

# CAPSI's CODE OF CONDUCT

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# **CAPSI's Code Of Conduct**

## **Introduction**

Private Security Services has come to acquire the status of a major industry sector due to its exponential growth. There are over 7 million private security personnel employed across the country & the private security services sector is today one of the largest employers in India. The enactment of PSARA (Private Security Agencies Regulation Act), the formulation of NOSs (National Occupational Standards) and the training & certification processes by SSSDC speaks volumes of the sustained & untiring efforts of CAPSI.

Any Industry or a Professional Body, as it grows, needs to evolve a Code of Conduct. Such a Code guides the functioning of its members for maintaining professional ethics, principles & conduct while taking care of the interests of all Stake Holders within the ambit not only of the Govt. Laws, rules & regulations but also in maintaining high ethical & moral standards.

The time for setting out a Code of Conduct for private security agencies has now come .The code of conduct as formulated under the aegis of CAPSI is an attempt in this direction. Needless to say, that this Code of Conduct is not cast in stone. With the passage of time, there could be a need for making amendments so as to incorporate some changes. However, the basic principles of Moral and Ethical considerations would not be compromised. The requirement of adhering to & be guided by an ethical Code of Conduct shall always remain applicable to all members of this Professional fraternity.

## **Vision**

We, the members envision CAPSI as our professional association - & as an indispensable resource for all the members. CAPSI as a national association shall over see that all the members of the private security industry adhere to the code of conduct. Central to achieving our vision is to focus on all our members as the reason of our existence and a resolute respect for our employees as the source of our source strength to deliver Quality Service to our clients in a responsive and caring manner.

## **Mission Statement**

To facilitate excellence in bracing up to the security challenges of the Industry and provide superlative quality of services. Under the umbrella of the CAPSI, we shall be promoting healthy competitiveness, equity, diversity and inclusiveness while establishing a level playing field for all the Industry Members without compromising with ethical standards..

## **Objectives**

To adhere to the following broad points.

- (a) The Private Security Industry & the Inter – Company Relationships.
- (b) The Clients
- (c) The Employees
- (d) Individual Member Companies

Private Security Industry & Inter Company Relationship;

All private security companies as members of CAPSI and their Employees are expected to adhere to the principles of professional Code of Conduct and to contribute to the enhancement of the reputation of the Association and the Trust Of the public in the professionalism of The Private Security Industry.

The CAPSI's Code of Conduct is intended to establish a framework for the implementation of best practices in the inter-relationships of CAPSI members. The Code represents the ideals to which all CAPSI members agree to subscribe in their conduct & relationships. The Code is one component of the CAPSI's self-regulation programme and also includes enforcement mechanism for the Code.

The Code is not intended to anticipate solution to every challenge that may arise in a professional relationship, but it intends to provide a set of core values that will form the basis for the resolution of the challenges that may arise in such relationships.

Also, the Code is not intended to establish standards to be applied by third parties, such as the courts, but to create a framework under which CAPSI and its members will govern or self-regulate themselves. The CAPSI members believe that adherence to the values expressed in the CAPSI Code will result in healthy, productive, and mutually beneficial relationships.

The Code is dynamic and may have to be reviewed periodically to incorporate required changes but the core values of operating within a framework which is in accordance with the provisions of the Law and is based on decency, honesty, fair-play and a live & let-live approach which permits a healthy but ethical competition, will always stay.

### The Clients:

All Members must strive to provide Security Services of the highest possible standards in a most Cost-effective manner. This obviously implies that contents of PSARA would be complied with, both in letter & spirit. Also, all Security persons would be professionally trained, skilled and endeavour to attain certifications from SSSDC etc.

Best Practises and Processes available globally (as contained in say, the Standards & Guidelines published by ISO, ASIS should be included & provided in our Services. This would also imply that all Technological Developments taking place may be suitably included in our services to enhance the effectiveness of our Services to the client.

The Professional Conduct to be followed in our relationship with the Client should be such norms as elicit command and respect from the Clients.

As Security Advisors, we should render Professionally, Legally & Ethically Correct advice to the Clients.

### The Employees

The Interests of the Employees cannot be ignored at any cost. Not only should they get their Legal & statutory dues but their skill levels must be enhanced so that they perform their tasks in a professional manner and at the same time they should understand, see and attain continuous growth in their careers/profession.

They must be provided an inspiring Leadership and a work Culture which builds their self-esteem and self- pride as a professional.

### The Individual Company(s) / Member Of CAPSI:

The Members have to operate in a business environment which allows them to grow in a sustainable and a profitable & ethical manner so as to continue providing Professional services of the highest order.

## **Code of Conduct**

All Members will:

1. Conduct business in a Professional, Legal, & Honest manner with sense of Social Responsibility to the Clients & Employees while respecting rules of fair competition.
2. Always perform the services within the ambit of the law and not allow or make other members indulge in activities which are in contravention of prescribed in Laws & regulations
3. Assist and co-operate with the regulating authority that has the role of monitoring the profession/industry.
4. Accept business only at the level of rate, which ensures that all Statutory Compliances can be met and also provide a decent margin or Service Charge which can ensure sustainable business. Terms of Rate Revision as well as renewal of contract have to be such that statutory compliances can be met. Also, Payment terms and Penalty clauses have to be reasonable and not damaging.
5. Ensure that while taking over business, the legitimate dues of the Outgoing Agency are duly settled /cleared unless otherwise, a prima facia case/legal issue is involved.
6. In case of a dispute with a client ,efforts should be made to mutually resolve the issue(s).However ,in case bilateral efforts fail, then before taking recourse to a legal remedy, the matter be referred to CAPSI which will use its good offices to arrive at an amicable settlement.
7. While Marketing or in the process of obtaining business, avoid making exaggerated claims/ promises and bad-mouthing about the competitors. Further any confidential information of other clients or of competitors should be divulged/shared.
8. Ensure that all Security Persons are employed only after due Verification and checking of their antecedents. Proper Documentation of all Personnel employed should be ensured. It has to be ensured that the Guards are adequately trained before deployment.
9. Not indulge in poaching Of Manpower from other agencies directly or indirectly. In fact before employing, either a Clearance Certificate would be insisted upon or a reference check with the previous employer(s) would be made.
10. Ensure that Guards / Field Staff & any other employee of one member agency is not also working simultaneously with another member agency at the same time or in some other shift.
11. Ensure that the role and conduct of the Management should facilitate establishment of good ethical values, work- culture, continuous skill development and progressive career growth to enhance the self- respect and self- pride of the employees. This would also improve the living conditions and social status of the employees as well as that of the Private Security Industry.

### **Disciplinary/Regulatory Committee**

CAPSI members must be realistic about their mutual relationships. They should understand & recognize that from time to time disputes may arise in the course of their business but they would remain committed to the amicable and prompt resolution of these disputes. CAPSI members believe that association should establish a method for internal dispute resolution and should publicize and encourage use of such dispute resolution mechanisms.

Also, there is a need to have some kind of mechanism to ensure that the Code of Conduct is taken serious note of and all Members of CAPSI follow it both in Letter and in spirit. Hence a Disciplinary/Regulatory Committee will be formed at a National Level.

#### **Composition & Working of Disciplinary/Regulatory Committee:**

It will have Four Members and a Chairperson having Voting Rights.

Their Term will be for Two Years.

Further, they cannot be nominated for more than two consecutive Terms.

#### **Nomination**

The Members of The Committee would be nominated from amongst the Members of The Governing Bodies of various Regions by President CAPSI who would be the ex-officio Chairperson. After being approved by The Chairman CAPSI, concurrence/ratification will be obtained from the Governing Body of CAPSI.

#### **Appellate Authorities**

The decisions taken by the National Regulatory Committee can be appealed against to the Governing Committee of the CAPSI which will be The final Apex Body.

#### **Functions / Responsibilities**

The main **functions / responsibilities** of such Committees will be :

1. Ensure that All Members adhere to the Code of Conduct.
2. Resolve Conflicts that may arise amongst Members.
3. In case a Member violates the Code of Ethics then action against such a delinquent Member is taken. The aim would essentially be to correct the conduct of such member(s). They can be given a Show Cause Notice which is followed by a hearing, if required. The Apex or The National Committee can either issue a Warning or resort to Naming & Shaming and only in extreme cases, recommend expulsion of the Member from the CAPSI.
4. The Committee should also assist in compiling a 'Black List 'of Employees whose Services have been terminated for gross-misconduct, misappropriation, conviction on heinous crimes etc. so that their obtaining an employment with other Member Agencies is avoided.
5. Similarly, A List of Those Clients who have a poor track record of delayed/non-payment and of treating Member Agencies in an unreasonable and non-professional manner is maintained for the information of all Members so that business decisions are taken in the light of availability of such knowledge.

6. Act as a Complaint Redressal Forum, In that, If a Member Agency is being harassed unnecessarily either by any Personnel/party, group /Govt. Agency, they can intervene and find out the cause of such an occurrence and if found fit, the affected Member be given a helping hand.

### **Disciplinary Action : Procedure& Limits**

Section 1: Any member of CAPSI may be censured, reprimanded, suspended or expelled for a conduct unbecoming a member of CAPSI ; for violation of the By-laws and Code of Conduct ; or, for any conduct which may endanger the welfare, interest or reputation of any individual member or of CAPSI.

Section 2 : The Disciplinary/Regulatory Committee shall receive and act upon such grievances or ethical issues as brought to their attention by the Chairperson. The Committee should then submit its findings and recommendations to the Chairman CAPSI for disposition.

Section 3 :Any member Of CAPSI , may prefer charges against another member or officer. Written charges against a member or officer shall be filed with the Disciplinary/Regulatory Committee in the following manner: One copy of all grievances and substantiating documents shall be submitted to the Chairperson in every instance and the Chairperson shall immediately distribute, when received, as follows:

- a. One copy to the Respondent.
- b. Distribute one copy each to the members of the Disciplinary/Regulatory Committee
- c. One copy to be maintained in the Office of the Chairperson

Section 4. It shall not be the duty of either the Disciplinary/Regulatory Committee to investigate or accumulate evidence but just to receive pleadings, answers, depositions, interrogatories and documents as submitted by the complainant and respondent and upon such pleadings and evidence, reach a majority decision.

Section 5 : The complainant shall be responsible for all reasonable expenses incurred by CAPSI in processing his/her grievance.

Section 6 : It shall be the duty of the Chairperson to expedite the case by setting a reasonable time limit for all documents to be in and a reasonable time thereafter for the Disciplinary/Regulatory Committee's decision.

Section 7 : The Disciplinary/Regulatory Committee, shall render its decision within a reasonable time, as the mails allow. All decisions shall be made known to all interested parties, and to CAPSI Head Office and its Board Members for their appropriate actions and attentions.

Section 8 : An Appeal, if desired, shall be made to the Appellate Authority within Thirty ( 30)days after notification.

Section 9 .:If an appeal has been filed timely after the Disciplinary/Regulatory Committee has made a notification of suspension or expulsion the accused member shall have the right to have a hearing. The member shall be notified by registered mail at least thirty (30) days in

advance of the date and place of the hearing. The accused shall be entitled to be represented by counsel. A majority vote of the Disciplinary/Regulatory Committee shall be necessary for the suspension. A two-thirds (2/3) vote of the Disciplinary/Regulatory Committee shall be necessary for the expulsion of a Member.

Section 10 : A member having been censured may be placed on probation for a period of up to two (2) years, the term to be determined by the Disciplinary/Regulatory Committee, based upon the severity of the offence. Should the offending member be charged with, and found at fault of, another violation during the period of probation, they shall receive no less a penalty than a reprimand. A member or an officer having been reprimanded or suspended of the General Membership shall not be eligible to hold office or an appointed position for a period of up to five (5) years, the term to be decided by the Disciplinary/Regulatory Committee. If already an elected officer, or any member holding any other appointed position within the Association, such reprimand or suspension shall automatically remove the member from the position into which he/she has been appointed, and in like manner, he/she shall not be eligible to hold any office or position again for the length of the penalty.

#### **Acceptance of Code Of Conduct**

This Code Of Conduct will be published and also be made available on CAPSI Website. All Members of CAPSI will give a written undertaking to CAPSI Head Office that they would abide by The CAPSI Code Of Conduct.

#### **Conclusion**

The Code Of Ethics is a Document which defines & lays down the manner wherein Members of CAPSI agree that The Private Security Industry will conduct themselves as Professionals bound by a Code wherein their Business is conducted in a competent, commercially sustainable manner & in accordance with the provisions of the Law and within the frame work of high ethical standards which takes care of all the stake holders- Clients, Employees and Other Members of this exalted profession.