

11 February 2025

The Hon. Deb Frecklington MP
Attorney-General and Minister for Justice and Minister for Integrity
Office of the Attorney-General
1 William Street
Brisbane, QLD 4000

Dear Minister Frecklington,

I am writing to introduce the Building Service Contractors Association of Australia (BSCAA) and to express our concerns regarding the current state of security licensing and related regulatory processes managed by the Office of Fair Trading.

The BSCAA is the peak industry body representing the building services industry in Australia. Our members include a wide range of businesses involved in cleaning, **security**, and other building services. We are committed to advocating for the interests of our members and ensuring that industry standards are maintained at the highest level. The building services industry plays a crucial role in maintaining the **safety**, cleanliness, and functionality of various facilities across the country.

Our members have expressed significant frustration with the Office of Fair Trading's lack of responsiveness. This has led us to seek a direct meeting with you to discuss these issues in detail. Specifically, we have identified several key areas of concern:

1. **Under-resourcing of the Licensing Unit:** The Industry Licensing Unit within the Office of Fair Trading is significantly under-resourced, with only a few staff members handling the entire licensing process. This has resulted in delays and difficulties in obtaining timely responses to inquiries and applications, causing operational disruptions for our members. Additionally, there is a need for more auditing enforcement to ensure compliance and prevent the relicensing of phoenix businesses. There should also be a crackdown on cash-in-hand payments during license checks. Collaboration between the Fair Work Ombudsman (FWO) and the Office of Fair Trading (OFT) is essential to enhance enforcement and compliance.
 - **Recommendation:** Allocate additional resources to the Industry Licensing Unit within the Office of Fair Trading to ensure timely processing of inquiries and applications. Increase auditing enforcement, prevent phoenix businesses from obtaining new licenses, and enforce stricter measures against cash-in-hand payments during license checks. Establish joint efforts between the FWO and OFT to improve regulatory enforcement and ensure compliance across the industry.

2. **Regulatory Changes:** The changes to first aid requirements were implemented in April 2022 without adequate industry consultation. This has caused confusion and additional costs for our members, who are striving to comply with the new regulations while maintaining their service quality.
 - **Recommendation:** Establish a formal mechanism for industry consultation on regulatory changes, such as an advisory board. This will ensure that changes to regulations, such as first aid requirements, are implemented with adequate input from industry stakeholders.
3. **Safety Concerns for Security Personnel:** There have been two major incidents involving the deaths of security personnel in New South Wales, which have highlighted significant safety concerns within the industry. These incidents have had a profound impact on the entire industry, including Queensland. We believe that all shopping centre guards should be equipped with knife-proof vests, and there should be a minimum requirement of two guards per licensed venue, as evidenced by the tragic death of a guard working alone in NSW.
 - **Recommendation:** Mandate the use of knife-proof vests for all shopping centre guards and require a minimum of two guards per licensed venue. These measures will help enhance the safety and security of personnel working in high-risk environments.
4. **Lack of Adaptation to Regulatory Changes:** The Office of Fair Trading has not kept up with important regulatory changes such as the Automatic Mutual Recognition (AMR) scheme. The AMR scheme, a federal initiative under the Mutual Recognition Act 1992, allows workers with an occupational registration or licence in one Australian state or territory to work in another without paying additional fees or applying for another registration. However, Queensland is currently not participating in the AMR scheme due to concerns about maintaining its high standards of regulatory protections and safeguards. Specifically, Queensland officials have cited worries about substandard licensing regimes in other states and the potential safety issues and inconsistencies this might create. With the Olympics approaching, the need for mutual recognition of security staff across all states is essential to adequately staff the games and ensure the safety of all participants and attendees.
 - **Recommendation:** Ensure that the Office of Fair Trading keeps up with significant regulatory changes, such as the Automatic Mutual Recognition scheme. Establish an advisory board to provide direct industry input on regulatory changes and ensure that the Office of Fair Trading cannot implement changes without adequate consultation. Additionally, we seek clarification on the progress of Queensland's engagement with the Commonwealth to resolve these issues. What other solutions are being considered to address concerns about substandard licensing regimes in other states?

5. **Lack of Industry Meetings:** There has not been a Security Industry meeting with the OFT since COVID-19. The Building Service Contractors Association of Australia (BSCAA) has been requesting to reestablish these meetings for over a year now, to no avail.
 - **Recommendation:** Schedule regular Security Industry meetings with the OFT to ensure ongoing communication and collaboration.
6. **Security Guard Licence Hologram Issue:** Queensland security guard licenses do not feature a security hologram. This absence is problematic as it creates verification challenges. Without a hologram, it can be more difficult to verify the authenticity of a security guard's license, potentially leading to the use of fake licenses. This makes it easier for individuals to produce counterfeit licenses, which can undermine the integrity of the security industry. Holograms provide a quick visual confirmation of authenticity. Their absence might reduce public confidence in the legitimacy of security personnel.
 - **Recommendation:** Update the security guard licenses to include a hologram. This will enhance the verification process, reduce the risk of fraud, and improve public trust in the legitimacy of security personnel, especially with the increased demand for interstate security staff during the Olympics.

The lack of engagement from the OFT with industry stakeholders has created a significant gap that needs urgent attention. This disconnect has arisen due to insufficient communication and collaboration, which hinders effective regulation and oversight. Establishing an advisory committee is essential to bridge this gap and ensure alignment with industry needs. By working together through such a committee, the industry can provide valuable insights and feedback, leading to practical and effective regulatory changes.

We believe that direct communication with your office is important to address these concerns effectively. We kindly request a meeting at your earliest convenience to discuss these issues and explore solutions. Prompt action will benefit our members and enhance the regulatory environment for the building services industry.

Thank you for your attention to these matters. We look forward to your response and the opportunity to work together to improve the regulatory environment for our industry.

Yours sincerely,



Kim Puxty
CEO
Building Service Contractors Association of Australia (BSCAA)