

LICENSING, REGULATION AND ALCOHOL STRATEGY

Code of Practice for Security Officers

Objectives

- To promote and foster amongst persons involved in the security industry responsible for guarding another person's property the highest standards of efficiency, service, equipment and ethical behaviour.
- To give an undertaking to the general public that the regulation of Security Officers is in keeping with the principles of public health and safety.
- To set general standards for service and quality of employees operating in the sector of the industry responsible for guarding property. The standard described in the code is the minimum standard.

Part A

Overview of the Legislative Framework and Various Obligations of a Security Officer

1. Definitions

Assignment instructions has the same meaning given to it as Australian Standard AS 4421-1996 being the operational document detailing the specific duties to be performed under the contract.

Client has the same meaning given to it as Australian Standard AS 4421-1996 being the individual or organisation retaining the services of Security Officers to carry out agreed services, responsible for remunerating the Security Firm or officer (in the case of a self employed Security Officer) in accordance with an agreed contract.

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Control or Operations Room has the same meaning given to it as Australian Standard AS 4421-1996 and the national Competency Standards for the security industry being a communication centre which monitors mobile patrols by Security Officers and static Security Officers and which provides a key holding service.

Licensing Commission is the Authority appointed under the *Private Security Act* which is responsible for the administration of the *Act* and this code.

Security Firm has the same meaning given to it in the *Private Security Act* which is a person who, or partnership that, engages in the business of supplying, for reward, the services of –

- a) Crowd Controllers or Security Officers; or
- b) where this section is specified in a notice under section 8 of the *Act* to apply to members of a class of persons declared in that notice to be a category of security providers – members of that class of persons, to other persons.

Security Officer has the same meaning given to it by the *Private Security Act* which is a person who for reward, patrols or guards another person's property but notwithstanding this definition, a person is not a Security Officer merely because the person –

- a) is an employee of a person who does not, for reward, patrol or guard another person's property; and
- b) as an employee, patrols or guards the employer's property.

2. Legislation

2.1 Security Firms to Keep and Make Available Legislation

Important note: It is a condition of each licence granted to a Security Firm that they keep and make available to Security Officers for their perusal the legislation referred to in this Code. Security Officers should access this information and ensure they are aware of the provisions they are expected to comply with.

2.2 Licensing

All persons unless excepted from the application of the *Act* must be licensed to carry out the functions of a Security Officer. The maximum penalty is 100 penalty units. The *Penalty Units Act* prescribes the monetary value of a penalty unit, its indexation and change of value by regulation. As at 1 July 2009, a penalty unit means \$130.

Under the *Act*, the grounds for suspension or cancellation of a licence or refusal to renew a licence include:

- if the licensee contravenes a condition of the licence; or,
- the licensee has contravened the *Private Security Act*; or
- the licensee is no longer an appropriate person to be granted a licence.

Licensed Security Officers should note –

- a) It is a condition of all licences issued by the Licensing Commission to Security Officers that they must comply with any Code of Practice approved by the Minister.
- b) Should a licensed Security Officer be found guilty of an offence listed as a “Disqualifying Offence” (Appendix 1) under the *Act* the Licensing Commission will act to cancel that persons licence.
- c) Should a licensed Security Officer be found guilty of an offence relating to property or dishonesty the Licensing Commission will hold an inquiry to consider whether that person’s licence should be cancelled.
- d) Should a licensed Security Officer be found guilty of offending the provisions of the NT *Misuse of Drugs Act* in respect of the drugs listed in Schedules 1 and 2 or the NT *Firearms Act* and any replacements of those *Acts*, the Licensing Commission will conduct an inquiry into whether the person continues to be an appropriate person to hold a licence.

Licensed Security Officers would therefore be well advised to take note of what these offences are and must avoid contravening these provisions.

2.3 Other Legislation Affecting Security Officer in the Performance of Their Duties

All Security Officers should be aware of other legislation affecting their duties:

- a) *Summary Offences Act* Sections 47 and 56 1(d),
- b) (*Trespass Act* Section 7 and 8,
- c) NT *Criminal Code* Sections 27, 28, 149, 152, 154, 155 and 441 and the definitions contained in section 1 of Division 1,
- d) Application of Force.

Part B

3. Professional Standards and Conduct

A Security Officer may be subject to disciplinary action if he or she is found to have contravened the provisions listed below under Part B.

As an overriding guiding principle, a Security Officer shall always conduct all aspects of his or her employment in a responsible and professional manner.

A Security Officer shall:

- 3.1 Not consume alcohol whilst on duty and not commence duty if he or she has consumed alcohol in the period leading up to them commencing duty which would adversely affect the adequate performance of his or her duties.

- 3.2 Not consume drugs specified in Schedule 1 of the *Misuse of Drugs Act* 1993. Also, a Security Officer shall not consume drugs listed in Schedule 2 of the *Act* whilst on duty or in the period leading up to them commencing duty which would adversely affect the adequate performance of their duties.
- 3.3 Bring to the attention of his or her employer any incident which should be recorded within an incident register, particularly where physical force was used by or against the Security Officer.
- 3.4 Not make or sign any false verbal or written statement in relation to his or her employment as a Security Officer.
- 3.5 Where employed to do so, carefully monitor the behaviour of visitors to any premises for which they are responsible for guarding or other members of the public so that problems can be detected early and where necessary act swiftly with the aim of protecting the health and safety of members of the public and the property they are responsible for guarding.
- 3.6 Where he or she holds a “Provisional Licence” and have not undertaken the approved course of training to qualify fully as a Security Officer he or she will undertake such training without unnecessary delay.
- 3.7 Irrespective of the level of licence a Security Officer holds, he or she shall undertake any training or development activity required by and paid for by his or her employer where that activity will improve that persons performance as a Security Officer.
- 3.8 Except where he or she is subjected to physical force and violence and have to respond in his or her own defence, not threaten any member of the public with physical force or violence.
- 3.9 Act responsibly with regards to the legislation that directly affects his or her employment.
- 3.10 Produce his or her licence upon request by Police or inspectors appointed under the *Private Security Act*.
- 3.11 Not work illegally, for example, accept cash-in hand payments without a correctly completed pay-slip.
- 3.12 Not contravene section 56A of the *Summary Offences Act*.
- 3.13 Not use undue force in the course of his or her duties.
- 3.14 Not participate or encourage others to participate in assault.
- 3.15 In the course of his or her duties take action to prevent violence occurring.

- 3.16 In the course of his or her duties use mediation, negotiation, communication and conciliation skills as the primary methods of dealing with members of the public and not resort to physical contact where such can be avoided.
- 3.17 Advise his or her employer (Security Firm) as soon as is practicable of any changes which would adversely affect his or her ability to carry out their functions as a Security Officer.
- 3.18 Advise his or her employer (Security Firm) immediately should he or she be convicted of any disqualifying offence listed under the *Private Security Act*.
- 3.19 Maintain proper standards of appearance and deportment whilst at work and be clean and tidy and properly dressed whilst on duty.
- 3.20 Unless otherwise requested by the client, wear any uniform provided by his employer which should display insignia identifying the Security Firm providing the service and the wearer as an employee of that firm; it should be readily distinguishable from that of a member of the NT Police, Fire and Emergency Services, Correctional Services or the Australian Defence Forces and it shall not be of a paramilitary nature. The insignia should be clearly visible when the uniform is worn in normal working environments.
- 3.21 Possess a sound knowledge of the relevant operations of the Security Firm and that Firm's Control or Operations Room when employed within such a function and have a clear understanding of the priorities for all routine and emergency matters, both in general and in regard to specific instructions for clients.
- 3.22 Not commit or condone any of the following acts which may be regarded as a breach of this Code:
- a) Knowingly make or sign any false verbal or written statement of whatever description.
 - b) Destroy, mutilate, alter or erase any document or record without proper authorisation.
 - c) Divulge any matter which is confidential to the employer or its clients, either past or present, without authority.
 - d) Corruptly solicit or receive any gratuity or other consideration from any person or fail to account for keys, money or property received in connection with his or her duties.
 - e) Be uncivil to persons encountered in the course of work or make unnecessary use of authority in connection with the discharge of his or her functions.
 - f) Act in a manner likely to bring discredit upon his or her Security Firm, a client, fellow employee or the occupation of Security Officer.

- g) Wear his or her Security Firm's uniform or use the employer's equipment or identification without authority.
- h) Allow any unauthorised person access to a client's premises.
- i) Carry any equipment not issued as part of their duties and without his or her Security Firm's authority or make use of a client's equipment or facilities without proper authority.

3.23 Return all equipment issued as part of his or her employment upon termination of employment.

3.24 Carry his or her Security Officer licence at all times while on duty.

3.25 Ensure he or she has a clear understanding of the requirements and conditions of the Firm with whom they are employed.

3.26 Ensure that he or she has a full understanding of all duties expected of him or her relative to the site and property they are guarding.

3.27 Carry out all duties in accordance with the instructions contained in their assignment instructions.

3.28 Be in possession of all appropriate and relative licenses and permits to carry out his or her functions as required.

3.29 Report to his or her employer (Security Firm) all potentially hazardous locations, working environments, work instructions and similar difficulties that may impact on the performance of his or her duties, and that any problems encountered while on duty are properly recorded and reported.

3.30 Hold a current firearm licence which is appropriate to any firearm he or she is required to carry where this is part of his or her function.

3.31 Ensure the ammunition carried shall not exceed the manufacturer's specifications, be issued by their Firm and be appropriate to the firearm being carried.

3.32 Observe Federal/State/Territory laws, statutes and regulations regarding the possession, use and safekeeping of firearms and ammunition.

3.33 Where the Security Officer is self employed, possess public worker's compensation and professional indemnity insurance cover at a level commensurate with the nature of the business undertaken

I have read and understand the above Code of Practice and understand that breaches of the Code of Practice will be addressed to the Licensing Commission for disciplinary action and that breaches of the *Summary Offences Act* or Criminal Code will be further actioned under the provisions of those Acts.

Signature

Date

Full name

Signature of Witness

Date

Full name of Witness

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