



Joint declaration of CoESS and UNI-Europa on the European harmonisation of legislation governing the private security sector

Introduction

The private security sector is in full expansion in the European Union. More than 500,000 people work in close to 10,000 companies specialised in the surveillance of industrial sites, offices, public buildings, and in the transport of money, the protection of people and homes, CCTV, airport security, theft prevention, etc.

The market, both public and private, is placing increasing quality requirements on the sector. Technological developments are becoming more and more sophisticated. The safety of employees who could be exposed to dangerous situations rules out any form of amateurism. Every day security requires more professionalism.

The increasing demand for the security and protection of property and people must be combined with the strict observance of democratic rules and the legal protection of people. The sector contributes to the development of a safer society, so that public and private liberties can be exercised without restriction.

Statement of UNI-Europa and CoESS

CoESS and UNI-Europa have noted certain problems preventing the harmonious development of the sector at a European level.

National regulations are sometimes inadequate and do not guarantee the professionalism that the sector needs.

National regulations differ from one another and they prevent the sector from drawing on the full benefits of European integration.

Market practices are such that priority is all too often given to the price of the service, and little or no attention is paid to the quality aspects.

The often unattractive working conditions that the majority of workers in the sector have to contend with, the highly economically competitive environment and the perception of security services as a commodity, have a negative effect on the appeal of the sector, the quality of services, and more generally on the image of the sector.

Initiatives of CoESS and UNI-Europa

CoESS and UNI-Europa have both embarked on a European social dialogue in order to examine these problems more closely, to measure the risks inherent to them, and to take any actions within their spheres of operation to help promote the professionalisation of the private security sector at a European level. The main objective of this social dialogue is the development of European standards and reference frameworks which, through their voluntary application in countries and companies, will help harmonise the national situations.

This social dialogue, formally instituted in the framework of a sectoral social dialogue committee, is also based on a declaration of mutual recognition between CoESS and UNI-Europa, signed in June 1999. This declaration also underlines the important role that the social partners must play in the social and economic regulation of the sector at all levels (European, national, company).

Started in 1992, this social dialogue has already achieved several important results:

- European recommendations relating to regulations and authorisations, professional training, public contracts, European Union enlargement, and more recently the organisation of work, have been adopted by CoESS and UNI-Europa.
- Studies and analyses have been done on comparisons of the national regulations governing the sector, the professional training systems and practices in force in the European Union, and the identification of European professional profiles in private security.
- A European manual for customers (public or private) of the sector enabling them to choose the security services offered on the basis of the best “price-quality” ratio was adopted in 1999. Translated into all the languages of the Union, it has been distributed among the players concerned in the Member States. Following on from this distribution, many customers of the sector and the public authorities have stated their intention to use the manual in their next call for tenders and selection process.
- A European professional training manual in security and surveillance (basic level) was adopted and published in April 2001 under the Leonardo da Vinci programme. This manual specifies the core syllabus which should be given to all workers in the sector upon recruitment. It has been distributed among the national social partners, companies and training institutions of the sector who are responsible for its application in practice.
- European conferences have been organised: the first in London in 1996, the second in Berlin in 1999. In particular, the purpose of these conferences is to disseminate the results of the European social dialogue to a wide audience, consisting of social partners, companies, sector-based research and training institutions, and national and European public authorities.

In the future, CoESS and UNI-Europa will continue to develop their joint action at the European level. Practical actions will be set up, in particular on the subjects of European Union expansion, the modernisation of the organisation of work, health and safety, etc. Work will also be done on the establishment of a European code of professional ethics.

Evaluation of the European social dialogue

CoESS and UNI-Europa are very pleased with the open and frank climate of their European social dialogue. The mutual trust that prevails between the two organisations not only enables the fruitful exchange of information, but also the implementation of transnational cooperative frameworks between employers and unions in the private security sector.

CoESS and UNI-Europa believe that their European social dialogue has already enabled certain key aspects of the sector to be worked on (regulations, licences, professional training, public contracts, service quality) and they consider that the results achieved in these different areas are exemplary due to their voluntarist and innovative character, and also as a result of their quality. Other particularly important working areas (EU enlargement, work organisation) have recently been opened.

These results have been used and are being used as a basis for the continuation of talks and dialogue at other levels, in particular at the national level. The large work of distributing the results of this dialogue has created awareness among all the players concerned. In addition, several national round tables have been organised with the social partners, experts and public authorities, and have enabled the results achieved to be extended at the European level. In this way, the reference frameworks defined at the European level by CoESS and UNI-Europa are discussed, amended and transposed voluntarily at the national level by the players concerned.

Within their spheres of operations, CoESS and UNI-Europa intend continuing and developing their social dialogue to lend it more quality, relevance and effectiveness, and to enable it to influence the decision-makers further regarding a greater harmonisation of national situations. In this respect, CoESS and UNI-Europa are endeavouring to develop a code of conduct at the European level for companies in the sector. Moreover, CoESS and UNI-Europa have declared themselves ready to use all resources at their disposal, including the procedures provided by the EU Treaty, to enable them to negotiate and conclude agreements at a European level.

Appeal to the public authorities

While CoESS and UNI-Europa are making every effort to obtain greater harmonisation of the regulations applicable to the sector, an important limit on their action should be emphasised. In effect, many subjects dealt with in the framework of the European social dialogue lie beyond the powers of CoESS, UNI-Europa and their respective members. Several subjects tackled within the European social dialogue are also the responsibilities of the European Council of Ministers and national governments.

Not being able to act alone with regard to these different subjects, CoESS and UNI-Europa therefore call on the European ministers responsible to take the necessary measures so that the private security sector is governed by laws aimed at ensuring high quality standards and a high degree of professionalism in all countries of the European Union, and so that European harmonisation of the following aspects can be developed:

Authorisations to practice (workers)

In order to guarantee a high level of professionalism in the sector within the European Union, it should be ensured that all the people employed have the moral and professional aptitudes required to work in this sector. In particular, these authorisations should be granted by the

authorities after an examination of the background (criminal record) of the applicant. In order to enable the mobility of workers and services within the internal market, it should be ensured that the national requirements for granting these authorisations are similar between European countries. These authorisations should also be mutually recognised between the Member States of the European Union in order to enable the free flow of workers.

Licences (companies)

In order to guarantee the free flow of services and the freedom of establishment for companies in the sector, and also to guarantee the morality of the company managers, a European system of authorisations should be set up in all the countries of the European Union. These authorisations constitute a precondition for the observance of commercial, financial, social, moral and ethical rules imposed on the company. All companies and their managers working in the sector should be holders of such an authorisation. The evaluation prior to granting this authorisation should be done on a sector-independent basis and according to European procedures judged to be fair and transparent. It is vital that the specific requirements placed on companies for obtaining an authorisation on the European territory are applied by the Member States with reference to a minimum European framework.

Evaluation and supervision by the Public Authorities

The authorisations to practice of which workers and companies need to be in possession are not granted once and for all. Systems to re-evaluate the criteria for these authorisations should be set up in the Member States. In order to enable the continuity of the mutual recognition of the authorisations to practice between Member States, the evaluation and supervisory systems set up in the different States should operate on the basis of minimum standards defined at the European level.

Professional training

The European social partners CoESS and UNI-Europa have emphasised on many occasions that the quality of security services is mainly based on the level of professional training of the employees. It has also been accepted that the safety of the worker and the customer, and the ability of private security companies to guarantee the quality of its services, largely depends on the training level of the employees. Consequently, it is clear to CoESS and UNI-Europa that people who wish to be recruited into the sector must have successfully completed a basic professional training course. This minimum level of training should be stipulated at a European level. This would avoid certain competition distortions resulting from differing national laws on basic training. CoESS and UNI-Europa have already defined this minimum level in a training manual and believe that a European legislative action should be based on this manual.

Health and safety

The professional risks are high in private security and are specific to the sector. Many workers experience continual stress situations or live in daily fear of aggression. Minimum health and safety standards for private security personnel should be specified at a European level. European harmonisation in this respect should guarantee an optimum level of prevention of the

professional risks belonging to the private security sector. As a result of such action, the European Union should be able to avoid competition between companies producing a negative effect on health and safety conditions.

Working conditions

The sometimes difficult working conditions that prevail in the security sector have the following consequences for a large number of companies: high staff turnover, departure of qualified staff, difficult to replace employees, employee dissatisfaction.

This situation is often the result of stiff competition based on the sole criterion of the lowest price, to which companies subscribe all too often, sometimes under pressure from customers who do not want to know the requirements of the profession.

In order to improve the attractiveness of the sector, the stability of personnel and service quality, CoESS and UNI-Europa believe that the public authorities and the social partners have to specify, in a European framework and in their respective fields, the minimum working conditions to ensure an appropriate level of well-being at work.

Provision of cross-border services

The provision of cross-border private security services is often hampered by national laws that differ too much from one another. The result is that security companies, workers in the sector, and customers of the sector, cannot benefit from the potential of the internal market. While respecting the European Union Treaty and its national restrictions on public policy and public security, CoESS and UNI-Europa believe that national laws should be harmonised in order to enable the free flow of private security services in the European Union, without degradation of working conditions and/or other existing national standards. This harmonisation should be envisaged in the framework of a European strengthening of the rules on public policy, public security and social legislation.

CoESS and UNI-Europa believe, moreover, that with regard to the future enlargement of the European Union, there should be a harmonised regulatory framework at the European level for the private security sector. Such a framework would in effect be particularly useful for candidate countries in their preparations for membership.

CoESS and UNI-Europa also believe that any process of harmonisation should be respecting the modalities of cooperation between public authorities and the social partners of the private sector which prevail at national level. However, with the objective of guaranteeing a more efficient impact of harmonisation of regulations governing the sector, the responsible authorities should make an effort in order to establish or to develop modalities of cooperation which allow all parties involved, and first of all society as a whole, to benefit from the best possible security offered

Finally, CoESS and UNI-Europa and their respective members believe that, given their role as legitimate representatives of companies and workers, they should be involved in the processes and work leading to a better harmonisation of the national regulations applicable to private security. In this respect,

CoESS and UNI-Europa declare they are prepared to work closely with the European Council of Ministers, the national Ministers responsible, the European Commission and the European Parliament.

Signed in Brussels, on 13th December 2001

For CoESS
Marc Pissens
President

For UNI-Europa
Bernadette Tesch-Sékol
Regional Secretary

List of joint texts adopted by CoESS and UNI-Europa in the framework of their social dialogue:

Vocational training in the European Security Industry (25 September 1996)

Joint opinion of the European social partners in the Private Security Industry on the regulation and licencing (25 September 1996)

Agreement between the CoESS and Euro-FIET¹ with a view to setting up a Sectoral Social Dialogue Committee for the Private Security Sector (15 December 1998)

Memorandum of CoESS and Euro-FIET on the award of contracts to private security companies in the public sector (10 June 1999)

Joint declaration on the mutual recognition of CoESS and Euro-FIET and the social dialogue (10 June 1999)

Joint declaration of CoESS and Euro-FIET on the future enlargement of the European Union to include the Central and Eastern European Countries (11 June 1999)

Joint declaration by CoESS and UNI-Europa on the modernisation of the organisation of work in the private security sector (11 July 2000)

¹ UNI-Europa, since 1st January 2000