

The Private Security Authority (PSA)

The Private Security Authority is the national regulatory and licensing body for the private security industry in Ireland. The Security Institute of Ireland are a Private Security Authority approved provider of training for licensing purposes.

The Government of Ireland through the Private Security Services Act, 2004, established the Private Security Authority (PSA), which took up office in that year.

Act Preamble

“An Act to provide for the establishment of a body, to be known as the Private Security Authority, to control and supervise individuals and firms providing private security services and to investigate and adjudicate on any complaints against them; for the establishment of a body, to be known as the Private Security Appeal Board, to hear and determine appeals against decisions of that Authority; and related matters”. (4th May, 2004)

The Act established the Private Security Authority (PSA) and sets out the functions of the Authority as follows:

- Grant and renew licences
- Issue identity cards to licensees
- Where appropriate, suspend or revoke licences
- Establish and maintain a register of licensees
- Specify standards to be observed in the provision of security services by licensees or particular categories of licensees
- Specify qualifications or any other requirements (including requirements as to training) for the grant of licences
- Undertake or commission, or collaborate or assist in, research projects and activities relating to the provision of security services, including the compilation of statistical information and other records necessary for the proper planning, development and provision of those services
- Investigate any security service being provided by any person
- Establish and administer a system of investigation and adjudication of complaints against licensees
- Monitor the provision of private security services generally
- Liaise with licensees with a view to keeping itself informed of any matters requiring its attention
- Advise the Minister on any matters relating to its functions
- Keep the Minister informed of developments in relation to the provision of security services by licensees or particular categories of licensees and assist him or her in coordinating and developing policy in that regard

Section 2 of Private Security Services Act sets out the activities which are licensable by the PSA, these are:

- Door Supervisor
- Installer of Security Equipment
- Locksmith
- Private Investigator

- Provider of Protected forms of Transport
- Security Consultants
- Security Guard
- Supplier and Installer of Safes

Definitions of what is licensable for each sector are prescribed by regulations signed by the Minister for Justice and Equality.

Licensing Process Overview

Under the Private Security Services Act, 2004 licensing of companies (contractors) engaged in CCTV Monitoring and Alarm Monitoring is the responsibility of the industry regulator the Private Security Authority. It is against the law to provide these services in Ireland without a current PSA licence.

Compliance with the relevant standards and conditions of licensing must be continuously maintained and companies are subject to inspection by the PSA at any time.

General Information

- All applications are made directly to the PSA.
- Application forms are completed online,
- Completed forms are posted to applicants for signature
- Payment can be made online
- The fully completed application is returned by post to the PSA with all supporting information
- When the application is checked by the PSA and deemed complete, the individual applicant / sole trader or director as relevant will be sent an e-mail from the National Vetting Bureau (NVB). The NVB operates an e-vetting system and on completion of this the NVB will provide the PSA with a vetting disclosure statement.
- The PSA will then inform the applicant of the licence application decision.

Applicants for a contractor licence will need to provide the following:

- Completed PSA application form
- Prescribed licence fee
- Current tax clearance certificate
- Certificate of Incorporation (for companies)
- Certificate of Business Name (where the trade / business name is different to the name of the beneficial owner of the business)
- Garda vetting form for each of the principals (directors of companies, partners in partnerships, sole trader, shareholder with a holding of 20% or greater)
- Foreign Criminal Record Certificate for any director, partner or sole trader who has spent six months or more in a foreign jurisdiction
- Evidence of attainment of the required standard (PSA 28:2013 for Guarding Services)

Applicants for an individual licence will need to provide the following:

- Completed PSA Application Form
- Prescribed Licence Fee

- Copy of Birth Certificate, Passport or Driving Licence
- Completed Garda Vetting Form
- Foreign Criminal Record Certificate (if the applicant has spent six months or more in a foreign jurisdiction)
- Evidence of attainment of the required training qualification

Contractor licences are valid for two years from date of issue subject to terms and conditions and renewal applications must be made prior to the expiry date of the licence. Contractor fees are based on annual turnover.

Guarding Service (Door Supervisor, Security Guard) individual licences are valid for three years.

An appeals process is in place

Guidelines are included in each licence application pack and information is available on the PSA website.

Fit and proper person Guidelines

The PSA have published suitability criteria guidelines on “fit and proper person” for both contractors and individuals applying for a licence. The following are the headings under which the assessment will be applied:

- Criminal convictions and cases pending a court hearing
- Person subject to an investigation by An Garda Síochána, Health Service Executive, Criminal Assets Bureau or any Government Body or Agency with the authority to carry out investigations
- Person subject to an investigation by a relevant authority in another Member State of the European Union in circumstances where the person seeks to provide a security service in the State in accordance with Part 7 of the Act
- compliance with the various companies Acts and any other statutory provisions of being a body corporate
- Compliance with Revenue and Social Welfare provisions
- Compliance with the Joint Labour Committee Employment Regulation legislation
- Compliance with the Private Security Services Acts, licensing regulations and any standards or qualifications relating to licensing
- Any previous Private Security Services Licence held, applications made for a licence or investigations conducted by the Authority’s Enforcement Division
- Any actions, suspensions or revocations issued by the Authority
- Compliance with the provisions of any regulatory body or subject to a current investigation by such a body
- Any matter where in the view of the Authority the issuing of a licence would pose a risk to the safety and welfare of the public
- Any other such matter which the Authority deems relevant to the issuance of a licence

The above is a summary; the complete document extends to twenty pages and is available from the PSA website www.psa.gov.ie

Individual Licensing

Individuals working within the industry are the frontline staff dealing on a day to day basis with the client, customers of the client and the general public.

Because of this individuals have tended to be a priority for licensing in most jurisdictions, Ireland is no different. The PSA determined that licensing of individuals, particularly in the guarding services would be a priority.

This was addressed at the early stages of the introduction of licensing in Ireland to ensure that frontline staff were trained to a recognised standard and had to undergo a screening and vetting process performed by their employer.

There are three categories of licenses available for individuals working in the Guarding Services sector.

- Door Supervisor (Licensed Premises) Licence (An individual who provides security services as a door supervisor at or in the vicinity of a licensed premises)
- Security Guard (Static) Licence (An individual who as a security guard guards property for the purposes of preventing loss, damage or waste by crime, fire, carelessness or flood)
- Providers of Protected Forms of Transport (Cash-in-Transit) Licence (An individual who carries out vehicular transportation of cash, processes cash, handles cash in a secure vault and related activity)

Each licence is specific to the category above; for example, individuals cannot work as Door Supervisors if they only hold a Security Guard licence.

Individuals can apply for a licence for more than one category.

Licensing is applicable to those active in the private security industry, members of the Garda, military and state or semi employees generally are exempt from these requirements.

Enforcement Powers of the PSA

The Private Security Authority as a statutory body has responsibility for licensing and regulating the private security industry. Legislation bestows extensive powers to the Authority, including, but not limited to investigating security services being provided by any person, investigating complaints and taking action.

Warranted* PSA Inspectors have substantial powers. They may enter, inspect, examine and search anywhere the inspector has reasonable cause to believe that a security service is being provided. This includes unannounced visits to premises to ensure the security staff members are licensed and are wearing and displaying their PSA licence in the prescribed manner. Inspectors are entitled to inspect licences during these visits.

*Warranted means an officer with the legal authority to carry out certain functions.

PSA inspectors also carry out audits on licensed contractors to confirm compliance with standards and licensing requirements. These audits are normally arranged by appointment and take place at the contractor's place of business. The inspector may review documentation; such as service contracts, personnel files etc. and can take away copies of documents related to the provision of security services if required.

A report will be provided to the contractor and where required non-compliances must be resolved within the timeframe determined by the inspector.

Powers of a PSA Inspector

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PSA Sanctions

Following upon the results of investigations or inspections, The PSA have a range of sanctions which can be used for both individuals and contractors when non compliance is found, as follows:

- Issuing reprimands, caution or advice
- Refusing, suspending or revoking licences
- Refusing renewal of licences
- Instigating prosecutions of alleged offences under the Act (Prosecutions can lead to substantial fines and ultimately imprisonment on conviction)