

PROVINCIAL ADMINISTRATION: WESTERN CAPE

SEARCH POLICY

POLICY STATEMENT

1. Every employer is entitled to take reasonable steps to protect his assets, and therefore also has the right to search employees and their personal belongings.
2. The Management of the WCPA has a responsibility towards safeguarding state property. This shall be done with due consideration of the South African Constitution, (Act 108 of 1996), and in particular the individual's right to privacy. Section 36 of the Constitution however states that the right to privacy may be limited where a legitimate purpose is to be served and the limitation is reasonable and justifiable.

RATIONALE

1. In view of the disastrous, ever-increasing incidence of losses, and after deliberations and thorough research management decided that searches would be the most effective manner to discourage theft.
2. Two different types of searches will henceforth take place to discourage and curb of theft.
 - (a) Continuous searches will take place in high-risk areas. High-risk areas are commonly defined as those areas where for example small, valuable items can easily be stolen.
 - (b) Random searches will take place at places where management has good reason to believe that items are being stolen, where a tip-off was received or purely as a pro-active measure to discourage theft. There are various methods to decide who is to be searched. One could for instance use 10 marbles in a bag, one being a different colour to the others. The person who gets that marble will be the person, who must be searched.
 - (c) Depending on the need, it may from time to time necessary to install surveillance systems without prior consultation.

GENERAL

1. Staff members found in unlawful possession of WCPA property will be subjected to departmental disciplinary action and criminal prosecution. Every case will be handed to the SAPS in accordance with the Fraud and Theft Policy.
2. Should a security officer have a strong suspicion that a staff member is in unlawful possession of state property and should that person refuse to be searched, the South

African Police Services can be called to conduct the search. Refusal to comply with a search request will lead to disciplinary action against such official.

3. All staff members and visitors are kindly requested to assist the security officers with their difficult task by complying with search requests.
4. All staff members should also be aware of the serious consequences should a they be found guilty of theft or unlawful possession of WCPA property.
5. Should any WCPA or private security officer abuse his/her authority in terms of this policy, strict disciplinary measures will be taken against such officer. Complaints resulting from such actions must be directed, in writing to the Head: Risk Management as well as the Head of the Department/Institution.
6. Searches within private homes will be conducted by the SAPS only after a sworn statement had been made by the person reporting an irregularity. The SAPS will then obtain a search warrant and the search will be conducted by the Police accompanied by WCPA security officers or private security personnel.
7. All vehicles (including GG vehicles) may be searched. Staff members will be required to allow WCPA or private security officers to search the inside of their vehicles as well as all lockable areas such as luggage compartments.
8. In an emergency situation a locker which is either unmarked or whose owner cannot be traced, can be opened after all avenues to locate the owner has been explored. In non-emergency situations the locker must sealed and held for safe-keeping by security. Should the locker not be claimed within seven days after being secured, security personnel must open it in the presence of the Departmental/Institutional head.

A ROUTINE SEARCH

CONDUCT

1. Routine searches may be carried out on every person entering or leaving any WCPA premises (not only staff members).
2. Searches of parcels, possessions and vehicles must be conducted by PAWC security officers in order to safeguard WCPA property. This will be done in the presence of the official or the Departmental/Institutional head.
3. Physical body searches must be carried out by the SAPS and authorised by WCPA- or private security officers, and must always be done in the presence of a witness. Only female officers may search female persons.
4. Personal possessions must be discreetly inspected by WCPA - or private security officers.
5. Staff members of all categories, including security officers, must be subjected to searches at different times and locations. In the case of searches at access points it must be clear that anybody can be searched at WCPA premises, regardless of rank and seniority. This measure also applies to visitors or any person who seeks to access/exit WCPA premises.
6. The removal of any WCPA property from WCPA premises must be cleared by means of a letter of removal from an authorised person as prescribed by each department.
7. Although following the guidelines regarding the search policy is compulsory, all persons to be searched must be approached maximum courtesy and due regard for the dignity of the individual.
8. To avoid suspicion persons wanting access to WCPA premises are advised to take their private belongings to Security for clearance before entering. Private possessions include any article that belongs to the person bringing it onto WCPA premises, especially articles used to perform work related tasks, such as laptop computers and, calculators.

B RANDOM SEARCH

CONDUCT

1. Random searches may be carried out on every person entering or leaving any WCPA premises (not only staff members).
2. Searching of parcels, possessions and vehicles must be conducted by WCPA security officers or private security officers in order to safeguard WCPA property. This must be done in the presence of the official or the Departmental/Institutional head.
3. Physical body searches must be carried out by the SAPS and authorised WCPA or private security officers, and must always be done in the presence of a witness. Only female officers may search female persons.
4. Personal possessions must be discreetly inspected by WCPA or private security officers.
5. Staff members of all categories, including security staff, must be subjected to searches at different times and locations. In the case of searches at access points it must be clear that any person can be search at PAWC premises, regardless of rank and seniority. This measure also applies to visitors or any person who wants to access or leave the premises.
6. Change-rooms reserved for staff of one particular sex must be searched discreetly and with due regard for personal privacy and modesty. Where it is not possible to use officers of the corresponding sex to conduct the search, security officers must take every possible precaution to clear the area first.
7. The removal of any WCPA property removed from any WCPA premises must be cleared by means of a letter of removal from a authorised person as prescribed by each department.
8. To avoid suspicion, people wanting to access WCPA premises with private belongings are advised to have it cleared beforehand. Private possessions include any article is brought onto WCPA premises and belonging to the person entering the premises, especially articles used to perform work-related tasks, such as laptop computers and calculators.
9. Although following the guidelines regarding the search policy is compulsory all persons to be searched must be approached with maximum courtesy and due regard for the dignity of the individual.

