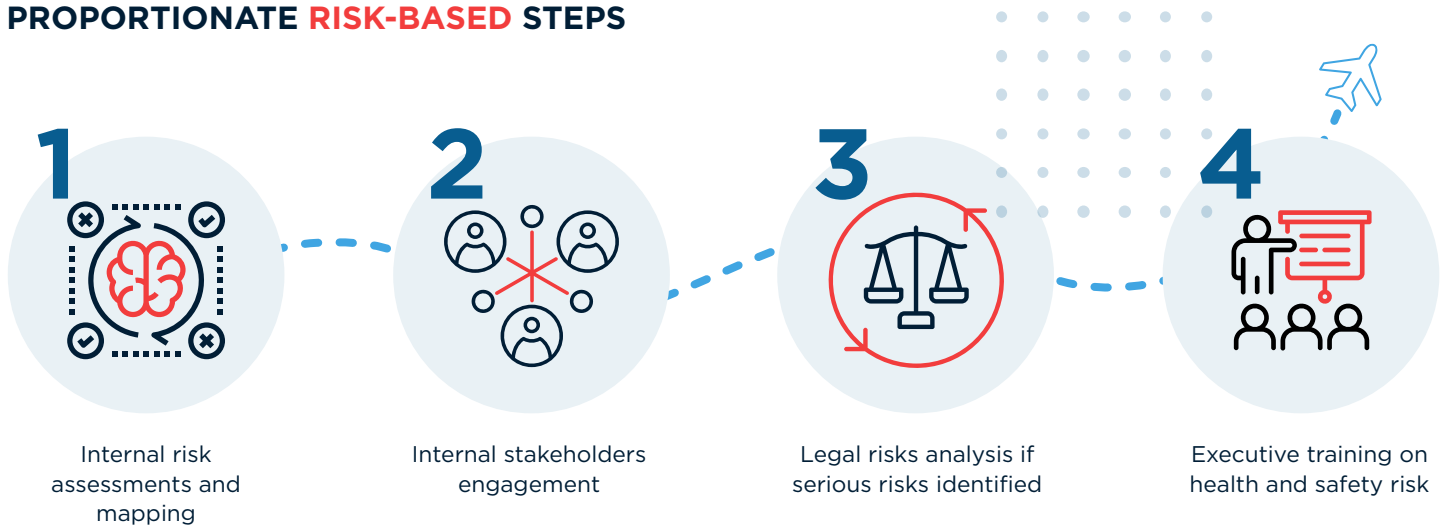
Behavioural and environmental policies and procedures



SECURITY

Kidnapping, device loss

PROPORTIONATE RISK-BASED STEPS



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WANT TO KNOW MORE?

Please read the papers we have produced with partner firms on the UK, US and French approaches to ISO 31030 – travel risk management: <https://bit.ly/3AeRvZY>

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