



An tÚdarás Slándála Príobháidí
The Private Security Authority

Regulatory Impact Analysis

Licensing the Private Investigator Sector of the Private Security Industry

January 2015

Summary of Regulatory Impact Analysis (RIA)

Department/Office: Private Security Authority	Title of legislation: Statutory Instrument	
Stage: Public Consultation		Date: 15 th January 2015
Related publications: PSA Questionnaire On The Activities of Private Investigators (Issued May 2013)		

Available to download at: www.psa.gov.ie

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What are the policy objectives being pursued?

The Private Security Services Act 2004, as amended identifies Private Investigator as a security service. The functions of the PSA as set out in section 8 of the Act includes the control and supervision of persons providing security services and maintaining and improving standards in the provision by them of those services. The functions also include the granting of licences and specifying standards to be observed in the provision of security services by licensees.

Section 2 of the Private Security Services Act sets out the categories of security service to be licensed by the PSA and provides a definition of these services. Private Investigator is defined in Section 2 as follows:

“ a person who in the course of a business, trade or profession conducts investigations into matters on behalf of a client and includes a person who –

(a) obtains or furnishes information in relation to the personal character, actions or occupation of a person or to the character or kind of business in which a person is engaged, or

(b) searches for missing persons;”

The definition in the legislation allows for the licensing of the following activities:

- Any investigation undertaken on behalf of a client,
- Tracing and searching of missing persons,
- Employee vetting and background checks,
- Any investigation into a business or business matters.

Other areas for licensing may be identified in the run up to the introduction of licensing of the sector. The PSA's Strategic Plan 2014-2017 is committed to the licensing of Private Investigators (i.e. contractors, including sole traders) by the end of Q4 2015.

What policy options have been considered?

The PSA believes that to do nothing is not an option as the legislation identifies Private Investigator as a security service for the purpose of licensing. The options which are available are:

- A) To licence Private Investigators following the development of a PSA standard specific to the Private Investigator sector.
- B) To licence Private Investigators using an existing Management Systems Standard and developing a technical standard specific to the Private Investigator sector.
- C) To licence Private Investigators using an existing Management Systems Standard initially and develop a technical standard specific to the Private Investigator sector at a later date.

Assessment of Options

Option A requires the development of a standard specific to the Private Investigator sector. The first step in this process would be the establishment of a working group of industry stakeholders to assist in the development of the standard. Based on similar projects the development of the standard and the introduction of licensing would not be completed within the timeframe set out in the Strategic Plan.

Option B proposes licensing using an existing Management Systems Standard while developing a technical standard specific to the Private Investigator sector. A working group would be required to develop the technical standard. As the technical standard would be subject to a public consultation and the final standard would need to be published 6 months ahead of the introduction of licensing it would not be possible to complete option B within the timeframe set out in the Strategic Plan.

Option C proposes licensing initially using an existing Management Systems Standard. A sample of the PSA Management Systems Requirements document is attached at Annex A. Following the introduction of licensing, work on the development of a technical standard would begin. Similar to option B this would require a working group to develop the technical standard. This option would allow for licensing to commence within the timeframe set out in the Strategic Plan. It is anticipated that work on a technical standard would begin in Q1 of 2016 with a view to finalisation and implementation prior to the expiry of the first contractor licenses in the Private Investigator sector in Q4 of 2017.

On this basis it is recommended to proceed with Option 3

Impact Analysis

- A) Regulation: All 3 options will bring regulation to an un-regulated sector. Recent events, including prosecutions brought by the Office of the Data Protection Commissioner against Private Investigators highlights the need for regulation. Regulation was supported by all those who responded to a PSA questionnaire in 2013 (see below).
- B) Costs for Business: The costs of all 3 options are similar as well as the licence fee, businesses will also be required to obtain certification to the prescribed standard(s).
- C) PSA Resources: All 3 options will require either a re-allocation of resources within the PSA or the deployment of additional resources to the PSA. Any re-allocation of resources will have an impact on service delivery in other areas.
- D) Public Concerns: Recent events have led to 3 parliamentary questions as well as representation from one of the bodies representing Private Investigators. Further attention may be focussed on the PSA and licensing of this sector.

E) Reputational: Failure to licence the sector or to meet the timeframe set out in the strategic plan may undermine the work of the PSA and result in reputational damage.

CONSULTATION

The PSA issued a questionnaire in May 2013 to gather information on the scope and nature of the Private Investigator sector. 21 responses were received, 17 from Private Investigators, 2 from Representative Bodies and 2 Others. All supported the licensing of the sector by the PSA. The 17 Private Investigators who responded comprised of 9 sole traders and 8 companies with an average of 17 years experience in the industry.

This Regulatory Impact Analysis (RIA) provides a further opportunity for consultation and the PSA will consult further with industry representatives, the Office of the Data Protection Commissioners, other Government Bodies and others during the pre-licensing process.

PURPOSE OF THIS RIA

This Regulatory Impact Analysis is being issued for the information of private investigators, industry stakeholders, interested parties and the public. Comments on same should be made to the PSA by the 20th February 2015.

by email at: public_consultation@psa.gov.ie

or by post to: The Private Security Authority

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The closing date for receipt of comments is Friday, 20th February 2015.



An tÚdarás Slándála Príobháidí
The Private Security Authority

SAMPLE

**MANAGEMENT SYSTEMS
REQUIREMENTS
DOCUMENT**

**REQUIREMENTS FOR THE LICENSING OF
PRIVATE SECURITY SERVICES**

January 2015

www.psa.gov.ie

1. SCOPE

This standard provides a specification for compliance with licensing by the Private Security Authority and applies to contractors seeking licences to provide security services as prescribed by the Private Security Authority.

The Government of Ireland through the Private Security Services Act, 2004, established the Private Security Authority (PSA) as the national regulatory and licensing body for the private security industry. Amongst the functions of the PSA are:

- The controlling and supervising of persons providing security services and maintaining and improving standards in the provision of those services.
- Specifying standards to be observed in the provision of security services.
- Specifying qualifications or requirements for the granting of licences.

Contractors licensed by the Private Security Authority and those seeking a licence from the PSA must comply with this standard. Only certification bodies approved by the PSA may provide certification services for licensing purposes. Contractors should check the PSA website, www.psa.gov.ie, for a list of approved certification bodies.

By applying for and holding a licence, contractors agree to the sharing of information relating to this document and the contents herein between the PSA and the contractor's certification body. Where a contractor fails to comply with the requirements of this standard, the certification body is obliged to notify the PSA.

Only the most recent edition of the Requirements Document specified by the PSA shall apply for licensing purposes. To ascertain the edition applicable visit the PSA website, www.psa.gov.ie.

2. DEFINITIONS

- 2.1 Ancillary Staff.** All security organisation staff not directly employed in duties falling within the definition of occupations covered by this standard who may have access to information of a confidential nature.
- 2.2 Approved Certification Body.** A certification body approved by the PSA to provide certification services in respect of this requirements document
- 2.3 Assessment.** Test carried out to certify the competence of all officers.
- 2.4 Authorised Officials.** Personnel of bodies authorised by statute to enter the premises of the service provider and request documentation and information pertaining to their official functions.
- 2.5 Basic Training.** Qualification required by all employees to meet the mandatory training requirements in respect of PSA licensing.
- 2.6 Client.** Individual or organisation retaining and maintaining a security service covered by this standard to carry out agreed services, responsible for remunerating the organisation in accordance with an agreed contract or other form of oral or written agreement to provide such services.
- 2.7 Contract.** Document, agreed and signed by both the service provider and the client, setting out the proposed services to be supplied and the details of the quotation, terms, conditions, responsibilities and undertakings.
- 2.8 Identity Badge.** The identification card or licence card held by the employee to be visibly worn (subject to certain exemptions) by operational security staff whilst on duty, the design and conditions of which are as specified from time to time by the PSA.
- 2.9 Induction (Training).** The organisation-specific induction briefing session covering organisation structure, ethos, policies and including the organisation's and employee's roles and responsibilities.
- 2.10 Licence Card.** The official identification card issued by the PSA to each individual employee licence holder to verify his or her licence status.
- 2.11 Organisation.** A limited or unlimited company, a partnership or sole trader providing security services for which a relevant and applicable PSA licence is required.
- 2.12 Primary Service.** The service provided for which the organisation and the client have agreed remuneration will be paid and a service or services will be provided, all or part of which will comprise a security service covered by this standard.
- 2.13 Principal (of the organisation).** Managing Director, Partner, Majority Owner, authorised member of the Board, Chief Financial Officer, Chief Executive Officer or any person authorised, in writing, by any of these persons to enter into contracts or agreements on behalf of the service provider covered by the provisions and requirements of this standard.

- 2.14 Private Security Authority (PSA).** The regulatory and licensing authority for the private security industry in the Republic of Ireland.
- 2.15 Relevant Employment.** Employment which involves the provision of a licensable security service or employment which involves, or may involve, the use, acquisition of, or access to, knowledge of a confidential nature, the improper use of which could involve the organisation, its clients, or any third party, in a security risk.
- 2.16 Screening.** The selection process and criteria used to check the history and background of potential employees to assist the organisation in its recruitment of new staff covered by this standard.
- 2.17 Screening Period.** Period of not less than five years prior to the date of the application for relevant employment or transfer to relevant employment.
- 2.18 Site.** The premises, property, area or complex at which the service is carried out.
- 2.19 Training Administrator.** A person within the organisation appointed to supervise and record all aspects of training within the organisation.
- 2.20 Verification.** Confirmation by sight of written records held at the organisation's premises.

3. ORGANISATION

3.1 Ownership

- 3.1.1** Ownership and management of the service provider shall be clearly stated in writing, and all individuals having shareholdings or control shall be properly identified.
- 3.1.2** The names of all directors of the organisation shall be established and recorded and a record of the results of the screening of such directors to be held on file and shall be disclosed to the client on request.
- 3.1.3** Where directors involved in operational activities are also employees of the organisation they shall hold a current PSA employee licence covering, as a minimum, the primary service provided by the organisation.
- 3.1.4** Details of discharged or undischarged bankruptcy of a principal or director of the organisation shall be held on file and disclosed to the client on request.
- 3.1.5** Where applicable, all principals of the organisation shall sign a declaration setting out their beneficial interests in other organisations subject to licensing by the PSA.
- 3.1.6** All operational supervisory and management staff shall hold a current PSA employee licence in accordance with PSA requirements, for each activity subject to the PSA licensing, carried out by such staff.

3.2 Finances

- 3.2.1** The organisation shall ensure that a valid tax clearance certificate is held on site at the address recorded on the Private Security Services Licence during the term of the licence.
- 3.2.2** Loans from directors and/or shareholders shall be loan capital, subordinated to all other creditors.
- 3.2.3** Each organisation shall produce and make available on request by authorised officials a cash flow statement for the current accounting period. For new organisations a cash flow forecast for the first 12 months of business shall be provided. (see Annex C for suggested format)

3.3 Insurance

3.3.1 All insurance's shall be relevant to the nature of the business undertaken. This includes, where the service provided dictates, but is not limited to cover for the following:

- Employer liability and public liability
- Product Liability
- Motor insurance
- Deliberate act
- Efficacy
- Consequential loss of keys
- Professional indemnity

3.4 Premises

3.4.1 The organisation shall have an administrative office where records, together with all professional and business documents, certificates, correspondence and files necessary to the proper conduct of business shall be kept in a secure confidential manner.

3.4.2 Any administrative office covered by **3.4.1** above shall be protected by an intruder alarm system installed and maintained in accordance with prevailing PSA requirements. The organisation shall keep a written record containing the name, address, contact number and PSA licence number of the intruder alarm installer as well as details of the maintenance and service history.

3.4.3 The alarm shall be remotely monitored by

- a) a PSA licensed Alarm Monitoring Centre or,
- b) a 24 hour monitoring system with signalling to at least 3 different locations.

3.5 Organisation Information

3.5.1 The organisation shall clearly state its PSA licence number(s) for all categories for which it is licensed to provide services on all organisational letterheads, contracts and advertising and promotional documents and/or media.

3.5.2 Where the provision of a contract is required by a client such contract shall include the following minimum provisions in respect of the organisation providing the service:

- (a) Total costing (including VAT) for the service to be provided and the arrangements for payment.
- (b) Obligations to the client, with references to any specialist advice to be provided (survey), contracted duties and compliance with industry standards or codes of practice.
- (c) Agreement on conditions for the use of subcontractors, where applicable.
- (d) Period of the contract and requirements for its termination with specific reference to any exclusions, penalty clauses or other restrictions.
- (e) Details of complaints procedures and complaints management procedures
- (f) The scope of the service to be provided

- 3.5.3** The agreed contract shall be signed by a principal of the organisation and of the client and a copy retained by each. Where the client chooses not to sign or return a contract the organisation shall maintain evidence on file of postage (registered) or delivery of the contract to the client and any subsequent correspondence.
- 3.5.4** Where the use of subcontractors is provided for under the terms of the contract or agreement, the organisation which is the party contracted to provide the service to the client shall require the subcontractor to provide evidence of compliance with prescribed standard(s), as well as evidence of holding a current valid PSA licence, before engaging the services of that subcontractor.

3.6 Quotations in pursuance of Contracts or Business

- 3.6.1** Each organisation shall provide each prospective client with a clear written quotation which shall, if agreed and accepted, form part of the contract.
- 3.6.2** The documented quotation shall include the total cost for the service and method(s) of payment.
- 3.6.3** The provisions of 3.6.1 and 3.6.2 do not apply in the case of emergency call outs. However, in all cases not covered by 3.6.1 and 3.6.2 the prospective client shall be provided with a verbal quotation in advance of all work.

3.7 Compliance with Legislation

- 3.7.1** The organisation shall have and make available to a client or potential client a current statement signed and dated by a principal of the organisation, of its compliance with all relevant legislation and shall state specifically its compliance, where relevant, with the following:
- Health, Safety and Welfare at Work Act(s).
 - Organisation of Working Time Act(s).
 - Private Security Services Acts.
 - Data Protection Acts.
 - Taxation and Social Welfare Acts.
 - Payment of Wages Act.
 - Immigration Acts.
 - National and EU product compliance legislation.

Relevant verification shall be available to all statutory bodies and their agents, including but not limited to:

- The Private Security Authority.
- National Employment Rights Authority.
- Certification bodies approved by the Private Security Authority.

4. STAFFING

4.1 Selection and Pre Employment Screening

4.1.1 General

- 4.1.1.1 The organisation shall carry out detailed pre-employment enquiries to ensure that all personnel are competent and of good character.
- 4.1.1.2 All persons offered employment by the organisation for posts involving services subject to licensing by the PSA or posts involving access to details of clients shall be screened.
- 4.1.1.3 A personnel file shall be established for each person subject to screening.
- 4.1.1.4 All applicants for relevant employment shall be required to provide the following:
 - (a) An acknowledgement, signed and dated by the applicant, that misrepresentation, or failure to disclose material facts may constitute grounds for dismissal.
 - (b) A signed statement authorising an approach to former employers, State institutions, personal referees, etc., for verification of their career and employment record (see Annex A, Form 1 for a suggested format).
- 4.1.1.5 Probationary employment shall be for a period of 6 months and in no case shall exceed a period of nine months.
- 4.1.1.6 Certified copies of all relevant personnel and screening documentation shall be held on file.
- 4.1.1.7 The requirements in Section 4.1 shall be applied equally to full-time and to part-time employees and at all levels of seniority, including directors.
- 4.1.1.8 The relevant provisions of these requirements shall apply to all ancillary staff including those employed on a temporary basis.
- 4.1.1.9 The screening period shall not be less than five years or from school leaving, whichever is the shorter duration.
- 4.1.1.10 The employee shall be classed as 'employed subject to satisfactory screening' whilst screening is continuing and shall be subject to a strict system of monitoring and supervision during this period.
- 4.1.1.11 Screening covering the whole of the screening period shall be completed no later than ten weeks after employment has commenced.
- 4.1.1.12 Full screening for the period covered under 4.1.1.9 above shall apply. Screening for a shorter period can be carried out where:
 - a) an employee or director holds a current PSA licence, and
 - b) has, immediately prior to the commencement of this employment, been

- c) employed by another licensed security provider, and the previous employer referred to in b) has carried out the full screening requirements within the preceding five years.

Where a), b) and c) above apply, screening shall be carried out from the date the screening by the previous employer had been conducted until the commencement of this employment.

- 4.1.1.13 Where the provisions of 4.1.1.12 apply, the previous licensed employer shall, upon receipt of a written request by an immediately subsequent employer covered by this standard, forward those parts of the employee's personnel file relating to details of screening and training undertaken by the previous employer. Any requested details in relation to other parts of the personnel file held by the previous employer shall be released only where the employee gives permission in writing to the previous employer to release such details.

4.1.2 Pre Employment Interview

- 4.1.2.1 Prior to the interview the applicant shall submit a curriculum vitae or other documentation containing:
- (a) A list of the applicant's previous employers along with dates worked for each employer.
 - (b) Contact details for previous employers listed.
 - (c) Details of relevant training, qualifications and experience together with supporting documentation.
 - (d) Periods of unemployment.
 - (e) Applicant's current place of residence.
- 4.1.2.2 A personal interview of a duration sufficient to assess the following shall be conducted by the organisation:
- (a) The general ability, both physical and intellectual of the applicant and the overall demeanour of the applicant.
 - (b) Verification of personal documents e.g. birth certificate, driving licence, passport, service records, current security licence, work visa etc.
 - (c) The applicant's previous employment history and experience, including reason(s) for leaving previous employments.
 - (d) Verification of qualifications/training.
 - (e) The level of occupational fluency in respect of reading, writing and oral communication in the English language.
 - (f) The applicant's experience, if any, in the security industry.
- 4.1.2.3 Interview notes evidencing that the requirements set out in 4.1.2.2 above have been addressed shall be taken by the organisation and retained on the personnel file of the applicant.

4.1.3 Character and Other References

- 4.1.3.1 Screening procedures shall include direct reference to former employers, educational authorities, etc., with confirmation by them, in writing, of periods of employment contributing to a continuous record of the career or history of the person being screened for the whole of the screening period, on a month-to-

month basis. The direct reference shall include at least one attempt, in writing, by the organisation to obtain the continuous record referred to in this requirement.

4.1.3.2 Where initial references are taken by telephone the following procedures shall be used:

- (a) The telephone number of the person called shall be confirmed independently.
- (b) Information given on the telephone by a referee shall be noted at the time of making the telephone call and shall be signed and dated by the member of staff making the telephone call and retained on the individuals screening file (see Annex A, Form 2 for a suggested format).
- (c) A written request for written confirmation of the information given by telephone shall be forwarded to the referee within two working days of the telephone call being made (see Annex A, Form 3 for a suggested format).
- (d) The screening process shall not be regarded as complete until written evidence is obtained.
- (e) The progress sheet shall be used to monitor and record the action taken (see Annex A, Form 4 for a suggested format).

4.1.3.3 Only documents from third parties such as employers, colleges, Department of Social Protection, solicitors, accountants, etc., are acceptable for screening purposes.

Note. For the purposes of this document CVs or other personal documents are not acceptable as evidence of screening.

4.1.4 Evidence of Qualifications/Awards

4.1.4.1 Prior to commencement of employment the organisation shall ensure that the applicant has any qualifications or awards necessary for the duties to which the applicant will be employed.

4.1.5 Work Permits, Authorisations and Permissions

4.1.5.1 The organisation shall ensure that all necessary documentation for work visa applications and permissions/authority to work is fully completed before the individual is employed. This applies to renewal of such applications also.

4.1.5.2 The organisation shall maintain a register of all employees who have applied for and obtained permission or authorisation from the State to work in Ireland. The organisation shall review the validity of these permissions or authorisations at least every 6 months and shall keep a documented record of such reviews.

4.1.5.3 The organisation shall ensure that the register at 4.1.5.2 is held on site at the address recorded on the Private Security Services Licence.

4.1.6 Maintenance and Retention of Records

- 4.1.6.1 The basic details of the employee, covering verifiable history within the industry, dates employed, positions held, disciplinary offences and a comment on suitability for employment in the security industry shall be retained for not less than five years from the date the employment ceases. This information shall be verifiable in the form of readily retrievable records held at the company premises.
- 4.1.6.2 All records covered by 4.1.6.1 above shall be kept safe and secure against unauthorised access to, or alteration, disclosure or destruction of the data and against their accidental loss or destruction. Employers shall ensure that the records are retained for no longer than is necessary and in accordance with the recommendations of the Office of the Data Protection Commissioner.
- 4.1.6.3 A list of all personnel currently employed both on a permanent and a probationary basis shall be maintained, and in the case of those employed on a probationary basis, giving the dates on which probationary employment commenced and is to cease for each individual.

4.1.7 Screening and Acquired Companies

- 4.1.7.1 Where it cannot be established by the records of an acquired organisation that screening to the required standard has already occurred, then this shall take place within a period not exceeding twenty weeks from the date of acquisition.

4.2 Terms of Employment

- 4.2.1 All employees shall receive a clear, concise and unambiguous contract of employment and a staff handbook.
- 4.2.2 In addition to any mandatory requirements, terms of employment shall include the following information:
 - a. Job title.
 - b. Effective start date.
 - c. Probationary period.
 - d. Pay and Allowances
 - e. Hours of work, days of work, shift frequency and shift variables.
 - f. Holiday entitlement.
 - g. Sick pay (conditions of payment) and pension entitlement.
 - h. Industrial injury procedure.
 - i. Location of place of work (employer's address).
 - j. Equipment to be supplied.
 - k. Disciplinary and grievance procedures.
 - l. Terms of notice and termination.
 - m. Copies of any Collective Agreement covering the employment.
 - n. Appeals procedure
 - o. The Organisation's Health and Safety Statement.
 - p. The Organisation's Equality policy

4.3 Code of Conduct

- 4.3.1** All employees shall be instructed that under the terms and conditions of employment they shall:
- (a) Complete the required tasks promptly and diligently, unless there is due and sufficient cause not to.
 - (b) Ensure that all oral or written statements made by them, of whatever description, are true and accurate.
 - (c) Maintain carefully all documents and ensure that any alterations, disposal, or erasure of documents is carried out only with proper authorisation.
 - (d) Maintain confidentially on any matter relating to the employer or his clients either past or present.
 - (e) Ensure that any actions taken by them are such as not to bring discredit on the employer, the client or fellow employees.
 - (f) Immediately notify any conviction for a relevant criminal or motoring offence to the employer.
 - (g) Not allow unauthorised access to a clients premises.
 - (h) Ensure that they use employer's equipment or facilities only with authorisation.
 - (i) Continuously satisfy the requirements of PSA licensing.
 - (j) Wear a correct identity badge or licence card, as prescribed by the PSA, at all times whilst on duty.

4.3.2 The code of conduct shall be signed by all employees.

4.3.3 Employers shall treat employees with courtesy and respect.

4.4 Identification

4.4.1 The organisation shall ensure that all employees have an identity badge either in the form of an organisation issued badge, satisfying criteria prescribed by the PSA or alternatively the PSA issued licence card.

4.4.2 All employees shall be instructed on PSA requirements for wearing an identity badge.

4.4.3 Where the organisation provides its own identity badge, it shall ensure its periodic review. The duration between periodic reviews cannot exceed 24 months.

4.4.4 There shall be in place formal arrangements for the withdrawal of organisation issued identity badges from an employee on request.

5. TRAINING

5.1 Training Policy and Responsibility

5.1.1 The organisation shall have a clearly defined, documented training policy, authorised at senior management level within the organisation. The policy shall cover theoretical and practical skills and meet any training requirements laid down by the Private Security Authority.

5.1.2 The organisation shall appoint a member of the management team as training administrator.

5.1.3 The training policy shall include a commitment to assess the effectiveness of all operational staff and to provide additional training where required.

5.2 Refresher Training

5.2.1 Procedures shall exist to assess the effectiveness of all employees, and where required refresher training shall be carried out.

5.3 Specialist Training

5.3.1 Employers shall ensure that employees required to carry out duties or use equipment of a specialist nature are certified as having received the appropriate training in the subject matter.

5.4 Supervisory and Management Training

5.4.1 Subject to PSA requirements and any associated guidelines, the organisation shall ensure that all operational supervisory and management staff receive documented training in consideration of their position and responsibilities.

5.5 Training Records

5.5.1 The training administrator shall ensure that proper training records are maintained.

5.5.2 Individual training records relating to training provided by the organisation shall indicate the date, training organisation, details of certification and subject(s) covered. These training records shall be signed by the employee and countersigned by the training administrator and retained as part of the employee's record.

5.5.3 Verification of all training shall be available for inspection on site at the address recorded on the Private Security Services Licence.

5.5.4 All refresher training undertaken by employees shall be recorded and the record held and retained on the employee's personnel file by the employer.

5.5.5 Records shall indicate where further training is required.

6. OPERATIONS

6.1 Security

6.1.1 Procedures shall be established for all staff to ensure the security of information and property to which they have access during the course of their employment.

6.1.2 Organisations shall keep confidential any knowledge of their clients' business or operations acquired through the provision of services. In particular, structures and procedures shall be put in place and implemented to ensure that any details relating to the client's security equipment, procedures and practices must be subject to the appropriate level of access within the organisation's company or business.

- 6.1.3** Any details relating to the client's business, premises, residence, assets, procedures or any other aspect of knowledge of the client gained by the organisation and employees, the disclosure of which can be reasonably construed as compromising the business or security of the client, shall not be disclosed or made known in any way to a third party or third parties, except with the express written permission of the client. Where written permission is granted, the organisation shall retain this on file and shall produce this if requested by an appropriate authority.
- 6.1.4** It shall be a condition of any contract that requires the organisation to hold keys that such keys shall only be surrendered to an authorised representative of the client upon receipt of a written request. Where the client does not give written authorisation the organisation shall not surrender the keys referred to above. The organisation shall comply with any PSA licensing requirement for key holding.
- 6.1.5** A record of visits to all client premises shall be kept for a minimum of three years and shall include details of the service provided and the name and PSA licence number or works number of the person(s) who provided the service. Upon expiration of the required retention period the organisation shall dispose of the relevant records in a secure and confidential manner.

Note: National legislative requirements may entail retention of records for longer periods of time.

6.2 Vehicles and Equipment

- 6.2.1** All liveried vehicles shall clearly display the organisation's name, badge or logo and telephone number(s).
- 6.2.2** Employers shall ensure that driving licences of staff involved in driving operational vehicles are valid for the duration of each such employee's period of employment. Driving licences shall be inspected annually and a record of this kept on file.
- 6.2.3** All vehicles and equipment used in connection with the provision of services shall be in working order and be regularly maintained.
- 6.2.4** All employees shall sign for all equipment issued and give an undertaking to return any equipment issued immediately on request.

7. COMPLIANCE WITH PSA LICENSING

7.1 Compliance With Standards

- 7.1.1** Organisations shall maintain compliance with this standard during the term of the licence. Failure to maintain compliance may result in the PSA taking action against the licensee up to and including the revocation of the licence.
- 7.1.2** Organisations shall be subject to an audit by an approved certification body at least once during each calendar year or at such intervals as the PSA may prescribe. The purpose of the audit is to verify compliance with the specified standards.
- 7.1.3** An audit report shall be completed by the approved certification body for each audit undertaken and the organisation shall agree to the certification body providing a copy of the report to the PSA.
- 7.1.4** Organisations shall give their permission to the approved certification body to provide the PSA with information in accordance with provisions 7.1.4 and 7.1.5
- 7.1.5** Where an organisation fails to undertake or complete an audit the certification body shall notify the PSA of the failure and the reason for same.
- 7.1.6** Where an organisation is found to be noncompliant with a standard the certification body shall notify the PSA of the reason for the non compliance and any resulting action taken against the organisation.

7.2 PSA Licensing Requirements

- 7.2.1** The organisation shall ensure that an inspector appointed by the PSA may at any time enter any place where a security service is being provided and provide any information requested by an inspector in the course of any inspection or investigation.
- 7.2.2** During the term of the licence organisations shall comply with all relevant and current legislation and specifically the following:
- a) The Private Services Acts and Regulations.
 - b) Organisation of Working Time Acts.
 - c) Taxation and Social Welfare Acts.
 - d) Payment of Wages Acts.
 - e) Immigration Acts.
 - f) Health and Safety at Work Regulations
 - g) European Product Legislation

7.2.3 The organisation shall within 7 days notify the PSA in writing if any of the following occur:

- a) Change of name of the licence holder.
- b) In the case of a body corporate, change in company directors.
- c) In the case of a partnership, change in partners.
- d) Change of ownership of the company. In the case of a body corporate this includes a change in any shareholding above 5%.
- e) Change of address from which the security service is being provided.
- f) Change of registered address if this is different from address at d) above.
- g) Change in the legal status of the licence holder.
- h) Any conviction against the licence holder whether in relation to the business of the licence holder or other matter. In the case of a body corporate this includes any convictions against a company director. In the case of a partnership this includes any conviction against a partner.

ANNEX A

Screening Forms

Form 1

FORM OF AUTHORITY

I, _____, (BLOCK CAPITALS) hereby authorise

to supply full details of my employment record with the company or business in furtherance of my current application for employment in event security.

1. Address at time of employment with the company _____

2. PPS No. _____

Signed: _____ Date: _____ / _____ / _____

Form 2

RECORD OF ORAL ENQUIRY

Name of Applicant: _____

PPS No: _____

Name of Previous Employer: _____

Telephone No: _____

Person Contacted: _____

Dates Employed: - As stated by employee: From _____ To _____

- Confirmed by employer: From _____ To _____

- Would re-employ? _____

- Reasons for not re-employing*: _____

Reasons why applicant would not be suitable to work in event security:

Signed: _____
(Person making enquiry)

Date: ___/___/___

Signed: _____
(Manager)

Date: ___/___/___

* Where response indicates that applicant is not suitable for proposed employment bring to immediate attention of Manger responsible for screening/recruitment.

Form 3

REQUEST FOR WRITTEN CONFIRMATION OF INFORMATION PROVIDED ORALLY

RE. Name of Applicant: _____

PPS No: _____

We refer to our conversation with you on the _____ regarding an application for employment in the event security industry made by the above named applicant.

Details of the information which you provided to us orally are enclosed and we would be obliged if you would kindly confirm that these details fairly reflect the information supplied.

Our business is licensed by the Private Security Authority and is obliged by the Authority's regulations to obtain written confirmation of all references we receive in connection with applications for employment.

A copy of a Form of Authority signed by the applicant is enclosed and also a stamped addressed envelope for favour of your reply.

Yours faithfully

Human Resources Manager

Form 4

SCREENING PROGRESS REPORT*

Name of Applicant: _____

PPS No: _____

1. Employments contacted

	Date	Employers Name	Date Letter Sent	Initials	Date of Reply	Initials
1						
2						
3						
4						
5						

2. Screening reviewed

Date of review: / / __ Person Reviewing: _____

Action: _____ Initials: _____

3. Offer of Employment

Signed: _____ Date: ____ / ____ / ____
 (HR Manager or Principal of the company)

4. Employment refused

Signed: _____ Date ____ / ____ / ____
 (HR Manager or Principal of the company)

* This form is to be retained on the individual's file for any subsequent inspection.

ANNEX B

CASH FLOW TEMPLATE

Cash Flow Statement For The Period												To
Cash In	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
Sales												
Own Funds												
Loans												
Overdraft												
Other Cash Incomings												
Total Cash In												
Cash Out	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
Sales Costs												
Rent												
Wages												
Overheads												
Loan Repayments												
Taxes												
Other Cash Outgoings												
Total Cash Out												
Cash Flow: Surplus/(Deficit)												
Opening Cash Balance												
Closing Cash Balance												