

## Education System in Commercial Security

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**Abstract—** This paper addresses the preparation of the new Law on private security services in the Czech Republic, pitfalls and possibilities of practical use in the field of security work. This new law should adjust the position of private security services in their business, but also the opportunity for involvement in the Integrated Rescue System of the Czech Republic.

**Keywords-** Commercial Security, Detective Activities, Property Protection and Security.

### I. INTRODUCTION

The Czech Republic - as perhaps the only country in the European Union, does not have a law that would comprehensively regulate Commercial Security proceedings. On the one hand, this situation is seen as a particular example - because it is a business that should not be constrained by other actors, especially actors in the Executive Powers sphere; on the other hand, the fact is that most security services employees only have very low qualifications - which is reflected in the fact that staff salaries are on the lower end of the wage curves.

Despite these and other problems in connection with Private Security Services' activities and working in the Private Detective trade, a number of changes in this area have been recently made.

The amendment to the Trade Act - in the area of Security Services, which came into effect on 1, January, 2009, modified the conditions of doing business in the Security Guard and Private Detective fields. Given that earlier adaptation of the contents of individual trades was contained in the Government regulations, it can be assumed that the adjustment made by the Small Business Act - a superior rule of law, will contribute to improve and provide a higher social status of these activities.

The great development of PSS finally occurred after the fall of the Communist regime, i.e. from the early 90s. Regarding their legal basis, their activities were cancelled in 1991 by the Decree of the Federal Ministry of the Interior; but, a new trade law - ranked them among the Licensed Trade sector and the "Private Eyes Service" as follows, "undertakings providing for the security of property and persons", (later referred to as "the Security of Property and Persons", and later again, under the "Provision of Technical Services for Persons and Property", and created a new legal basis for this kind of business. At the same time however, dating back to 1992, the introduction of special treatment for the PSS area was mooted, as was the need for a separate law; however, these efforts were unsuccessful, and ended there.

The last attempt to create such a special act was seen in the Spring of 2011; in June, 2011 - but interdepartmental commentary procedures were terminated, and there was not much time for further noticeable developments. According to information from the Ministry of the Interior, they were still "working hard" on the Bill and it was planned to send this to the Government to 31. 12. 2012.

The amendment to the Trade Act itself includes newly specified conditions for Security and Private Detective services - which refers to the fact that the required professional competence for these trades, inter alia, is evidenced by a Professional Qualification Certificate for the relevant work activities, which will be issued by an authorized body established under special regulations of the Ministry of Education, Youth and Sports. This is actually the accreditation process based on the authorisation by the Ministry of the Interior.

This otherwise set the conditions for implementing the Ministry of Interior Decree No. 16/2009 Coll., "On the Content and Scope of Qualifications for Security and Private Detective Services". The decree was published in Volume No. 6 of the Collection of Laws of the Czech Republic, which was distributed on January 16, 2009, and came into force on its publication in the Official Gazette.

The content of this ordinance is to establish the conditions for the acquisition of competence in operating a licensed Security Guards trade and licensed Private Detective trade services and for them to become proficient employees and for entrepreneurs operating a licensed Security Guards trade and licensed Private Detective trade services, as well as the method for the implementation of proficiency tests in order to acquire professional qualifications for the above activities and the content of the test.

The condition for obtaining such expertise is to create a Qualification Standard - which consists of upgrading proficiency and the development of criteria and evaluation methods.

### II. THE NATIONAL SYSTEM OF QUALIFICATIONS FOR THE LICENSED TRADE

1. Guarding Property and Persons; and...
2. Private Detective Services

This established the qualification standards with effect from June 19, 2009 as follows:

#### A. *Guards (Code 68-008-E)*

Where, for competence standards, this implies training of at least 20 hours, followed by an examination before a three-member expert committee composed of duly authorised people.

The Training Content is primarily:

- The implementation of protection and security of persons and property
- Manipulating technical security systems
- The application of the principles of interaction with the Integrated Rescue System - especially the Police, and other defined entities
- The application of the legal basis of security activities
- The control of persons and vehicles at personnel gates and other gates
- The control of guarded object activities
- The surveillance of buildings and public spaces
- Implementing simple actions to ensure and restore security and to reduce losses to property and human health
- The use of physical security funds
- The documentation of surveillance controls and services provided

#### B. *Detective Trainee (Code 68-009-M)*

Where, to obtain proficiency training, it is expected to cover at least 20 hours, followed by an examination before a three-member expert committee of duly authorised persons.

The content of this training is primarily:

- Orientation in the basic legal standards and provisions with emphasis on security
- Legal issues and the protection of personal data
- Readiness to apply the basic forms and methods of Private Detective duties, and for their practical implementation
- The principles of the operation and control of basic private detective resources and aids
- Other activities
- Documenting and evaluating information, and their registration and preparation for handover to the client
- A readiness to use Informatics

Based on the evaluation standard, they then have to show the extent of the requirements and evaluation criteria in the form of written, oral and practical examinations.

Both of the above-mentioned tests include a written exam, in the form of test questions that are randomly generated from a set of questions - which is an examination system available on a data-carrier. The test results are validated by the test board, as are the oral and practical exams, which are designed to address particular situations.

The final evaluation is carried out by the Examination Committee, which evaluates the fulfilment of the

professional competence and conduct requirements and the outcome of the tests and these are entered into the record during the test.

A candidate who satisfies the conditions set out in the criteria and evaluation method is evaluated such that the Commission issues a final "Pass" rating. Otherwise, the rating "Failed" is recorded; while the evaluation is carried out by means of commission members' votes, and the result is then communicated to the Commission Chairman.

The test is performed on the basis of a written application. The applicant for consideration's preparation time is 20 minutes, while the written exam can take up to 45 minutes, and the oral and practical exams that follow-on may last 30 minutes.

An applicant who passes the exam shall be issued a Certificate of Professional Qualification by the duly authorised person(s); among other things, this must include the Certificate's Registration Number and the name of the appropriate scope of business activities for which the professional qualification certificate is issued.

The decision to grant accreditation from the Ministry of Education, Youth and Sports to an organisation is authorised in accordance with: § 108, Para. 2, Act No., 435/2004 Coll., "On Employment", as amended; as well as Decree No. 524/2004 Coll., on "Providing Retraining to Applicants and Applicants for Employment"

The original intention, in terms of this certificate was that it will be valid for five years from the date of its issue.

#### C. *Security Services Handlers, (Code: 68-001-H)*

Other professional qualifications have been established for this licensed trade; they must be able to:

- a) Demonstrate their knowledge of Dog Handling (K9, Cynology) Methodology and explain the difference between tame and domesticated animals
- b) Explain the concept of the instinctive conduct of dogs/K9s, and the importance for the survival of the individual as and when this arises, and to cite two examples
- c) Explain the Conditioned Response (Behaviour) concept for dogs, and the importance for the survival of the individual as and when this arises, and to cite two examples
- d) Explain the Habituation (loosely - adaptation) Concept, and the importance for the survival of the individual as and when this arises, and to cite two examples
- e) Divide dogs by type of Higher Nervous Activity into four groups (i.e. IP Pavlova distribution), and each type simple way to characterize and explain the appropriateness of different types of dogs for guard duty,
- f) Describe the expression f (threat) confident aggressive dog ready to attack (describe position, ruff, the position of the ears, tail, revealing teeth, view dog, sound speech)

- g) Describe the expression (threat) dog for aggressive behaviour, which is caused by a sense of danger and fear of the dog (describe position, ruff, the position of the ears, tail, revealing teeth, view dog, sound speech),
  - h) Describe the expression obeying dog (especially in active and passive subordination) - describe the attitude, the movement of the dog, the position of the ears, tail, facial expressions, audible speech and specify the territorial negotiations dog, the reason for this behaviour, speech, application and use of security service,
  - i) Describe the defensive reaction of the dog - especially active (escape, attack) and especially passive, explain the reason for this behaviour and explain the use of active defence reaction of the dog in the direct attack on the dog and handler,
  - j) Shall be determined by lot three of the criteria that the applicant meets the test.
- d) Demonstrate the Dog/K9's defence of the handler – i.e. “Dribbling”, thereby effectively helping the dog handler in averting an attack by perpetrators
  - e) Demonstrate the skill of Escorting Suspects – how a handler with a dog must accompany the suspect to a designated place and transfer them into the custody of a responsible person. Handlers escort suspects as follows: “Rear Escort” – involves accompanying a suspect at a distance of about five paces, while the dog is kept by the handler's left leg, and is ready to defend effectively.

*D. Supervision Centre Worker, (Code: 68-003-H)*

The Maintenance of Technical Security Systems oriented on a Receiving Device and Signal Evaluation from security systems; they must be able to:

- a) Describe the principles, design, use and operation of Technical Security Systems with a focus on the Receiving Device
- b) Evaluate signals from security systems in the monitoring centre
- c) Describe the principles of personal data protection when processing and evaluating technical security systems
- d) Describe the principles of protection of information received in the monitoring centre
- e) They must meet all the criteria

a) They must applying the principles of co-operation with the Integrated Rescue System, and especially with the Police and other defined entities and to characterise the principles of cooperation with Police and Municipal Police operations at the monitoring centre under the applicable provisions of the relevant laws; b) Characterise the principle of consultation with Fire-fighting Units, and the Ambulance and Emergency Services, in averting damage to property and the health of persons, under the provisions of the relevant laws in the operations of a Monitoring Centre, as well as State Emergency Telephone Numbers. They must meet both criteria.

*E. The Head Detective Code, (68-002-T)*

They must know how to:

- a) Apply legal standards with an emphasis on Safety and the legal issues of Privacy; and understand the Constitutional Law - with an emphasis on the activities of Private Detective services
- b) Apply the Civil and Commercial Law with an emphasis on typical contractual relationships in the Private Detective Business
- c) Apply Trade Law, Labour Law, and Tax Law
- d) Apply Criminal Law and Criminal Procedure, Administrative Law and Administrative Procedure - with an emphasis on Administrative Offences and the Law on Weapons and Ammunition

Orientation in laws and regulations relating to the possession, training and use of dogs/K9s to protect the health and property of persons

In your own words, explain: a) § 1, Para. 1 of Act no. 409/2008 Coll., on the Protection of Animals against Cruelty; b) in your own words - explain: § 4, Para. 1, Points a), b), d), h), s) of Act No. 409/2008, Coll., “On Protection of Animals against Cruelty; in connection with § 4, Para. 1, Point a) to § 4, Para., 3; c) In your own words, explain: § 28 of the Criminal Code, No. 40/2009 Coll. (Destitution); d) Cite the wording of § 29 of the Penal Code, No. 40/2009 Coll. (Necessary Defence) and explain and introduce the main principles of Health and Safety in the use of a dog to protect the health and property of persons; In your own words, explain: 1) § 76, Para., Detention of a Suspected Person. 2) ...and of the Criminal Code (Limiting Personal Freedom), and give a practical example of the application of this section during Guard Duty.

Practical demonstration of Dog/K9 Training (Cynology) - Handler Defence

- a) Demonstrate “field screening” – the dog/K9, on command, runs to the handler - once to the right, and once to the left of the handler's axis; procedure will be repeated, but withdrawn at least twenty steps and examine a shelter
- b) Demonstrate “finding and exposure” (marking) a hidden person – they must find a hidden person and indicate the place by persistent barking
- c) Demonstrate “guarding suspect” during the tour – the dog lies at a distance of about five steps from the handler and inspects the suspect(s) as to whether they are carrying a concealed weapon – or not; the dog demonstrates how it controls each suspects' and perpetrators' behaviour in an attack on the handler - and is ready to effectively prevent injury to the handler

- e) Apply the Law on the Free Access to Information Act and the Data Protection Act
- f) Understand the Act on the Czech Police and Municipal Police and explain its use in the performance of their work.  
They must meet all the criteria.

### III. CONCLUSION

The introduction of mandatory training and testing in personnel security agencies and private detectives – apart from its positive aspects, also has its practical shortcomings. The number of employees in these services range from a sober estimate of 50,000 workers. This raises the question as to whether it is possible for authorised persons to handle such numbers of people and to train and test them - and it is thus necessary to consider the Economic Impact on businesses in this field, and especially, during the current economic crisis.

Another unresolved issue so far, is just how far the extension of both programmes for authorisation - and even Accreditation. Granting authorisation is a five-year period, and accreditation requires another three years.

Furthermore, the logical question arises as to whether it would be appropriate to amend that part of the Evaluation Standard that would deal with the need to commission three-member examination committees, comprised of the duly authorised persons.

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