



Security Industry Authority

Approved Contractor Scheme

ACS Sanctions Framework

June 2012

Background

The SIA is committed to the Government's principles of good regulation.

We aim to be:

- Proportionate
- Accountable
- Consistent
- Transparent
- Targeted

This framework is designed to ensure that these principles are applied by the SIA in respect of any breach of ACS Terms & Conditions by an approved contractor.

While it is important to remember that a breach of ACS Terms & Conditions may lead to withdrawal of ACS status, in practice the SIA will seek to work with an approved contractor to obtain conformance with Terms & Conditions whenever this can be achieved without undermining the credibility of approved contractor status.

The SIA aims to be consistent in the application of sanctions and this framework details the action the SIA expects to take in the situations described. There may however, be particular occasions when variations from the sanction indicated may be appropriate; any such exceptions will be reviewed by the SIA and used to update this framework as necessary.

Situation	Sanctions	Notes
1. Up to 3 improvement needs ¹ identified during an ACS assessment.	<p>Require action plan addressing improvement needs within 5 working days.</p> <p>Require successful revisit within 6 weeks of assessment.</p>	<ol style="list-style-type: none"> 1. If any improvement needs relate to LDN then use of LDN may be restricted² or withdrawn. 2. Sanction to withdraw approval³ may follow if all improvement needs are not met within the required timescale. 3. Any PSIA offences must be addressed immediately. Further action may be considered by SIA Compliance and Investigation staff⁴. 4. Additional assessment at the approved contractor's expense may be imposed as a condition of approval.
2. Between 4 to 6 improvement needs identified during an ACS assessment.	<p>Require action plan and revisit as above plus:</p> <p>Restrict use of LDN.</p>	<ol style="list-style-type: none"> 1. If any improvement needs relate to LDN or to PSIA offences then use of LDN may be withdrawn. 2. Any PSIA offences must be addressed immediately. Further action may be considered by SIA Compliance and Investigation staff. 3. Sanction to withdraw approval may follow if all improvement needs are not met within the required timescale. 4. Additional assessment at the approved contractor's expense may be imposed as a condition of approval.
3. More than 6 improvement needs identified during an ACS assessment.	<p>Withdraw approval.</p> <p>Restrict use of LDN pending withdrawal of approval.</p>	<ol style="list-style-type: none"> 1. If any improvement needs relate to LDN or to PSIA offences then use of LDN may be withdrawn. 2. Any PSIA offences must be addressed immediately. Further action will be considered by SIA Compliance and Investigation staff. 3. Additional assessment at the approved contractor's expense may be imposed as a condition of approval.

¹ An improvement need can be any non-conformance with ACS Terms & Conditions.

² Restriction of LDN authority means that no new staff may be deployed under LDN. Staff already working under LDN may continue to work, subject to ACS terms and conditions.

³ Withdrawal of approval starts with a notice of intent to withdraw and is subject to appeal initially to the SIA and ultimately to the courts.

⁴ For further information please see the SIA enforcement policy available from our website via this link: ['Enforcement: What to Expect from the SIA'](#).

Situation	Sanctions	Notes
4. Individual improvement need(s) identified outside the ACS assessment process.	Require action plan addressing the improvement needs within 5 working days. Improvement need(s) must be addressed within 6 weeks.	<ol style="list-style-type: none"> 1. If any improvement needs relate to LDN then use of LDN may be restricted or withdrawn. 2. Any PSIA offences must be addressed immediately. Further action will be considered by SIA Compliance and Investigation staff. 3. Implementation of the action plan must be verified. 4. Additional assessment at the approved contractor's expense may be imposed as a condition of approval.
5. Evidence that a business and/or its directors are under criminal investigation or SIA licence(s) are suspended.	Suspend approval ⁵ pending withdrawal.	<ol style="list-style-type: none"> 1. Suspension will only be applied where there is: <ul style="list-style-type: none"> • a risk to public or employee safety; • sufficient disclosable evidence of the risk; • an intention to withdraw approval. 2. Criminal investigation includes any PSIA offences.
6. No ACS assessment undertaken within the required period or assessing body fees not paid.	Withdraw approval. Restrict use of LDN pending withdrawal of approval.	<ol style="list-style-type: none"> 1. Except where any delay has been agreed by the SIA and the relevant ACS assessing body.
7. Annual re-registration not completed.	Withdraw approval.	<ol style="list-style-type: none"> 1. Approval expires after 3 years unless renewed. Non-completion of re-registration in a renewal year results in expiry rather than withdrawal.
8. Complaint or ACS malpractice.	Action determined on a case by case basis.	<ol style="list-style-type: none"> 1. Potential actions include: <ul style="list-style-type: none"> • Special instruction at next ACS assessment; • ACS QA Manager visit; • Additional ACS assessment; • Condition of approval imposed; • Restrict or withdraw LDN; • Withdraw approval; • No further action.

⁵ Suspension of approval is applied where, in the view of the SIA, there is a significant threat to public and/or employee safety. Suspension of approval is immediate and may be appealed through the courts.

Situation	Sanctions	Notes
9. Evidence of business and/or director links to serious and organised crime.	Suspend approval pending withdrawal.	1. Suspension will only be applied where there is: <ul style="list-style-type: none"> • a risk to public or employee safety; • sufficient disclosable evidence of the risk; • an intention to withdraw approval.
10. An SIA improvement notice ⁶ is issued.	Restrict use of LDN for relevant sector(s) until the improvement notice is lifted.	1. If conditions in the notice of improvement are not met then withdraw approval. 2. If the notice of improvement raises conformance issues then the date of ACS assessment may be brought forward. 3. If the notice of improvement covers activities for which the company is not approved then any application for the additional activity to be approved will be refused or placed on hold until the company has been fully compliant for a period of 6 months.
11. ACS is brought into serious disrepute by the activities of an approved contractor.	Suspend approval pending withdrawal.	1. Suspension will only be applied where there is: <ul style="list-style-type: none"> • a risk to public or employee safety; • sufficient disclosable evidence of the risk; • an intention to withdraw approval.

Review and Appeal

This sanctions framework will be subject to review to ensure it continues to meet SIA objectives. If an approved contractor is not satisfied with a decision under this policy they are able to seek a review of the decision by writing to:

Approved Contractor Scheme
PO Box 49768
LONDON WC1V 6WY

Any review will be carried out by a member of SIA staff not responsible for the original decision and will be handled in accordance with our published complaints handling procedures.

⁶ For further information please see the SIA enforcement policy available from our website via this link: ['Enforcement: What to Expect from the SIA'](#).

