



Private Security Newsletter

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Ensuring Probity in the Private Security Industry

For the Licensing and Regulation Division (LRD), effective regulation starts with ensuring that only suitable people are issued with licences and registrations and only those who remain suitable retain these licences and registrations.

Superintendent Paul Millett said that while LRD endeavours to process applications as quickly as possible, the timeframes for processing applications have to be balanced with ensuring that levels of probity are not comprised by the demand to issue licences and registrations quickly.

“Processing applications quickly is a priority customer service deliverable for LRD but it will never be at the cost of compromising levels of probity in the industry,” Supt Millett said.

“This can only be achieved by conducting thorough suitability and probity checks on applicants and this takes time.

“Some applications, particularly business applications, have a higher level of risk or are more intricate so it takes more time to do the required suitability and probity checks diligently.”

In the last financial year there was a 13 per cent increase in applications being rejected because applicants failed to meet the necessary probity requirements and a 28 per cent increase in the cancellation of private security licences based on the adverse criminal history of applicants.

Superintendent Millett said that while LRD will always be committed to the effective regulation of the security industry, enforcement is not the complete answer to effective regulation.

“Working with other areas of Victoria Police and other regulators to remove undesirable elements from the security industry is always going to be part of LRD’s remit, however, to protect the reputation and good management of the industry, we need to work together with those in the security industry,” Supt Millett said.

“As has been the case in the past 12 months, over the next year our investigative work will continue to be driven by intelligence.

Holiday Operating Hours

The Licensing and Regulation Division’s front counter and customer phone service will close from Monday 26 December 2016 and reopen on Monday 9 January 2017.

“Those working in the industry are our best source of reliable information about what happening in the industry.

“If people working in the security industry are aware of individuals or businesses that aren't meeting the standards they want to see for their industry then I encourage them report what they are seeing so that we can investigate.

“We look forward to continuing to build our relationship with industry and will continue to take action against practitioners who compromise the integrity of the industry.”

Correction of security adviser activities

LRD would like to apologise for any confusion caused by information relating to security advisers providing services beyond the scope of activity originally published in the August Newsletter.

We originally stated that security advisers should not be advising on the deployment of private security personnel.

This was misleading and should not have been published without further clarification.

It is within the scope of security advisers to provide advice to clients on security methods and principles. This may include advice on things like the number and type of guards required, deployment/placement of guards, ways to secure a premises etc.

Security advisers should not be coordinating, instructing, directing or managing private security personnel.

Coordinating, instructing, directing or managing private personnel is the function of a private security business licence holder.

In order to actually coordinate, instruct, direct or manage other private security licence holders you must be the holder of an appropriately endorsed private security business licence.

Have an enquiry about your licence?

For privacy reasons LRD can only discuss information about a licence to the holder of the licence, the nominee or nominated person listed against a licence. If you have an enquiry but don't have time call us you can always send us an email licensingregulation@police.vic.gov.au

BPAY Introduced for security licences and registrations

In November, LRD introduced BPAY for new and renewal private security licences and registrations applications.

While payment for a licence or renewal can still be made in person at any Westpac Bank branch, we anticipate that the introduction of BPAY will be more convenient for the majority of our customers.

When you attend an approved VicRoads photo point you will still need to provide the photo point with your payment notice so that they can process your licence details and sight the BPAY logo on your payment notice before they take your photo.

You will still need to provide proof of identification. Employees of approved VicRoads photo points are unable to advise licence holders accurately on when they will receive their licence or registration card.

LRD will only issue plastic licence/registration cards after receiving payment and confirmation that your photo has been taken at a Vic Roads photo point.

If you attend an approved VicRoads photo point and have difficulty with the photo point because they are requesting a bank stamp, we encourage you to call LRD (1300 651 645) while you are still at the photo point so that we can assist where possible. To find your nearest approved VicRoads photo point visit the VicRoads website:

www.vicroads.vic.gov.au

RSA Requirements in Victoria

The Victorian Commission for Gambling and Liquor Regulation (VCGLR) recently contacted LRD to remind licence holders that if they are asked by a licenced venue to serve alcohol they must have completed Responsible Service of Alcohol (RSA) training at a RTO approved by the VCGLR.

The requirement for an RSA to be issued by a VCGLR approved RTO is not a training requirement of LRD.

We will accept RSAs issued by an accredited RTO that is not VCGLR for licensing purposes, however, encourage licence holders who are serving alcohol on licensed premises in Victoria to ensure that their RSA training meets the requirements of the VCGLR.

More information about RSA requirements for the responsible service of alcohol in Victoria, visit the VCGLR website: www.vcglr.vic.gov.au

Business applications and renewals

The processing of business licence and registration applications involves more rigorous assessments than processing individual applications.

A critical part of assessing security business applications involves thorough probity checks completed by the Regulation Support Unit. How long these checks take to complete depends on the complexity of the application.

LRD appreciates that for those who have submitted a business application waiting for approval can be frustrating; however, to ensure acceptable levels of probity in the industry we are unable to provide minimum processing timeframes for business applications.

While probity checks can take the most significant amount of time to complete for the majority of applications, on average, we send two or more letters requesting further information or clarifying details from applicants on both new and renewal applications, delaying the overall process.

The most common compliance issues leading to unnecessary delays are caused by applicants failing to provide required documentation, providing incomplete documentation or providing documents that are insufficient.

It is uncommon to receive a business application not impacted by at least one of these issues. Once we identify and raise the issue with the applicant, the missing or additional information requested can take several weeks to be provided delaying our ability to assess and make a determination on the application.

We encourage all applicants submitting new or renewal business licence applications to ensure that they check the information they are providing meets the requirements stipulated in the application to avoid unnecessary delays.

Seven things to check before submitting a new or renewal business application

- 1) Have you answered all questions on the personal information forms?
- 2) Have you answered all question on the application forms?
- 3) Are your SOPs and business plans your own words and do they reflect the activities that you are applying to be licenced for?
- 4) Does your evidence of public liability insurance demonstrate coverage for the activities you are applying to be licenced for?
- 5) Have you provided LRD with a copy of the advertisement placed in a daily Victorian newspaper?
- 6) Have you included a certified copy of your ASIC registration?
- 7) Have you included a signed letter from a qualified accountant attesting to the financial viability of your business?

Renewal applications for individual licence and registration holders

LRD would like to remind current individual licence and registration holders that you are not considered to have completed the renewal application process unless, ***before the expiry of your current licence***, you:

- return your completed renewal application to LRD;
- pay the renewal fee; and
- have your photograph taken at an authorised VicRoads photo point.

Failing to complete these three steps before the expiry of a current licence or registration will likely result in your licence or registration expiring.

Where a licence or registration expires, the holder will need to submit a new application. For security licences, this may involve completing a new fingerprint and name check.

In the event that your application is abandoned, withdrawn or refused you may request a refund for the licence/registration component of the total fee paid. Any administration fee paid is non-refundable.

Individual renewal applications can be returned to LRD via email, post or fax. Applications that are emailed must be legible [and be able to be linked to a current licence](#). Documents that are sent which are unclear or unreadable cannot be accepted and may result in an application or licence expiring.

To avoid this situation LRD encourages applicants to scan and email their documents and clearly include their licence number with any correspondence accompanying their application.

Need to change your address ?

We are only able to accept and action requests to update an address in writing so send us an email at licensingregulation@police.vic.gov.au
Remember to include your full name, licence number, and new address details.

Training international students

LRD has noticed an increase in private security licence applications received from student visa holders issued with qualifications from an RTO that did not have the course registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).

Licence applications received from student visa holders issued with qualifications from these RTOs have been deemed non-compliant by LRD, as we cannot accept these qualifications.

LRD has sent a letter to all approved RTOs reminding them of their obligations under federal legislation that stipulate RTOs can only enrol and deliver training to students in Australia on student visas if the course they are enrolled in is registered on CRICOS. We have also referred the matter to the National and State Regulators for vocational education and training.

While it is incumbent on student visa holders to ensure that any training they are undertaking is CRICOS registered, LRD expects that licenced RTOs are explaining to these students, prior to enrolling, that the regulator will not issue a licence to student visa holders unless the qualification they complete is CRICOS approved.

Recognising training provided by another training institution

LRD, the Australian Skills Quality Authority (ASQA) and the Victorian Registration and Qualifications Authority (VRQA) are aware that individuals holding qualifications issued by recently deregistered RTOs from across the country are approaching current RTOs seeking to have these qualifications reissued under the new RTOs name.

LRD would like to reiterate ASQA's message and remind licenced RTOs that they are under no obligation to issue any qualification based entirely on an individual having undertaken all of the required training with another RTO.

LRD strongly recommends that licenced RTOs ensure they are satisfied that students can adequately demonstrate a level of knowledge befitting the qualification, before providing a reissued security qualification.

Where ASQA elects to cancel the qualifications of an individual, LRD will be unable to accept these qualifications for licencing purposes. If an individual whose qualifications have been cancelled, wishes to obtain a security licence they will need to regain their qualifications through another training provider.

Trainer Conditions 8 & 9

LRD recently conducted an audit of all Condition 8 & 9 returns provided by all RTOs since January 2016. The majority of RTOs received a letter outlining areas of non-compliance and were requested to make the appropriate changes to address these concerns.

Most RTOs have provided a written response to this letter and implemented the required changes. Of significant importance is for all training venues and trainers to be approved by LRD *prior* to training commencing.

RTOs should ensure they have addressed all outstanding matters communicated through recent correspondence. If your RTO is found to be breaching the Private Security Business Licence – Trainer Conditions you may be subject to a disciplinary inquiry that could result in your licence being suspended or cancelled.

Spreadsheet templates for Condition 8 & 9 returns can be downloaded from our [website](#) and must be emailed to ldreturnsoic@police.vic.gov.au within the relevant timeframes.

Front counter service at the VPC

Front counter service is strictly by appointment only. Appointments can only be made by calling 1300 651 645. General enquires can be emailed to licensingregulation@police.vic.gov.au

Need a duplicate licence card?

We can only action requests to order a duplicate licence in writing so send us an email at licensingregulation@police.vic.gov.au

Use of force by armed guards

In the past four months there have been three incidents where armed guards have discharged their firearms at moving vehicles.

This is a risky practice that could pose unintended danger to the community.

LRD urges businesses employing armed guards to take time to remind their employees on the proper grounds for drawing and discharging their firearms.

All use of force must be in accordance with Section 462A of the *Crimes Act 1958*.

Firearm accountability standards

Routine audits conducted by the LRD on security business with armed guards have indicated an alarming decline in standards around firearm accountability.

Increasingly when auditing businesses with firearms LRD are finding responsible persons who are unable to account for the firearms attached to business's corporate firearm licence.

Two audits conducted in the last six months have resulted in charges being laid against security and firearm licence holders because the responsible person was unable to account for firearms registered against their licence within an appropriate timeframe.

While most businesses are able to account for all firearms after a time, the fact that their firearms could not be accounted for at the time of audit is alarming and casts aspersions over proper business practices.

Security businesses are reminded that they must be able to account for every firearm attached to their corporate firearm licence upon request.