

Dogs Accompanying a Security Guard Licensee for Protection (Ontario Regulation 365/07)

4. Protection Use of Dogs

- (1) **Accompanying for Protection**
 - An individual licensee, in the provision of Security Guard services, may be accompanied by a dog for the licensee's protection. (O. Reg. 365/07, s. 4 (1))
- (2) **Requirements for Protection Dogs**
 - A dog accompanying an individual licensee as permitted by subsection (1) must:
 - (a) Be on a lead and under the control of the licensee.
 - (b) Wear a fluorescent collar and identification tag that includes the name of the licensed or registered business entity that employs the individual licensee. (O. Reg. 365/07, s. 4 (2))

Key Points for Security Guards and Employers

- **Accompaniment for Protection**
 - Security Guards may be accompanied by a dog for their protection while performing their duties. This measure enhances the safety of the guard in potentially dangerous situations.
- **Lead and Control**
 - The dog must always be on a lead and under the direct control of the Security Guard. This ensures the dog can be managed effectively and reduces the risk of unintended incidents.
- **Identification Requirements**
 - The dog must wear a fluorescent collar and an identification tag that clearly displays the name of the licensed or registered business entity that employs the Security Guard. This identification helps in verifying the legitimacy of the guard and the dog's role.

Dog Training (Ontario Regulation 365/07)

5. Training Requirements for Dogs

- A dog may not be used as permitted under this Regulation unless it is first trained:
 - (a) To obey the commands of the dog's handler or the person the dog is accompanying.
 - (b) To respond only to aggression against the dog's handler or the person the dog is accompanying, and to respond accordingly when the aggression abates.
 - (c) To not kill or seriously injure people or animals. (O. Reg. 365/07, s. 5)

Key Points for Security Guards and Employers

- **Command Obedience**
 - The dog must be trained to follow the commands of its handler or the person it is accompanying. This ensures the dog can be controlled effectively in various situations.
- **Response to Aggression**
 - The dog must be trained to respond only to aggression directed towards its handler or the person it is accompanying. Additionally, the dog must be trained to cease its response once the aggression stops. This ensures the dog acts appropriately and proportionately in defensive situations.
- **Non-Lethal Responses**
 - The dog must be trained to avoid killing or causing serious injury to people or animals. This is crucial for maintaining safety and minimizing the risk of excessive force.

Policies and Procedures (Ontario Regulation 365/07)

- 6. **Development of Written Policies and Procedures**
 - A licensed business entity shall develop written policies and procedures on the care and handling of dogs used as permitted by this Regulation, including policies and procedures on the dogs':
 - Feeding
 - Housing
 - Transportation
 - Veterinary care
 - Retirement
 - Euthanasia (O. Reg. 365/07, s. 6)

Key Points for Employers

- **Comprehensive Policies**
 - Employers must develop detailed written policies and procedures to ensure the proper care and handling of dogs used in security services. These policies should cover all aspects of the dogs' welfare, from their daily care to their eventual retirement or euthanasia.
- **Feeding**
 - Policies must outline the feeding requirements for the dogs, ensuring they receive proper nutrition and are fed regularly.
- **Housing**
 - Policies should detail the housing arrangements for the dogs, ensuring they have a safe, comfortable, and hygienic living environment.

- **Transportation**
 - Procedures must be established for the safe transportation of dogs, ensuring their well-being during transit.
- **Veterinary Care**
 - Employers must provide guidelines for regular veterinary check-ups and medical care to maintain the health of the dogs.
- **Retirement**
 - Policies should include plans for the retirement of dogs, ensuring they are well cared for once they are no longer fit for service.
- **Euthanasia**
 - Procedures must be in place for the humane euthanasia of dogs when necessary, ensuring it is done ethically and humanely.

Oversight by Employers (Ontario Regulation 365/07)

7. Employer Responsibility for Compliance

- A licensed business entity shall ensure that the individual licensees employed by it comply with this Regulation. (O. Reg. 365/07, s. 7)

Key Points for Employers

- **Ensuring Compliance**
 - Licensed business entities must actively ensure that all Security Guards and Private Investigators they employ adhere to the regulations set forth in Ontario Regulation 365/07.
 - This includes all aspects of the regulation, from the proper use and training of guard dogs to the development and implementation of care policies.
- **Monitoring and Enforcement**
 - Employers must establish systems to monitor the activities of their licensees regularly. This could include routine inspections, audits, and performance reviews to verify compliance with the regulation.
- **Training and Education**
 - Providing ongoing training and education to employees about the regulatory requirements and company policies ensures that all licensees are informed and prepared to comply.
- **Documentation and Record-Keeping**
 - Maintain accurate records of all training, equipment issuance, and compliance checks to demonstrate adherence to the regulation.
 - Detailed documentation helps in identifying areas of non-compliance and taking corrective actions promptly.
- **Addressing Non-Compliance**
 - Have clear procedures in place to address instances of non-compliance, including retraining, disciplinary actions, or other corrective measures as necessary.

Information to New Owners

8. Advising New Owners about Dogs Used in Security Services

- An individual licensee or licensed business entity that gives away or sells a dog that was used to accompany Security Guards in the provision of Security Guard services must inform the new owner that the dog was used in this capacity. (O. Reg. 365/07, s. 8)

Recordkeeping Requirements for Licensed Business Entities (Ontario Regulation 434/07)

1. Required Records

- (1) Every licensee that is a business entity must keep the following records:
 1. A list of all Private Investigators and Security Guards currently employed by the licensed business entity.
 2. A list of all Private Investigators and Security Guards not currently employed but who were employed at any time in the previous two years.
 3. For every person named on the lists required by paragraphs 1 and 2:
 - (i) A copy of their employment contract.
 - (ii) A record detailing the period of employment and locations where services were provided.
 4. For all services provided by the licensed business entity:
 - (i) All notes and reports prepared by employees.
 - (ii) All photographs and electronic records produced or obtained.
 - (iii) A Use of Force Report for every instance of using handcuffs, batons, firearms, or any weapon, or any use of force.
 - (iv) A Use of Force Report for every instance that a dog used in services attacks a person.
 5. If an employee is authorized or required to carry handcuffs, batons, or firearms:
 - (i) The names of such employees.
 - (ii) Evidence of training in the use of these items.
 - (iii) Documentation of the trainer's credentials.
 - (iv) Evidence of insurance against risks associated with these items.
 - (v) An equipment log detailing:
 - (A) Each issuance of handcuffs, batons, or firearms and the recipient's name.
 - (B) The type of item issued.
 - (C) Description of the location where the item was carried.
 - (D) A threat assessment for each issued baton.

6. If an employee is authorized or required to be accompanied by a dog:
 - (i) A record of the dog's training.
 - (ii) Evidence of the employee's training in the use of dogs.
 - (iii) A copy of policies and procedures on the care and handling of dogs.
 - (iv) A log detailing each issuance of a dog and the name of the recipient.
2. **Retention of Records**
 - (2) Every licensed business entity must retain the records required by subsection (1) for two years, or until the conclusion of any relevant ongoing investigation, inspection, complaint, court proceeding, or administrative proceeding. (O. Reg. 434/07, s. 1 (2))
3. **Conclusion of Proceedings**
 - (3) A court or administrative proceeding is concluded once a decision is rendered and all rights of appeal or review have expired or been exhausted. (O. Reg. 434/07, s. 1 (3))

The Security Guard License

Individual Licenses

To act as a Security Guard, an individual must hold the appropriate license under the PSISA. They must either be:

- Employed by a licensed business entity
- Employed by a registered employer under Section 5
- The sole proprietor of a licensed business entity
- A partner in a licensed business entity

Responsibilities of Individual Licensees

1. **Maintaining a Valid License**
 - Individuals are responsible for ensuring they have a valid license.
 - They must renew their license card according to Ministry guidelines.
 - Licensees are responsible for any fees associated with the licensing process.
2. **Employment Compliance**
 - Each licensee must ensure they are working for an employer registered and recognized by the Ministry of the Solicitor General.

Key Points for Individual Licensees

- **License Renewal**
 - It is the licensee's responsibility to be aware of the expiration date of their license and to complete the renewal process in a timely manner to avoid lapses in licensure.
- **Fee Payment**
 - Licensees must pay any required fees for obtaining and renewing their licenses. Failure to do so can result in the loss of licensure.
- **Verification of Employer**
 - Licensees must verify that their employer is a registered and recognized entity by the Ministry of the Solicitor General. Working for an unregistered employer can lead to legal and professional consequences.

Licensing Requirements (subsection 10(1) of the PSISA)

To hold a Security Guard license under the PSISA, individuals must meet the following mandatory requirements:

- **Completed Training and Testing**
 - Applicants must have completed the prescribed training and testing specific to Security Guards.
- **Age Requirement**
 - Applicants must be at least 18 years old.
- **Clean Criminal Record**
 - Applicants must possess a clean criminal record in accordance with the Clean Criminal Record Regulation (details below).
- **Legal Work Eligibility**
 - Applicants must be legally entitled to work in Canada.

Proof of Eligibility

- **Documentation**
 - People applying for a Security Guard license must provide proof that they meet all the mandatory requirements. This proof may include certificates of completed training, identification verifying age, criminal background checks, and documentation of legal work status.
- **Application Processing**
 - If applicants do not meet the eligibility requirements, their applications will not be processed.

Clean Criminal Record Regulation

- **Details on Clean Criminal Record**

- The Clean Criminal Record Regulation specifies the criteria for what constitutes a clean criminal record. Typically, this means that the applicant has not been convicted of a criminal offence for which a pardon has not been granted.

Eligibility to Hold a Licence – Clean Criminal Record

For the purposes of subsection (1), a person possesses a “clean criminal record” if:

(a) No Convictions

- The person has not been convicted of a prescribed offense under the **Criminal Code (Canada)**, the **Controlled Drugs and Substances Act (Canada)**, or any other Act of Canada; or

(b) Pardon Granted

- The person has been convicted of such an offense, but a pardon under the **Criminal Records Act (Canada)** has been issued or granted. (2005, c.34, s.10 (5))

Application Process and Review

- **File Review**

- Upon application for a license, the **Private Security and Investigative Services Branch (PSISB)** will review the applicant’s file to determine if any restrictions should apply based on their criminal record.

- **Opportunity to be Heard**

- If there are concerns regarding the applicant’s criminal record, the applicant may be given an opportunity to be heard to discuss their case. This ensures that applicants have a chance to present their situation and provide any necessary explanations or context.

Public Complaints

Members of the public may file a complaint against any licensed individual or licensed company if they believe that a violation of the PSISA or its regulations has occurred.

Complaint Process

1. Filing a Complaint

- Public complaints can be submitted to the **Private Security and Investigative Services Branch (PSISB)**. The complaint should detail the alleged violation of the PSISA or its regulations.
- 2. **Facilitation**
 - Public complaints can lead to facilitation, where an attempt is made to resolve the issue between the complainant and the licensee through discussion and mediation.
- 3. **Investigation by PSISB**
 - The PSISB may investigate the matter further. During the investigation, they will gather evidence, interview witnesses, and review relevant documentation.

Possible Outcomes of an Investigation

- **Charges**
 - If the investigation finds that a violation has indeed occurred, charges may be laid against the licensee. These charges could lead to legal proceedings.
- **Warning**
 - The licensee may receive a warning if the violation is not severe enough to warrant charges but still merits official notice.
- **Revocation of License**
 - In cases of serious violations, the license of the individual or company may be revoked. This action removes the ability of the licensee to legally operate within the security industry.

Ambassador for the Industry

Uniformed Security Guards constitute the largest segment of the visible security industry. Due to their high visibility and interaction with the public, the conduct of a Security Guard is crucial in maintaining a sound professional image for the industry as a whole. However, there are common obstacles confronting Security Guards in their daily work that can hinder public relations. These include:

Common Obstacles in Public Relations

1. **Suspicion**
 - **Nature of the Job:** Security Guards are employed to protect people and property. This responsibility may cause them to act distrustfully.
 - **Impact on Interaction:** Excessive suspicion can make interactions with the public difficult and create an impression of distrust.
2. **Negative Thinking**
 - **Critical Role:** Guards are tasked with identifying potential issues, which can lead to a habit of constant criticism.
 - **Constructive Approach:** It's important for Guards to balance criticism with positive reinforcement and communicate in a constructive manner.

3. Temper

- **Anger Management:** Getting angry and showing it can undermine a Guard's authority and professionalism.
- **Professional Attitude:** Maintaining a calm and composed attitude is crucial, especially when dealing with difficult situations.

4. Prejudice/Discrimination

- **Personal Bias:** Like anyone else, Guards have personal likes and dislikes that can affect their interactions.
- **Fair Treatment:** Guards must discipline themselves to treat everyone fairly and justly, regardless of personal prejudices.

5. Lack of Pride

- **Professionalism:** Guards must maintain personal dignity, self-respect, and pride in their role.
- **Appearance and Conduct:** A well-groomed and properly attired Guard reflects pride in their profession and enhances public perception.

6. Lack of Flexibility

- **Adaptability:** Security work requires flexibility and the ability to adapt to different situations and clientele.
- **Diplomacy:** Guards should be diplomatic, tactful, and quick to adjust to changing conditions.

7. Abuse of Power (Or Position)

- **Proper Use of Authority:** Guards must use their limited authority judiciously and remember that it applies only under certain circumstances.
- **Avoiding Overreach:** They must avoid abusing their position and adhere to the same rules as other employees and the public.

8. Unable to Take Criticism

- **Patience:** Accepting criticism with patience is essential, even when it feels unjustified.
- **Professional Response:** Guards must manage their reactions and maintain professionalism in the face of criticism.

Security Guards

According to the PSISA, a Security Guard is defined as someone who "performs work, for remuneration, that consists primarily of guarding or patrolling for the purpose of protecting persons or property" [Private Security and Investigative Services Act, 2005, c.34, s.2 (4)]. This definition includes:

- **Uniformed Security Guards**
- **Bouncers in Licensed Liquor Establishments**
- **Bodyguards & Close-protection Specialists**
- **Loss Prevention Personnel**

Licensing Requirements

Under the PSISA, individuals and businesses are required to obtain the appropriate licenses to provide security services. This legislation prohibits individuals from providing security services to third parties without a license to engage in the business of selling private security services. Specifically, the PSISA states:

“A person who performs work, for remuneration, that consists primarily of acting for or aiding others in soliciting or procuring the services of a Private Investigator or Security Guard shall be deemed to be in the business of selling Private Investigator or Security Guard services” [Private Security and Investigative Services Act, 2005, c.34, s.2 (6)].