SLED Advisory Council

Communiqué 21 February 2019

Members were welcomed to the first SLED Advisory Council meeting of their tenure as Council members.

Cameron Smith, Director, Security Licensing and Enforcement Directorate (SLED) gave members an overview of SLED, the history of how it came into being and its purpose. He also detailed the ongoing work to integrate the regulation of the tattoo industry and Commercial Agents and Private Investigators (CAPI) into SLED's regulatory remit.

Mr Smith gave a budgetary overview and explained that the revenue from fines issued by SLED go to Treasury. SLED also pays other government agencies like the RMS, Service NSW, CRIMTRAC and Finance and Innovation to use their services and as such, SLED does not make a profit.

SLED has recently transferred to the Corporate Services command and is unlikely to receive any funding for additional resources but will instead find ways to work more efficiently. The recently started online applications project is expected to assist in this regard. SLED is working closely with OneGov to improve the functionality for online applicants.

Portfolio Manager, Industry Regulation, Lisa Stockley, gave an overview of the Industry Regulation team and its two branches: Compliance and Enforcement and Training Regulation. As part of the restructure, the new team will include 14 investigators who will focus on investigating non-compliance and complaints, while the Training Regulation team will focus on regulating SLED's Approved Organisations.

Ms Stockley said SLED regularly engages with other regulators as part of the investigation process, including the Office of Liquor and Gaming Regulation, Public Works Advisory Project, Revenue NSW, Australian Taxation Office, Fair Work Ombudsman and the State Insurance Regulatory Authority.

She said so far SLED has audited 228 master licensees since 1 July 2018, and the focus for 2019 will be education and implementing the new structure. This will include improved performance reporting and Standard Operating Procedures to refine a risk-based compliance model. Ms Stockley said in September 2018 SLED changed the way statistics were recorded to help capture the educational compliance and graduated enforcement of the team's activities. In the period September 2018 to January 2019 the team issued 244 official cautions and 46 penalty infringement notices. She said SLED is also in talks with Service NSW to implement pre-licence knowledge testing on a similar system to the learner driver testing. All students wishing to complete a security licensing course would be required to pass the test before they are issued their licence.

Portfolio Manager, Determinations, Michelle Morgan, gave a overview of her role in SLED managing the Customer Relations, Licensing Services, Adjudication and Assessments teams. She said the position of Portfolio Manager, Licensing was in the process of being filled. Ms Morgan explained the level of data entry performed by the Licensing Services team would be reduced once people could apply for operator licences online.

Ms Morgan also gave a general overview of the Adjudication team's role in making decisions on whether to grant, refuse, cancel or revoke a licence based on criminal activity and other circumstances. She said licensees can request an internal review of any adverse decision and can take that decision to the NSW Civil and Administrative Tribunal if they are still unhappy. Ms Morgan said there has been a significant spike in applications under Mutual Recognition legislation, and NSW cannot refuse to mutually recognise a licence if the applicant already has an equivalent licence from another state.

There was no general business from the Council members, so Mr Smith brought the meeting to a close. The next meeting is scheduled for May 2019.

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