

Code of Conduct for SIA licence holders and licence applicants

Introduction

The following Code of Conduct contains the standards of conduct and behaviour that Security Industry Authority (SIA) licence holders must uphold. SIA licence holders, and applicants for SIA licences, must act in line with this Code of Conduct. The values and principles set out in the Code of Conduct can be applied in a range of different settings, but they are not negotiable or discretionary.

A person must be fit and proper if they want to hold an SIA licence. This is because the people who hold SIA licences are in positions of responsibility. They are entrusted to protect people, property, and premises. A commitment to certain standards of behaviour is fundamental to what it means to be fit and proper, and to being part of a profession. The SIA can take action if those people on its register of licence holders fail to uphold the Code of Conduct. In serious cases, this may result in a criminal prosecution.

The majority of licence holders act in a fit and proper way by upholding the standards of behaviour that the SIA, their employers and the public expect of them. Their professionalism and dedication keeps the public safe and tackles crime.

Those licence holders who behave in ways that are different from those set out in the Code of Conduct can lower the standard of service the public receives, harm public safety, and bring themselves and the rest of the private security industry into disrepute.

The Code of Conduct provides a clear, consistent and positive message to service users, businesses, colleagues and employers about what they can expect of those who protect people, property or premises.

The SIA has written the Code of Conduct to help you understand these standards. The Code of Conduct is based around the behaviours that the SIA expects licence holders, and applicants for licences, to meet. These behaviours are summarised in The Six Commitments.

The Six Commitments

- 1. Act with honesty and integrity**
- 2. Be trustworthy**
- 3. Protect the people and property you are entrusted to protect**
- 4. Be professional at work**
- 5. Act with fairness and impartiality at work**
- 6. Be accountable for your decisions and actions**

Licence holders must follow the Code of Conduct. This is because it is licensing criteria made under section 7 of the Private Security Industry Act 2001 (PSIA). The Code of Conduct applies to all licensed security operatives - both front line and non-front line licence holders. A small number of additional requirements apply to the “controlling minds” of private security providers (e.g. directors). These additional requirements (and a definition of “controlling minds”) are at the end of the Code of Conduct.

A licence holder who does not behave in the ways set out in the Code of Conduct may have their licence suspended and/or revoked.

Someone who is applying for an SIA licence must also behave in the way set out in the Code of Conduct in order to be granted a licence. If the SIA finds out that they have not behaved in this way, then their licence application may be refused.

The SIA will write to a licence holder if it finds out that they have breached the Code of Conduct. In this letter, it will explain why it believes they have breached the Code of Conduct. Unless their licence has been suspended, they will then be given 21 days to respond with any information. The SIA will give any information the licence holder sends them due consideration, and will write to the licence holder to inform them of its decision.

If the SIA does revoke or suspend a licence, or refuse an application, the person concerned will have 21 days in which to use their right of appeal to a Magistrates’ Court or a Sheriffs’ Court.

These processes are set out in more detail in the Suspending a Licence, Refusing a Licence, and the Revoking a Licence chapters of Get Licensed - https://www.sia.homeoffice.gov.uk/Documents/licensing/sia_get_licensed.pdf.

The Code of Conduct has been written by the SIA. The SIA is the regulator of the private security industry in the UK. It is an independent body reporting to the Home Secretary.

The PSIA requires people to hold an SIA licence in order to do particular activities in the private security industry. It is the legal responsibility of the SIA to ensure that only “fit and proper” people hold an SIA licence.

The SIA publishes the criteria it uses to decide whether someone is fit and proper to hold a licence in the document Get Licensed. These criteria set out what is needed to be granted a licence, when the SIA will suspend and/or revoke a licence, and how the SIA considers criminal convictions. Get Licensed also includes licence conditions – the things that someone must do when they hold a licence.

Thoroughly reading Get Licensed is necessary for understanding what the SIA considers when it decides if someone is a fit and proper person to hold a licence.

If a licence holder believes that they have been asked to do something which breaches the Code of Conduct and do not know what to do, then they may want to seek advice from a solicitor, or Protect (an independent charity) on 020 3117 2520 or www.pcaw.org.uk.

This introduction is not part of the Code of Conduct.

The Code of Conduct

1) Act with honesty and integrity

This includes (but is not limited to):

- a. being honest with your employer, clients, and members of the public.
- b. not asking for, taking, or offering bribes;
- c. avoiding placing yourself under any obligation to other people who might try to influence your decisions and/or actions;
- d. not conspiring with someone to breach this Code of Conduct, or helping someone to breach this Code of Conduct;
- e. not victimising someone who raises concerns about a possible breach of this Code of Conduct and/or suspected illegality; and
- f. not knowingly associating with a member of an organised crime group.

Examples of meeting this commitment -

- *A door supervisor is offered football tickets if they let someone into an exclusive nightclub, and refuses the offer.*
- *A public space surveillance (CCTV) operator tells their employer that yesterday they were convicted of common assault following an argument over a parking space that got out of hand.*

Examples of not meeting this commitment –

- *A security guard's colleagues begin bullying her after she reports to managers that one of her colleagues has been secretly carrying an extendable baton when on duty.*
- *A door supervisor accepts cash for a drink when allowing someone to enter a licensed premise where they are deployed to control entry.*

2) Be trustworthy

This includes (but is not limited to):

- a. respecting and protecting confidential information (except where this is contrary to the lawful instructions of your employer, a government body, a court, or this Code of Conduct);

- b. not unlawfully or unreasonably seizing someone else's property;
- c. not intentionally, or through gross negligence, damaging or losing the property of a client or member of the public;
- d. not carrying or using any item which is a weapon, or which the SIA might reasonably think you may use as a weapon;
- e. not exploiting other people for your personal gain or satisfaction; and
- f. not acting in an inappropriate, unsafe or sexually predatory way towards someone who is vulnerable, or may be vulnerable, to an abuse of trust or power.

Examples of meeting this commitment –

- *A cash and valuables in transit operative is at a house party. A friend asks her which businesses she collects the most money from, and how many millions it is. The operative changes the subject.*
- *A young woman leaves a nightclub by herself, under the influence of alcohol, and is unable to make her own way home. A male door supervisor says to a colleague that he can drive her home as he is about to finish work. His colleague replies that people might get the wrong idea if he does this. Instead, they work with a street pastor to arrange for the woman to be taken home in a licensed taxi.*

Examples of not meeting this commitment –

- *The SIA has suspended and revoked licences where licence holders have suggested, or engaged, in sexual activity with the customers of a licensed premise where they were deployed. This has been where the incidents have taken place within the premises or somewhere else shortly after their shift has finished.*
- *The SIA has suspended and revoked licences where licence holders have suggested or engaged in sexual activity with the residents of accommodation that they were guarding.*
- *Someone is using their mobile phone to film the actions of a security guard. The security guard responds by grabbing their mobile phone and throwing it to the ground.*

3) Protect the people and property you are entrusted to protect

This includes (but is not limited to):

- a. taking all reasonable steps to prevent and reduce crime;
- b. taking all reasonable steps to eliminate, or minimise, any risk of harm to a client and their property (this includes complying with the Health and Safety at Work, etc. Act 1974, and associated Regulations, Guidance and Approved Codes of Practice);
- c. not endangering people or property by being reckless;
- d. promptly taking all reasonable steps to help people who are in danger, hurt, or are vulnerable;
- e. reporting incidents to the appropriate emergency services as soon as possible; and
- f. only using force that is reasonable, proportionate and allowed by law.

Examples of meeting this commitment -

- *A security guard working in a business district sees a member of the public fall down some stairs. They quickly go over to offer help. Then they phone an ambulance and provide first aid until it arrives. After the person has left in the ambulance, the security guard phones his manager to tell them what happened.*
- *A security guard at a government building sees a man watching the entrance. This man then slowly walks around the outside of the building, stopping occasionally to take photographs. The security guard approaches the man and talks to him about the purpose of his visit. They then report what has happened to their control room.*

Examples of not meeting this commitment –

- *A door supervisor pushes someone down a set of steps when carrying out an ejection from a nightclub, when no-one was in danger from the person at the time, and there were other door supervisors close by and able to assist.*
- *A security guard rugby tackles a shoplifter to the ground as they try to leave a supermarket, and then restrains them face down on the ground while he waits for the police to arrive.*

4) Be professional at work

This includes (but is not limited to):

- a. not being under the influence of alcohol or illegal drugs; and
- b. acting with self-control.

An example of meeting this commitment -

- *A woman begins swearing at two door supervisors after they ask her to leave a pub. The door supervisors politely ask her to leave and talk with her to calm her down.*

An example of not meeting this commitment –

- *A security guard smokes marijuana before starting night duty and driving a marked security vehicle.*
- *During an afternoon, a door supervisor drinks several shots of alcohol before starting an evening shift.*

5) Act with fairness and impartiality at work

This includes (but is not limited to):

- a. not allowing your personal feelings, prejudices, hatreds, friendships or family ties to influence your actions and/or decisions;
- b. not unlawfully discriminating on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and/or sexual orientation; and
- c. not being abusive, harassing, offensive, or bullying towards others.

Examples of meeting this commitment -

- *A door supervisor is asked by an old friend to allow him entry to a venue that he knows his friend is banned from entering. The door supervisor politely refuses.*
- *The door supervisors at a nightclub are told by the club's new manager that they are not to allow into the club people who use wheelchairs because "they're a fire hazard" and men from particular ethnic groups because "they cause trouble." They tell the club's manager that they cannot do this.*

Examples of not meeting this commitment –

- *An over-excited fan approaches a celebrity while they are having a private dinner. The close protection operative guarding the celebrity blocks the fan's way, stands close to them, and threatens them with violence if they do not leave at once.*
- *A door supervisor's ex-girlfriend is a customer at the venue where the door supervisor is deployed. The door supervisor sees a man talking to his ex-girlfriend, and threatens them with violence if they do not stop speaking to her.*

6) Be accountable for your decisions and actions

This includes (but is not limited to):

- a. giving written and oral statements to your employer, the police or other law enforcement body, the SIA, and/or a court that are full, accurate and without bias or prejudice;
- b. not destroying or tampering with evidence; and
- c. cooperating with the SIA, police and other law enforcement bodies.

Examples of meeting this requirement -

- *A public space surveillance (CCTV) operator is called to give evidence in court because they witnessed an assault. They describe everything that they saw.*
- *During visits to licensed premises in a town, an SIA team finds someone working with a counterfeit licence. The door supervisors who work with this person, and the owner of the security company, fully and truthfully answer all the questions the SIA ask them.*

Examples of not meeting this requirement –

- *The police carry out an investigation, but are not able to take any further action following an alleged sexual assault by a door supervisor within a licensed premise. The SIA ask the door supervisor to provide a full account of the events that led to the Police investigation. The door supervisor responds by stating that they do not need to tell the SIA anything as the police are not taking any action.*
- *A door supervisor witnesses another door supervisor punch someone to the head. This causing them to lose consciousness and fall heavily to the floor. The door supervisor who witnessed this does not record what they saw in the venue's incident book, and, when questioned by the Police, claim that they did not see what caused the person to fall to the ground.*

Additional requirements for controlling minds (e.g. directors)

The controlling minds of a private security service provider are every:

- *director and shadow director¹;*
- *director and shadow director of any holding or parent company/ies above the private security business in the chain of command in a company's organisational structure, regardless of where the holding or parent company is incorporated;*
- *director and shadow director of any subsidiary company/ies sitting directly between a holding or parent company and a private security business in the chain of command in a company's organisational structure;*
- *partner, where the private security service provider is a partnership; and*

¹ Section 251 of the Companies Act 2006 defines a shadow director as a person in accordance with whose directions or instructions the directors of a company are accustomed to act.

- *member of the body corporate, where the private security service provider is a body corporate whose affairs are managed by its members.*

Licence holders and applicants who are controlling minds must follow the Code of Conduct set out above. They must also follow the additional requirements below.

1) Act with honesty and integrity

This includes (but is not limited to):

- g. ensuring that the licence holders you deploy are fully informed of this Code of Conduct, and know how to comply with it;
- h. deploying individuals who are appropriately licensed, trained, briefed, and equipped to effectively and safely fulfil their duties;
- i. not asking any licence holder to do something illegal and/or which does not comply with this Code of Conduct;
- j. not “phoenixing” a company (“phoenixing” involves closing an insolvent company, and then carrying on substantially the same business using a new company);
- k. not allowing yourself, or the business you control, to be used as a front for an organised crime group and/or any criminal activity; and
- l. not representing conflicting or competing interests without the express consent of those concerned, and only after all the relevant facts have been fully disclosed to all the interested parties.

Examples of how to meet this commitment -

- *The Code of Conduct is part of the induction training given to all new employees during their first week on the job.*
- *The director of a business with Approved Contractor Scheme accreditation is asked to bid for a public sector contract on behalf of another business, but to keep that business's involvement secret. The director refuses and tells the SIA.*

Examples of how not to meet this commitment –

- *After a private security firm is declared insolvent, its owner sets up a new company with a similar name, the same employees, and the same offices. The new company then begin providing security services to the insolvent firm's clients as if nothing has changed.*
- *The director of a private security company purchases labour provision to fulfil one of their contracts at significantly below market rate. They also fail to carry out due diligence on whether the operatives are being paid the National Minimum Wage, have the correct employment status, and that there is no VAT fraud or other sort of tax evasion.*

3) Protect the people and property you are entrusted to protect

This includes (but is not limited to):

- g. doing all necessary risk assessments thoroughly and diligently;
- h. taking all necessary action to ensure that the business complies with the Health and Safety at Work, etc. Act 1974 (and associated Regulations, Guidance and Approved Codes of Practice), and that reports of risks to health and safety are quickly and appropriately acted upon; and

- i. taking all reasonable steps to ensure that you meet legal requirements that aim to tackle modern slavery.

An example of how to meet this requirement –

- *In planning for a new deployment at a building site, a director realises that they will need to use a sub-contractor to fulfil the contract at weekends. There is only one company with available security guards, and they have not worked with them before. The director therefore conducts checks on the company to ensure that it meets legal requirements.*

An example of how not to meet this requirement –

- *A private security firm deploys a man at a disused office building to prevent theft and damage to the site. The firm forces the man to stay at the building around the clock, only allowing him to leave once a day to search for water and food. He is paid less than the National Minimum Wage.*