

**Board of Directors
Tuesday 27th June 2023
Report from the Deputy Director of Estates and Facilities**

Agenda Item Number:		15
Presented for:	Discussion/ Approval	
Report of:	Security Services – Licencing Requirements Briefing Paper	
Author (s):	Deputy Director of Estates and Facilities	
Report History:	None	
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Links to HIF's Objectives		
Deliver an efficient and effective service offering to Harrogate and District Foundation Trust	√	
Create strong sustainable partnerships	√	
Develop sustainable organisational systems	√	
Develop and maintain a strong, efficient and agile workforce	√	
Strengthen the local community through collaboration		
Recommendation:		
The Board of Directors is asked to approve the requirement for HIF and its Directors to become Security Industry Authority (SIA) licence holders.		

Harrogate Integrated Facilities

Briefing paper

Security Licencing for HIF

1. Overview

- 1.1 The purpose of this briefing paper is to provide an update on the requirement for HIF and the company Directors to obtain a Security Industry Authority (SIA) licence to provide security services to HDFT. A separate Q&A has been developed at appendix 1 outlining common queries.
- 1.2 HDFT is an acute hospital without a dedicated operational professional security service. This has been identified following a review of the security management provisions as set out in the Operated Health Care Contract.
- 1.3 There is a provision of a Local Security Management Specialist Service to HDFT detailed in an outdated specification¹ in the OHCC. This specification is no longer valid and has been irrelevant for several years due to the demise of NHS Protect and the associated NHS provider standards and data sets which were relevant at the time.
- 1.4 The Portering specification identifies the need for an evening security round, there is no detail in the scope of service on any details of this requirement.
- 1.5 The use of the Portering service has been relied upon to provide support to ward based staff including A&E when dealing with incidents of verbal and actual physical abuse. A number of porters hold SIA licences independently to support them in secondary employment as “bouncers” outside of their current roles. This licence and the associated training provided is wholly inappropriate to use in a health care setting given 90%+ of V&A incidents are clinically related.
- 1.6 The requirement for HIF and company Directors to be licenced to provide security was omitted when the subsidiary company was formed in 2018 with the misunderstanding that any previous ad-hoc security response provided to HDFT by the Portering team could continue the same basis as it was previously. However, given security is a licensable activity regulated by the Security Industry Authority (SIA) and outlined in legislation under the Private Security Industry Act (2001)². HIF subsequently have no legal basis nor detailed contract specification nor resource to

¹ Schedule 15 of OHFC dated 2018

² [Private Security Industry Act 2001 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

provide a comprehensive security service to HDFT. Consequently, a business case is being developed to address this gap with an investment of circa £xxxxxxx needed.

1.7 For a number of months, an SIA licensed security company has been providing a dedicated security officer working from 18.00hrs – 06.00hrs 7 days per week to support the approach to security predominantly within A&E. As well as minimising the liability of undertaking licensable activities without a SIA license, including security guarding, cash handling, CCTV operation and key holding. The actual physical presence of a security officer has had a positive impact on staff feeling more supported and less vulnerable. HIF remains extremely limited in our capability to effectively respond to incidents of physical aggression and abuse requiring restraint with one individual. In addition, the service provided by the external contractor has been poor with the need for contract management intervention to ensure contract performance is maintained. It is not the intention to use a contractor in the future.

2. Next Steps

2.1 The business case (in development) sets out the preferred option for HIF to provide a security service to the Trust, this option will require HIF and company Directors to be licenced. Other options within the business case include HIF subcontracting to a SIA licenced provider for security services. HIF would still need to be licenced given HIF is still directing security on behalf of the Trust as it is a separate entity. (See Q&A – Appendix 1)

2.2 The process for HIF and the directors to be licenced is expected to take approximately 4-6 months and will involve the engagement of a consultancy (xxxxxxx) to support us with the process.

2.3 The costs for the licence is around £xxxxxxx with a recurrent fee of £xxxxxxx per annum.

2.4 Until HIF are licenced it is recommended that the current arrangements should remain whereby HIF continue to contract out security related duties to an SIA licenced provider and do not formally provide an operational security service to HDFT.

3. Recommendations

3.1 It is recommended that the board approve the requirement for HIF and the Company directors to obtain an SIA licence to provide security services to HDFT.

xxxxxxx Deputy Director of Estates and Facilities
20/06/23

Security Licencing for Directors - Q&A for HIF Board Paper

Q. Who in HIF needs to be licensed?

A. All directors listed at company house will need an SIA licence. In addition, any managers directing security activity will also need to be licensed. Our security officers will also need to be licensed.

Q. If there was a security incident where one of our licenced front-line staff was found to have behaved inappropriately e.g., used undue force, who would be legally liable; would all directors be and therefore could potentially be personally taken to court?

A. This covers both the Health and Safety (H&S) Management Act and Private Security Industry Act licencing requirements and general legislation. HIF have engaged a specialist security consultant, called [REDACTED], to support us with ensuring we are fully compliant, licenced and accredited, for providing security services. They have discussed this question with the Security Systems and Alarms Inspection Board (SSAIB), who have confirmed that this is ultimately the individual's responsibility and in line with H&S Acts; any investigation would look into the training, competency etc of the individual - so the directors can/may hold accountability - and that there is a commitment from leaders. The same applies to incidents where HIF staff breach other H&S legislation or the Food Safety Act and other catering legislation, which is a current risk within our services. Our public liability insurance covers HIF for these risks to the public.

Q. Have [REDACTED] worked with other public sector organisations and if so, do they generally employ the security staff themselves, or use a specialist subcontractor company?

A. [REDACTED] have worked with a council, who set up their own security division and works the same way with licenced directors.

Q. If HIF were to subcontract the security roles to a specialist contractor, would our Directors still need to be licenced?

A. Yes, this is to meet the requirements of the PSIA Act; any person(s) running a security company who are directors at Companies House must be SIA licenced; it is irrelevant of how the company delivers the security. The only option for HIF to avoid the requirement for directors to be licenced, is if the Trust held a contract directly themselves with an external contractor.

Q. What do other NHS Trusts do to provide security services?

A. Airedale operate a subsidiary who provide security services, their directors are licenced for this. Warrington NHS Trust **are not** a subsidiary and provide Facilities & Estates in-house. They therefore do not need licences but use a Local Management Security Specialist, who holds his own licence. Their Director of Estates & Facilities used to work for Liverpool who have a subsidiary and he confirmed that all their directors were licenced.

