

Memorandum of Understanding

Between

Workplace Relations Commission

(WRC)

WRC

An Coimisiún um Chaidreamh san Áit Oibre
WORKPLACE RELATIONS COMMISSION

And

Private Security Authority

(PSA)

● An tÚdarás Slándála Príobháidí
The Private Security Authority

The Security Regulator

Memorandum of Understanding between the Workplace Relations Commission (WRC) and the Private Security Authority (PSA)

Objective:

This Memorandum of Understanding is intended to assist and support both the Private Security Authority (PSA) and the Inspection & Enforcement Division of the Workplace Relations Commission (WRC) in performing their individual functions. It identifies areas of mutual interest and potential overlap based on each body's regulatory function. It sets out the structures through which information may be exchanged and joint activities are undertaken.

Functions and Responsibility:

Workplace Relations Commission

The Workplace Relations Commission is responsible for enforcing minimum statutory employment rights entitlements in the State, and in undertaking that role carries out a range of functions including the provision of employment rights information and the inspection of employment related records. The WRC operates a system of risk based inspections in sectors where there are identifiable risks. Inspections are also carried out in response to complaints received and routine inspections are undertaken as a control measure.

The Private Security Authority

The PSA is responsible for the regulation of the private security industry and licences contractors and individuals providing security services. The mission of the PSA is to regulate the activities of those involved in the private security industry to ensure that the interests of consumers are fully protected through the establishment, promotion, monitoring and enforcement of appropriate standards. The PSA, through its team of inspectors, monitors and inspects those providing security services to ensure compliance with licensing regulations.

Inspections.

Both bodies have a function in relation to visiting and inspecting workplaces and will be cognisant of each other's activity .

Information on inspection programs may be exchanged to enable effective planning and the delivery of each body's activity. While the function of each body is distinct, it is recognised that areas relevant to each may overlap. Where issues arise through inspections such that the requirements of any one body may impact on the requirements of another then these may be raised through the identified designated liaison persons.

Investigation of Complaints

Both bodies have a remit to investigate complaints received relating to their respective statutory areas of responsibility.

Both bodies commit to advising the other through nominated designated liaison person(s) where an investigation identifies issues relevant to the complaint, but which are enforced by the other. This will facilitate a co-ordinated approach to investigation between the bodies.

Information Campaigns.

It is recognised that both bodies have a role in relation to businesses and contractors in wider industry in general (WRC) and the private security industry in particular (PSA). Both bodies may exchange relevant information of their planned awareness campaigns and where possible assist in the distribution of information.

Governing Principles

Part A: Exchange of Information

Both the PSA and the WRC agree to the exchange of information as permitted by law and in accordance with Section 13 of the Private Security Services Acts 2004 and 2011 and Section 34 of the Workplace Relations Commission Act 2015.

Part B: Request for Information and Timeframes

Any request for information shall be made through the designated Liaison Officers of the PSA and the WRC (see Appendix 1). The requesting party will not disclose to any party other than the subject of the information request, any information which it has received from the requesting party, without the latter's prior approval. Information will be provided by the parties in as timely a manner as possible. Each party will bear its own costs, fees and expenses in relation to complying with a request from the other party.

The parties to this MOU agree to review the operation of this agreement on an annual basis.

Either party may request a meeting with the other party to discuss any issue.

Both parties shall take into account the requirements of the Freedom of Information s and the Data Protection Acts.

Part C: Co-ordinated Actions

In certain cases, identified either by the WRC or the PSA, a co-ordinated intervention and/or audit and/or inspection may be undertaken. The policies on confidentiality of both the WRC and the PSA will be adhered to where such co-ordinated action is undertaken.

Signed:

Padraig Dooley

Date:

13 September 2016
Workplace Relations Commission

Signed:

[Signature]

Date:

13-9-2016
Private Security Authority

WRC

An Coimisiún um Chaidreamh san Áit Oibre
WORKPLACE RELATIONS COMMISSION



APPENDIX 1

Liaison Officers for Workplace Relations Commission and PSA

Workplace Relations Commission Liaison Officers

<u>Region/Division</u>	<u>Liaison Officer</u>
Inspection and Enforcement Division	Bernard Rooney

PSA Liaison Officer

<u>Name Of Authority</u>	<u>Liaison Officer</u>
The Private Security Authority Davis Street Tipperary Town Co. Tipperary	1) James O'Neill 2) Seamus Burke 3) Rosie Cunningham