



UMZIMVUBU
— LOCAL MUNICIPALITY —

CITIZEN & COMMUNITY SERVICES

COMMUNITY SAFETY DIVISION

**LAW ENFORCEMENT, LICENSING AND
ADMINISTRATIVE SERVICES POLICY**

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Background

A division Administration Manual is a document compiled by a community safety entity to assist management in guiding employees of such a division in respect of the rationale for existence, expectations to be achieved as well as policies, procedures and standing orders to be followed.

This document is not generally subject to a high frequency of changes as it is based on best practices, guidelines from legislation and policies and procedure from Umzimvubu Municipality. It needs to be reviewed regularly to ensure that it is still relevant and meets the challenges of the time.

The policy seeks to establish goals, objectives, standards and uniform procedures for law enforcement authorities.

The policy seeks to improve safety on public roads and enhance the quality of life of all South Africans citizens;

Be enacted by the Council of Umzimvubu Local Municipality, as LAW ENFORCEMENT AND LICENSING POLICY

LEGISLATIVE FRAMEWORK

Constitution of the Republic of South Africa, Act No, 108 of 1996

National road traffic Act No. 93 of 1996

Criminal procedure Act No. 51 of 1977

Municipal Systems Act No. 32 of 2000

ULM Condition of Service

Purpose of the manual

Standing orders and policies are issued in terms of the Umzimvubu Local Municipality's Conditions of Service and applicable legislation and are aimed at standardization and to inform employees of the Community Safety Division on what is expected of them and how they should carry out their functions in order to obtain the goals and objectives of the division.

Furthermore:

- To reduce traffic crashes, traffic related injuries, deaths, road trauma and damage to property.
- To achieve safe and effective regulation and control of traffic
- To reduce the number of road users exceeding speed limits, and committing traffic violations; and
- To provide with mechanisms as to execute traffic duties
- To assist owners of the vehicles to licence their vehicles
- To assist motorists to test their vehicles for roadworthiness

- To assist people who qualify to tested for driving licences

Progress with the manual

It is envisaged that in the future there will be the continuous need to upgrade the developed document. This will facilitate future fine-tuning and consolidation.

Policies drawn up with entities delivering a service to the division based on contracts need to be in line with existing policies captured in the division Administration Manual.

Ranking insignia, dress code and vehicle markings are clearly identified to ensure that the image of the Division is protected and might even require that it be registered with the Department of Heraldry.

A comprehensive Division Administration Manual will assist newly appointed employees with on hand information and guidance from the first day of employment in the Division. It is therefore a vital tool to employees of the Division.

OATH OF OFFICE

ON MY HONOUR,

I will never betray my badge, my integrity, my character or the public trust. I will always have the courage to hold myself and others accountable for our actions. I will uphold the Constitution and community I serve.

DEFINITIONS AND ACCRONYMS

ULM

Means Umzimvubu Local Municipality

“Act “

Means national road traffic Act No.93 of 1996

“Chief Law Enforcement Officer “

means a person appointed by ULM local Municipality as Chief Law Enforcement officer

““Commanding Officer”

A Community Safety official of the rank of Superintendent and above, exercising command over a component of Community Safety Division.

“Law enforcement action”

means a law enforcement action against any person alleged to have violated any legislation or by-law

“Joint operations”

Means a law enforcement by different law enforcement agencies at once

“Fixed speed camera violation site”

Means sites where fixed speed camera housings are installed with cameras operating continuously or from time to time. These Cameras typically enforce a section identified where there has been a re-occurrence of crashes or where there are high offence rates; or where there are sites that pose a threat to road safety and safety of road users/ property. This includes radar camera operated sites.

“Lawful instruction”

means any direction, guidance, assistance or

	<p>Command that is not unlawful, given by a Senior officer to subordinate, whether given Verbally or in writing;</p>
<p>“Mobile speed violation camera sites”</p>	<p>means sites identified where manual mobile Speed camera enforcement may take place From time to time. The speed measuring Equipment is set according to this guide and is Monitored by officers appointed under Section 3, road traffic act 93 of 1996 or traffic Warden who has been declared a peace Officer in terms of section 334 of criminal Procedure act, act 51 of 1977</p>
<p>“Operational plan”</p>	<p>means a plan developed and implemented by a law enforcement authority in support of plans by first line supervisors and operational staff and focuses mainly on specific output and activities over a short period of time.</p>
<p>“Points”</p>	<p>means the weight allocated to different law enforcement activities, based on the nature of the duty, time spent, resources required, Special skills and risks involved.</p>
<p>“Traffic enforcement cameras”</p>	<p>means the collective term used for traffic enforcement cameras, red light cameras, combined with red light violation and speed cameras, including average speed over a distance cameras and bus lane enforcement cameras.</p>

“Traffic officer”	means an officer appointed in terms of section 3A of the National Road Traffic Act, 1996 (Act No. 93 of 1996) and any member of a Municipal police service, both as defined in Section 1 of the South African Police
“The Bureau of Heraldry”	means the South African Heraldic authority, established in Pretoria on 1 June 1963 (its functions are to register arms, badges, flags and seals as well as names and uniforms, to keep a public register, to issue registration certificates and, since 1980, to advise the government on heraldic matters.
“Law Enforcement officer”	Means an officer appointed in terms of Section 334 of the Criminal Procedure Act, 1977 (ACT NO. 51 OF 1977)
NRTA”	Means National Road Traffic Act, 1996 (ACT. 93 OF 1996)
“NLTA”	Means National Land Transport Act, 2009 (ACT 5 OF 2009)
“Council Property”	Property that is owned and /or purchased, leased or Rented using funds under the control of a department Or function in/of the ULM.
Employee”	All persons employed by ULM.
“Lethal force”	The level of force that is likely to cause death or grievous bodily harm.
“Non-Lethal Weapon”	Weapon system designed to be deployed in situations

that do not meet the criteria for the deployment of lethal force.

“Preventable Traffic Accident”

A traffic collision involving a Community Safety Employee who is driving a Division vehicle under circumstances where said accident could have been prevented. The question of who was right or wrong is not relevant in the determination.

“Non preventable Traffic Accident”

A traffic collision involving a Community Safety Division employee who is driving a Divisional vehicle under circumstances where the collision was totally beyond the control of the employee.

Injury on Duty”

An injury or illness sustained by a Community Safety Division employee as a direct result of his/her employment or during the execution of his/her duties.

Uniform Employee”

Those employees, in uniform, whose job requires them to take law enforcement action. This includes Licensing Officers and Law Enforcement Officers (LEO). However, Most references in this policy document will be in reference to any member of the division wearing uniform.

Use of Force”

Characterizes the action taken by a member/employee in defence of themselves and others against attacks and /or imminent threats of attack and to take the suspects who resist lawful apprehension into custody.

“Management Personnel”

Those employees, sworn and civilian, from first line supervision to the community safety assistant manager.

STANDING ORDERS

STANDING ORDER NO.1

1. CONSULTATION

Relevant stakeholders shall be consulted in development and review of this policy, namely; Departments, Management, SAMWU, IMATU, and Council.

2. COMPLIANCE WITH THE PROVISIONS OF THE POLICY

2.1 PURPOSE

This policy is issued in terms of the current Code of Conduct of the ULM Conditions of Service and relevant legislative Acts. Policies, Procedures and Standing orders are aimed at standardisation and are intended to inform members of the Community Safety Division what is expected of them and how they should carry out their various functions in order that the goals and objectives of the Community Safety Division may be realised.

2.2 POLICY

Employees of the Community Safety Division shall at all times conduct themselves in an exemplary manner in furtherance of the Community Safety Division's mission of providing high quality community oriented crime prevention, by-law and traffic law enforcement.

2.3 THE ORDER

2.3.1 Employees **shall** comply with the provision of these Standing Orders, including Procedures contained in other operation manuals and circulars issued by ULM and other orders and instructions issued by executive and commanding officials and supervisors in the Community Safety Division. Any deviation **may** be construed as an offence and render the offender liable to disciplinary action.

2.3.2 The Standing Orders are aimed at complementing the conditions of Service, the Disciplinary Code for employees of the ULM, and relevant legislative Acts.

2.3.3 Use of the masculine gender (he/him/his) **shall** also include the female gender.

2.3.4 Mandatory and permissive verbs.

2.3.4.1 **“Shall”, “will” and “must”** are mandatory conditions and where used, means that the conditions referred to have to be complied with.

2.3.4.2 **“Should”** is a recommended action, except to the extent that if any deviant conduct there from occurs, such deviation must be based on facts clearly justifying the deviation.

2.3.4.3 **“May”** is a permissive condition, which is optional.

No Community Safety Division employee regardless of rank or assignment shall issue an order or instruction or conduct themselves in any manner that is contrary to any instruction, directive or command of the Community Safety Division Assistant Manager without explicit approval from the Assistant Manager.

STANDING ORDER NO.2

2 GENERAL CONDUCT

1. PURPOSE

To outline acts or omissions often referred to in such vague terms as conduct unbecoming of a member.

2. POLICY

Each person judges the Community Safety Division as a whole by individual members with whom contact is made and their opinion of the division is influenced by reaction to these personal experiences. Consequently, attention should be given to the personal appearance, hygiene, attitude, conversation and conduct of each member. Members shall conduct themselves in such a manner as to inspire public confidence.

3. ORDER

3.1 This order prohibits:

3.1.1 Being under the influence of intoxicating liquor or narcotic drugs while 1) on duty 2) in uniform or 3) on council property.

3.1.2 Drinking intoxicating liquor and/or partaking of narcotic drugs while on duty or on Council property, provided that members representing the Community Safety Division at official functions may partake of intoxicating liquor in moderation and within the limits prescribed by the law, unless instructed not

- to partake by a member with his/her rank / equivalent or higher and further provided that members are not required to return to the work place.
- 3.1.3 Smelling of intoxicating liquor while on duty or in uniform, taking into consideration the provisions of section 3.1.2.
 - 3.1.4 Reporting for duty while under the influence of intoxicating liquor or narcotic drugs.
 - 3.1.5 Entering licensed /unlicensed premises (bars, clubs, etc.) whilst on duty for reasons not connected with the execution of official duties.
 - 3.1.6 Insubordination to a senior ranking employee/member either by word, act or demeanour.
 - 3.1.7 The use of obscene, abusive or insulting language while on or off duty.
 - 3.1.8 Unruly behaviour while on or off duty.
 - 3.1.9 Writing, signing or giving any testimonial or recommendation with the object of obtaining employment for any person or of supporting an application for the granting of a licence of any kind in his capacity as member without sanction of the Assistant Manager.
 - 3.1.10 The performance of acts giving rise to racial/tribal tension.
 - 3.1.11 Failure to report the whereabouts of known offenders.
 - 3.1.12 Leaving a beat, patrol or point without proper relief or authorisation, or being absent without leave.
 - 3.1.13 Smoking openly in public in uniform or consuming meals in an indiscreet manner while in uniform or while performing official duties.
 - 3.1.14 Using the uniform for personal advantage or gain.
 - 3.1.15 Abuse of authority while on or off duty.
 - 3.1.16 Failing to identify themselves, while on duty, to any member of the public with a material interest in their identity.
 - 3.1.17 Divulging contents of official documents or books to unauthorised persons without the permission of the Assistant Manager (e. g collision reports, statements, dockets, other investigative material, etc.)
 - 3.1.18 Divulging confidential information concerning the Community Safety Division/ council or any matter discussed in camera/ committee.
 - 3.1.19 Members approaching any court official with a view to having cases withdrawn without the necessary authorization.
 - 3.1.20 Making false/ misleading or incomplete statements or entries in official documents.
 - 3.1.21 Altering, erasing or removing any part of an official document without good cause.
 - 3.1.22 Failing to give a proper account of moneys/goods (exhibits) received in one's official capacity.
 - 3.1.23 Failing to appear as a witness when either notified or subpoenaed by a senior official or officer of the court for appearance in a court of law and internal inquiry or tribunal.
 - 3.1.24 Appearing in court as the accused in a criminal case while in uniform.

- 3.1.25 Failure to come to the aid of a fellow member, if in the course of carrying out official duties, when that member is in need of assistance.
- 3.1.26 Engaging in personal errands while on duty, except where permission has been granted.
- 3.1.27 Ranking members borrowing, accepting gifts or favours from subordinates.
- 3.1.28 Ranking members acting in an aggressive or tyrannical manner towards subordinates and each other.
- 3.1.29 Supervisors discussing fellow supervisors, senior-ranking members with subordinates, with a view to bringing them into disrepute.
- 3.1.30 The spreading of unsubstantiated and derogatory rumours by members.
- 3.1.31 Anonymous communication of false information by members.
- 3.1.32 The signing or circulating of non-official petitions of any sort.
- 3.1.33 Calling or attending unauthorised meetings.
- 3.1.34 Negligently failing to inform subordinates of developments and changes affecting them. Particular care must be taken to ensure that those on leave or night shift are informed.
- 3.1.35 Conducting inquiries into the personal affairs of another member without the express consent of Assistant Manager. Complaints of serious nature against fellow members must be submitted in writing.
- 3.1.36 Receiving of gratuities, presents, testimonials or anything that will cause the public to lose confidence in the Community Safety Division, without permission from the Assistant Manager.
- 3.1.37 Placing oneself under pecuniary obligation to any other person or contracting debt that one is unable or unwilling to liquidate, thereby placing the department in an embarrassing situation.
- 3.1.38 Failures to comply with any unlawful instruction of a ranking member/senior employee or a person acting in his position.
- 3.1.39 Failing to submit a report to the Assistant Manager, through normal reporting channels, disclosing that an official is acting contrary to the provisions of the Standing Orders, Procedures, the Conditions of Service, **and Disciplinary Code for employees of ULM** or taking part in any irregularity. Such member will be deemed to be an accomplice in the act.
- 3.1.40 The distribution of political literature whilst on duty or displaying any political poster in any office or place on Council owned property.
- 3.1.41 Contravening the regulations contained in the conditions of service.
- 3.1.42 Personal use of official money that come into members control during their official duty.
- 3.1.43 Unauthorised use and/or abuse of Council property and equipment allotted for job related activities.
- 3.1.44 Engaging in business interests, which involve activities, and /or conduct that is subject to enforcement by Community Safety Division or activities that are regulated by Community Safety Division. All business interest of members shall be declared to the Assistant Manager.

- 3.1.45 Converting on-duty official contacts directly into personal business or social relationships.
- 3.1.46 Sexual Harassment
- 3.1.47 Retaliation against members who report acts of misconduct.
- 3.1.48 Involvement in and influencing criminal activity.
- 3.1.49 Involvement in a business that has a contract with the Council or is in the tender or requisition process with the process with the Council or a component within the Council.
- 3.1.50 Soliciting funds or any other favour for a Community Safety Division related activity without the approval of the Assistant Manager.

STANDING ORDER NO.3

3 GENERAL DUTIES AND RESPONSIBILITIES

1. PURPOSE

The purpose of this order is to establish standards of duty performance by Community Safety employees.

2. POLICY

It is the policy of the Community safety that all employees report to work in a timely manner, provide prompt, quality and courteous service, that employees appearance and mannerism reflects a positive image of Community safety employees, the Division and the ULM; that employee work habits support the Division's mission.

3. PROCEDURE

- 3.1 All employees shall report to their assigned duty station prior to the scheduled time for the start of their work shift.
- 3.2 Employees in administrative assignments shall sign in and out on the appropriate duty sheet/attendance register.
- 3.3 Management personnel shall ensure that a duty sheet/attendance register is available at all times.
 - 3.3.1 Duty sheets/attendance registers shall be reviewed by management personnel and certified as accurate.

- 3.3.2 Duty sheets/attendance registers shall be maintained in a secure place and made available for the appropriate inspection/inquiry.
- 3.4 The Unit commanders shall cause a parade to be conducted by a person of supervisory rank for all on-coming shifts.
- 3.4.1 The parade shall last no more than 30 minutes to ensure that maximum staffing is available during peak hours and duties are commenced forthwith.
- 3.4.2 During Parade officers shall receive the following;
- 3.4.2.1 Duty assignment,
 - 3.4.2.2 Work related information
 - 3.4.2.3 Training information
 - 3.4.2.4 Uniform and equipment inspection
 - 3.4.2.5 Endorsement of pocket books
- 3.4.3 the results of the parade shall be recorded by the supervisor in the Occurrence Book
- 3.5 Officers who are late to parade shall face the appropriate inquiry and the appropriate action shall be taken. Habitual offenders shall be subject to disciplinary action.
- 3.6 Officers shall report to work with the necessary equipment to carry out their assignment. This includes but is not limited to the following;
- Appointment card
 - Weapon
 - Torch
 - Handcuffs
 - Pocket book and
 - Relevant summons and notice books
 - Pen
 - Time piece (Watch)
- 3.6.1 Officers who do not have such equipment shall be directed to correct deficiencies immediately.
- 3.7 Officers whose uniform appearance is not up to standard shall be ordered to correct the deficiency.
- 3.7.1 Habitual offenders and those who fail to respond to the order to correct such deficiencies shall be subject to disciplinary action
- 3.8 Officers shall be provided with specific tasks and posts for each work shift.
- 3.8.1 Officers shall record the particulars of each duty assignment in their pocketbook.
- 3.9 Officers shall not deviate from or leave their assigned task or post unless they receive prior supervisory approval.
- 3.9.1 The supervisor giving approval will be held accountable for the consequences of such approval.

- 3.9.2 No employee shall end his or her work shift before schedule unless a relevant supervisor gives prior approval.
 - 3.9.3 The supervisor shall document an adequate and credible motivation for such approval
 - 3.9.4 The supervisor will be held accountable for the consequences of such approval.
 - 3.9.5 The Supervisors of uniformed officers shall provide the Section Head with confirmation of the duty list of on-coming officers, no later than 30 minutes after the conclusion of parade.
 - 3.9.6 Officers shall commence their assigned tasks no later than 10 minutes after the conclusion of parade
 - 3.9.7 No employees shall book off sick without specifically notifying immediate supervisor or the Section Head, no later than 20 minutes before the beginning of their shift. **A message left with a colleague or subordinate employees is not acceptable.** The employee is responsible to report directly their absence from work to their immediate supervisors.
 - 3.9.8 The supervisor shall conduct the necessary inquiry, complete the appropriate documentation and make the necessary notifications.
 - 3.9.9 The duty status of all commanding officers and above and civilian equivalents shall be provided to the Assistant Manager not later than 09H00 of each working weekday.
 - 3.9.10 In case any person in this category is scheduled to be absent from command for 4 hours or more, a notice of absent from command shall be forwarded through the chain of command to the relevant head.
 - 3.9.11 In all cases , such notice shall identify the person who is in charge of the office during their absence
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- 3.10 All command officers/office managers and above shall prepare a daily activities report for the previous 24 hour period and forward it through the chain of command to the office of the Assistant Manager not later than 09h00 of each work day.
 - 3.11 The Section Heads shall provide a briefing to the Assistant manager no later than 10h00 on routine matters. Serious matters shall be reported immediately.
 - 3.12 Management personnel shall conduct periodic audits of all equipment that is allocated or assigned to their command/office and to employees assigned to their command/office for the following purposes:

- 3.12.1 To ensure the equipment is not missing.
- 3.12.2 To ensure the equipment is in good working condition.
- 3.13 Management Personnel shall conduct vehicle and firearms/ ammunition inspections weekly and record the results in the Occurrence Book.
 - 3.13.1 The vehicle on-board computer printout shall be reviewed once each month and the results recorded.
 - 3.13.2 Any discrepancies discovered in any audit or inspection shall be investigated and the appropriate action taken.
- 3.14 Reporting cycle for activities and management reports
 - 3.14.1 Each first line supervisor shall prepare a daily Activities Report and forward it to their next level of supervision.
 - 3.14.2 Each Unit commander or office manager shall review the report and include the relevant contents into their weekly Activities report, which shall be forwarded to their next level of supervision.
 - 3.14.3 Each supervisor/office head shall review the weekly reports and include the relevant contents into their monthly activities report and forward it to the Assistant Manager.
 - 3.14.4 The monthly Management report shall be received in the office of the Assistant Manager no later than the 1st working day of the succeeding month.
 - 3.14.5 The contents of the daily activities reports shall include but not limited to the following ;
 - 3.14.5.1 The results of any assignments or tasks both planned and unplanned.
 - 3.14.5.2 Arrest of Community safety employees.
 - 3.14.5.3 Death of and on-duty injuries to Community safety employees.
 - 3.14.5.4 Shooting incidents.
 - 3.14.5.5 Munity or threat of strike by Community safety employees.
 - 3.14.5.6 Traffic Accidents by on-duty employees or employees in department vehicles.
 - 3.14.5.7 Protest Marches.
 - 3.14.5.8 Media contacts or reports concerning the department or members of the division.
 - 3.14.5.9 The details of the shift parades.

3.14.5.10 Any other important events or issues.

3.14.6 The contents of the weekly/monthly activities and Management reports shall include but not be limited to the following:

3.14.6.1 Planned tasks, assignments and/or activities for the reporting period.

3.14.6.2 The resources committed to any planned task or assignment.

3.14.6.3 The outcome of the efforts of any planned task, assignment or campaign.

3.14.6.4 Any planned events or occurrences, the details of the response and the outcome of the response.

3.14.6.5 Plans for the next reporting period.

3.14.6.6 The status of personnel strength including vacancies and the reasons for the vacancies.

3.14.6.7 The results of any audits or inspections conducted during the month.

3.14.6.8 Any training issues.

3.14.6.9 Any contact with any political figure, member of a community or business group, or member of the media.

3.14.7 Each direct report to the Assistant Manager will make a monthly oral management report to the Assistant Manager and the Head of Department (HOD).

3.14.7.1 Assistant manager or the concerned Head of Department may request a presentation from any employee from the concerned Department.

4 General

4.1 All Community Safety employees shall provide courteous service that is as prompt as circumstances allow.

4.2 Officers shall respond to calls assigned by the Supervisor promptly. Failure to do so may result in disciplinary action

STANDING ORDER NO. 4

4. (ANTI)-FRAUD AND CORRUPTION

1 PURPOSE

- 1.1 The purpose of this policy is to confirm that Community Safety supports and fosters a culture of zero tolerance to fraud and corruption in all its activities
- 1.2 This policy is intended to set down the stance of Community Safety to “fraud and corruption “ as well as to reinforce existing systems, policies, procedures, rules and regulations of Community Safety aimed at deterring, preventing, detecting, reacting to, and reducing the impact of fraud and corruption, where dishonest activities subsist.

2 THE POLICY

2.1 The policy of Community Safety is Zero tolerance to fraud and corruption. In addition, all fraud and corruption will be investigated and followed up by the application of all remedies available within the full extent of the law as well as the application of appropriate prevention and detection controls. These prevention controls include the existing financial and other controls and checking mechanisms as prescribed in the systems, policies, procedures, rules and regulations of the Municipality.

2.2 This policy applies to all attempts and incidents of fraud and corruption impacting or having the potential to impact **COMMUNITY SAFETY**.

2.3 Definitions

According to the ULM’s policy, fraud and corruption includes, but is not limited to the following:

2.3.1 “Fraud”: the unlawful and intentional making of a misrepresentation resulting in actual or potential prejudice to another.

2.3.2 “Corruption” giving or offering; receiving or agreeing to receive; obtaining or attempting to obtain any benefit which is not legally due to or by a person who has been charged with a duty or power by virtue of any employment, to do any act or omit to do any act in relation to that power or duty.

2.3.3 “Fraudulent and corrupt acts” may include but not limited to the following cases:

2.3.3.1 Where Division processes are abused or circumvented by employees or allowed to be circumvented by members of the public.

2.3.3.2 Where employees or other individuals have fraudulently obtained money from the Council, with the help of Community Safety employees.

2.3.3.3 Where council property is used for personal use without proper permission or authority.

2.3.3.4 Activity undertaken by Community Safety employees which may be contrary to Community Safety Standing/Procedure orders and ULM regulations and/or policies.

3 Prevention Measures

Responsibility of Employees to prevent Fraud or Corruption.

It is the responsibility of all employees to adhere to all Community Safety Standing/ Procedure orders, Policies and procedures and to refrain from involvement in acts of bribery, fraud and corruption.

3.1 Staff profiling and security clearance

3.1.1 The Division will conduct a staff profile of all new employees in an effort to detect any prior history of fraud or corruption, or evidence of dishonesty that will affect their employment with the division.

3.1.2 All persons who are to be promoted or appointed to the ranks of Superintendent and above and civilian equivalent shall be subject to a security clearance prior to such promotion or appointment. The requirements should be included in Advertisement.

3.2 Accountability

3.2.1 All employees will be held accountable for the provisions of the Divisions code of conduct.

3.2.2 Management personnel shall maintain knowledge of the whereabouts of their subordinates at all time while they are on duty.

3.2.2.1 All offices , sections or units of the division shall maintain a duty sign in and sign out sheet and an Occurrence Book/

incident report to maintain control of their personnel and to record any incidents involving their employees

3.2.2.2 Employees absent from their assignment for any reason shall obtain supervisory approval. The appropriate documentation shall be completed.

3.2.3 Management personnel shall ensure that their employees have specifically assigned tasks for each work shift and that and deviations from the assigned task and/or location receive the appropriate prior supervisory approval.

3.2.3.1 Supervisors are accountable for the consequences of such approval.

3.2.4 Officers on patrol duty shall maintain contact with the first line supervisor at all times while on duty and shall report any enforcement activity.

3.2.4.1 Supervisors in operations unit shall provide the Section Head with daily duty lists.

3.2.5 Management personnel shall maintain an accurate roster of all employees assigned to their command/ office and shall notify Human resource of any change in the employment status of any employee.

3.2.6 Management personnel shall not certify any work related document that is not accurate. Such acts will be subject to disciplinary action.

3.2.7 Management personnel shall ensure that all payroll, overtime and leave documents are accurate.

3.2.8 Management personnel shall maintain control over the use of all Community safety equipment assigned to their command /office and employees under their command/office.

3.2.8.1 Management personnel shall take the appropriate action for any misuse, abuse or misappropriation of equipment.

3.3 Accountability System

3.3.1 Management personnel shall conduct the appropriate audits of their systems and processes for the purpose of determining if their personnel are adhering to the processes and if the processes and systems are not being followed they shall determine if one of the following reasons exist and take the appropriate action.

- 3.3.1.1 Lack of training
- 3.3.1.2 Unwillingness to perform.
- 3.3.1.3 Need for adjustments to the existing policy and or procedure.

3.3.2 Management personnel shall utilize all available data from both manual and from the available electronic systems (i.e. response time data, on-board computers, etc.) to ensure compliance with the division policies, procedures and accepted standards.

3.3.2.1 Examples of Data systems consist of, but are not limited to the following;

- Duty sheets attendance rosters
- On-duty computer printouts
- Response time reports
- Cashier records
- Human Resource documents

3.3.3 Employees shall not misuse any money that comes under their control as a result of their employment.

3.3.4 Managers in charge of units that handle money, issue licenses, permits or other public documents, or handle purchases and or tenders for department services or contracts, shall maintain an audit system to detect any unusual activity that is in contravention of the Municipal Finance Management Act (MFMA).

3.3.5 Relevant sections of the MFMA are as follows;

3.3.5.1 All monies due to the ULM/Community Safety must be paid into the ULM's bank account promptly, otherwise internal disciplinary action must be taken. (MFMA section 64(2) (d).)

3.3.5.2 Unauthorised, irregular or fruitless and wasteful expenditure must be recovered from person liable for such expenditure unless certified by the council. (MFMA section 32(2))

3.3.5.3 No person may amend or tamper with any tenders, quotations, contracts or bids after their submission. (MFMA section 118(b)

3.3.6 Definitions

- 3.3.6.1 **Unauthorised:** overspending on the capital and operating budget, monies appropriated for specific purpose but spent on something else.
- 3.3.6.2 **Irregular:** Monies spent in contravention of the MFMA, public office seals Act or Systems Act and not condoned by council. Monies not spent in accordance with the ULM's supply chain management policy.
- 3.3.6.3 **Fruitless and wasteful expenditure:** Expenditure made in vain and would have been avoided had reasonable care been exercised.

4 REPORTING PROCEDURE

- 4.1 All employees shall immediately report all allegations or incidents of fraud and corruption, in writing to the Assistant Manager who will, where deemed appropriate, inform the Head of the relevant directorate of investigation.
- 4.2 Employees may report allegations of fraud and corruption anonymously.
Members of the public reporting suspected fraud or corruption.
- 4.3 Community Safety encourages members of the public who suspect fraud or corruption to contact Community Safety Assistant Manager or Community safety Anti-Corruption hotline or any other available median.
- 4.4 Any employee who receives information regarding actual or suspected fraud or corruption from a member of the public and fails to take appropriate action is guilty of an offence.

Investigative Process

- 4.5 All cases of suspected or actual fraud or corruption reported to Assistant Manager: Community Safety will be assigned a reference number monitoring.
- 4.6 Community Safety will investigate all cases of suspected or actual fraud or corruption internally and refer all cases to the SAPS or other appropriate investigative agencies for criminal prosecution.
- 4.7 Employees shall not knowingly make allegations, which are false and made with malicious intentions. Employees discovered making false allegations will be subject to disciplinary, or other appropriate action.

5 ADMINISTRATIVE PROCESSES

Confidentiality Transparency

- 5.1 In accordance with the Division's Ethos, the Division will make public the identity of all employees found guilty of fraud or corruption in a court of law. The Assistant Manager will determine the time and method of the disclosure.
- 5.2 The Community Safety accepts that those who report alleged fraud or corruption need to be assured that the matter has been properly addressed. Therefore subject to legal constraints, the complaints will be advised of the outcome of the investigation.
- 5.3 All information relating to fraud and corruption that is received and investigated will be treated confidentially during the investigation in order to avoid harming the reputations of the suspected employees who are later found innocent. While the progression of investigations will be handled in a confidential manner the division will not shield those found guilty of fraud or corruption.
- 5.4 Employees who are investigated will be notified of the outcome of the investigation.

Recovery of council property

- 5.5 The division will make every effort to ensure that losses or damages suffered by Community Safety as a result of all reported acts committed or omitted by an employee or any other person are recovered from such an employee or other person if he or she is found to be liable.

- 5.5.1 The department will request the assistance of Asset Forfeiture Unit, where appropriate.

Training

- 5.6 It is the responsibility of all Community Safety supervisors and managers to ensure that all employees, are made aware of, and receive appropriate training and education with regard to this Standing Order.
- 5.7 All supervisors and managers are responsible for communicating relevant sections of this policy to members of the public and other stakeholders of Community Safety.

6 GENERAL

- 6.1 No person will suffer any penalty or retribution for good faith reporting of suspected and or actual incidents of fraud or corruption.

6.2 The custodian of the provisions of this Standing Order is the Assistant Manager who is supported in its implementation by all managers of the Community Safety.

STANDING ORDER NO. 5

5. OFFICIAL DONATIONS AND PERSONAL GIFTS/ MEMORABILIA

1. PURPOSE

To establish a procedure for the solicitation and acceptance of official charitable donation and the acceptance of personal gifts and memorabilia.

2. Policy

In reference to personal gifts and donations, under no circumstances shall an individual Community safety official accept any gift or memorabilia for his or her personal use without declaring the same to the Assistant manager.

Any requests for official donation, in cash or in kind, for any purpose by members of the Community safety shall be subject to the prior approval of the Assistant manager. Any offers of donations from any source to the organisation or to any unit within the organisation must be approved by the Assistant manager before such offers or donations are accepted.

No official of the Community Safety shall request or consider the offer of an official donation or personal gift from any individual or business that is engaged in service contract negotiations, the tender process, the solicitation for business or an agreement for the provision of goods and services with the council.

No official of the Community Safety shall use donations for personal use.

2.1 Definitions

2.1.1 **Official Donation:** monetary or in-kind donations that provide assistance to the Division in carrying out its mission.

2.1.1.1 **Conditional Donation:** A donation where the donor puts conditions on its use. Conditional donations must be approved by council.

2.1.1.2 **Unconditional Donation:** A Donation where there are no conditions attached. The Assistant Manager has the authority to accept unconditional donations.

2.1.2 **Personal gift or Memorabilia:** A token of appreciation from other law enforcement, governmental, community or business organizations that are of a value that does not contribute to self-enrichment. Such gift or memorabilia to the employee or any member of the employee's family shall not be in return for the commission of any special action or the omission of one's duty.

Under no circumstances shall employees accept any monies or any packages that one can reasonably assume contains money.

3 PROCEDURE

3.1 Any official of the Community safety wishing to solicit any unconditional donation must obtain the approval of the Assistant Manager before making such request.

3.2 Any official of the Community Safety who receives an offer of a donation for the Division or any unit in the Division must obtain the approval of the Assistant Manager before accepting such an offer and must be declared official to the office of the Municipal Manager.

3.3 On approval of the acceptance of any equipment or in kind items, such items must become part of the Divisions inventory and given the appropriate identification number before it is allocated to the appropriate users.

3.4 Details of all donations received by the Community Safety must be provided to the Head: Finance to facilitate the appropriate recording of the transactions in the financial statement of the council.

3.4.1 The relevant Assistant Manager: Community Safety will advise the Head: Finance of the estimate value of the donation.

3.5 Personal Gifts or Memorabilia

3.5.1 Community Safety employees who receive personal gifts memorabilia shall declare such gift/memorabilia with the Assistant Manager.

4 GENERAL

According to the Generally Accepted Municipal Accounting Practice (GAMAP) and the Municipal Finance Management Act, proceeds of donor funding and fund raising where no conditions are attached are to be credited to income in the book account of local authorities (Council).

In cases where the council approves a financial donation that has conditions attached, the management of the expenditure of such funds shall rest with the Municipal Manager's office.

In terms of the powers delegated to him by the council, the only person in ULM Division who can accept an unconditional financial donation is the Assistant Manager: Community Safety, provided that he must report to the Municipal Manager's office monthly on any exercise of this power in the preceding month. Such donations must be forwarded to the council.

STANDING ORDER NO. 6

6. SEXUAL HARRASMENT

1 PURPOSE

To establish procedures for responding to instances and allegations of sexual harassment.

2 POLICY

The Community Safety is committed to creating a positive, safe and productive work environment. The impact of sexual harassment by the Community Safety employees. This policy is in accordance with the Council policy on sexual harassment.

3 THE ORDER

3.1 "Sexual harassment" is defined as any repeated and or unwanted sexual attention or advancement that a recipient finds objectionable or offensive in the working situation"

Sexual harassment can be verbal, non-verbal or physically and include, but is not limited to the following:

- 3.1.1 Unwanted sexual comments, innuendoes, jokes or suggestions.
- 3.1.2 Unwanted and unnecessary touching, brushing against, patting or pinching.
- 3.1.3 Suggesting, requesting or demanding sexual favours of any nature as a condition of employment, continued employment or privileges.
- 3.1.4 Displaying pictures or objects depicting nudity, scantily clad or sexual activity in any of Community Safety complexes, satellite stations or vehicles.

3.2 No employee shall be subjected to unsolicited and unwelcome sexual overtures, conduct or any form of sexual harassment.

3.3 It is incumbent upon the recipient to clearly communicate that the actions are objectionable or unwanted.

3.4 Reporting Sexual harassment

The procedure for employees who feel they have been harassed is as follows:

3.4.1 Report incident to immediate supervisor, either orally or in writing.

3.4.2 If the problem rests within the immediate supervisor, report incident to supervisors immediate supervisor.

3.4.3 If the employee is unable or reluctant to report the incident to supervisory level, it must be reported to the Assistant Manager: Community Safety.

3.4.4 The supervisor to whom the incident is reported, shall:

3.4.4.1 Keep the matter confidential, but deal with it immediately and take steps to limit the employee involved from any further work contact.

3.4.4.2 If he feels that he is unable to handle the problem seek assistance from a higher level supervisor

3.4.4.3 Gather the facts from the complainant in a none judgemental way and submit a report to his commanding officer or unit head who will, initiate a thorough investigation, and if necessary, immediate disciplinary action.

3.4.4.4 Ensure that the complainant(s) are comfortable in the work place situation.

3.4.5 Assistant Manager: Community Safety will investigate cases involving Sexual Harassment unless otherwise directed by the HOD.

3.4.6 Under certain circumstances, the accused employee may be temporary reassigned during the investigation. This would be based on the consultation and concurrence between the commanding officer or unit head and the Assistant Manager.

STANDING ORDER NO. 7

7. GROOMING STANDARDS

1 PURPOSE

This standing order provides standards for uniformed and non-Members relating to their personal appearance.

2 POLICY

That members of the Community Safety be neat, clean, well-groomed and present a professional well-disciplined image. Neatness shall be paramount in judging whether hairstyles conform to requirements.

3 ORDER

3.1 Members

The following order provides standards for uniformed personnel relating to personal appearance.

3.1.1 Hair (Males)

Hair may be worn in styles of medium length, but must not be stepped or touch the collar of the shirt, jacket or tunic when standing erect and must be neatly tapered, blocked or squared at the back of the head and neck. Hair must not cover any portion of the ear. No portion of a member's hair should protrude from under the front of their headgear. Colouring of hair other than natural hair colours is prohibited.

3.1.2 Sideburns

Sideburns shall not extend below the bottom of the ear and must be neatly trimmed. At the widest point sideburns may not exceed 25 mm.

3.1.3 Moustaches

Moustaches must be neatly trimmed and shall not extend below the upper lip.

3.1.4 Beards

Beards as well as any other facial hair are prohibited (excludes: Moustaches and sideburns) the face will be clean shaven. A medical exemption may be permitted at the discretion of the Assistant manager: Community Safety, based on a doctor's certificate as evidence.

3.1.5 Hair (Females)

If hair (including extensions) exceeds shoulder length it shall be neatly tied in a ponytail at the back of the head, so as to hang in a single column. Colour of slides, hairclips or other aids shall be black, navy or brown so as to tone in with the uniform worn. Colouring of hair other than natural hair colours is prohibited

3.1.6 Make-up and lip polishing (Females)

Not to be heavily applied and will be subdued and natural in appearance to compliment the uniform. False eye lashes are prohibited. Nail polish may be worn, but be colourless.

3.1.7 Fingernails

Members will keep their fingernails, short (Not exceeding the tip of the finger), trimmed and clean. Members will not wear artificial fingernails in uniform.

3.1.8 Uniforms

Uniforms will be clean and given a pressed appearance for each tour of duty.

3.1.9 Footwear and Leathers

Shoes (including laces) and leather items will be free of dirt and shined. Only Community Safety issued items shall be used and worn.

3.1.10 Jewellery and emblems (males and females)

3.1.10.1 The wearing of bracelets, cultural and religious emblems and other jewellery that detracts from the professional appearance of members is prohibited. The wearing of medical alert identifications bracelets, religious emblems or those worn for health reasons will be at the discretion of the Assistant Manager

3.1.10.2 Necklaces may be worn but shall not be visible

3.1.10.3 The wearing of earrings by male members (on duty) is prohibited. Earrings, if worn by female members will be limited to studs in a colour complementing the uniform.

3.1.10.4

The wearing of tiepins and cufflinks is prohibited unless issued by the Division.

3.1.10.5

The wearing of visible body piercing items by members is prohibited

3.1.11 Badges

3.1.11.1 The wearing of badges is prohibited unless it is issued and approved by the Division and the member is operating in that unit.

3.1.11.2 Medals shall be worn in conformance with guidelines for ceremonial dress

3.1.11.3 Ribbons shall only be worn with step out uniform.

3.2 Non-Members and Office staff

- 3.2.1 The following order provides standards for civilian personnel and on duty members not wearing uniform relating to personal appearance:
 - 3.2.1.1 All clothing will be neat, clean and well pressed.
 - 3.2.1.2 Female personnel should maintain a professional corporate image and wear clothing respectably with the Divisions issued nameplate at all times when on duty.
 - 3.2.1.3 Male personnel in administrative assignments shall wear a tie and a nameplate at all times whilst on duty. Vehicle examiners shall wear the appropriate uniform.

Any exception shall be approved by the relevant Head of Department.

3.3 General

- 3.3.1 Supervisory members shall inspect uniforms and appearance on daily basis during first parade and if necessary release the member from duty for a period of time that is reasonably necessary for him to rectify appearance.
 - 3.3.1.1 The member will be required to extend his/her tour of duty to accommodate the time he/she was off.
- 3.3.2 Should any dispute arise concerning grooming standards, the Assistant Manager, his nominee will be requested to give a ruling.
- 3.3.3 Members assigned to non-uniformed functions may deviate from these orders at the discretion of the Assistant Manager

STANDING ORDER NO.8

8. THE UNIFORM AND HOW TO WEAR IT

1 **PURPOSE**

This standing order presents various uniform combinations for members and provides guidelines as to the personal appearance expected of members of the Community safety.

2 **POLICY**

The members are always in the public eye. For this reason it is important that each member make a continuous and special effort to represent the Community Safety in the most favourable light possible by projecting the Community Safety as a well-groomed, professional disciplined image.

3 **THE ORDER**

3.1 Uniformed members must, whilst on duty, dress in accordance with the regulation uniform schedule, unless authorised to wear civilian dress by the Head of Department.

3.2 The uniform or any part thereof which are readily identifiable shall not be worn in public outside of normal working hours.

3.3 Members shall not wear uniforms

- When crutches are used
- When heavily bandaged
- When in a plaster cast
- When physical appearance may embarrass the Division
- When appearing in court as the accused in a criminal case

3.4 Only the Community Safety issued uniform shall be worn

3.5 The uniform must be maintained in a clean, pressed and unobtrusively repaired condition

3.6 Leathers must be well polished and preserved

3.7 Buttons and bandages must be polished or plated to a high lustre.

3.8 Uniforms shall not be tempered with so as to distort the original design (e.g. caps and trousers)

3.9 Belts must be worn in the loops provided.

3.10 Outdated uniform items shall not be worn unless the uniform items have not been officially replaced.

3.11 Headgear

- 3.11.1 Head gear will be worn square on the head above the ears with the head parallel to the ground.
- 3.11.2 Head gear shall be worn at all times when in a public place, except within a court building, when seated in a restaurant, when seated in a motor vehicle other than a public bus.
- 3.11.3 The woollen Protective Headgear (Beanie) shall only be worn in accordance with the published directions.

3.12 Skirts

- 3.12.1 Skirts shall be worn in conformance with the Uniform Standards guidelines.

3.13 Shirts

- 3.13.1 Sleeves on long sleeved shirts shall be worn fully extended and must be buttoned at the cuff.
- 3.13.2 Sleeves on long sleeved shirt shall not be rolled up under a jersey.
- 3.13.3 The collar shall be buttoned at all times when wearing a tie.
- 3.13.4 Pockets shall be properly buttoned and shall not contain bulky items.
- 3.13.5 Thick jerseys shall not be worn under uniform shirts nor shall any jersey protrude there from either at the neck or sleeves.

3.14 Shirts and Vests

- 3.14.1 In the event of a "T" shirt being worn, wording and colourful designs must not be visible through uniform shirts.
- 3.14.2 "T" shirts and vests shall not protrude from uniform shirts at the neck except one provided as part of the uniform.
- 3.14.3 No employee shall wear any "T" shirt, other clothing or badge on which political emblems or slogans are depicted while on duty.

3.15 Rainwear

- 3.15.1 Official rainwear, if designed for a belt, must be worn with the belt and must be fastened.
- 3.15.2 Combination suit trousers shall not be worn unless jacket is also worn.

3.16 scarves

3.16.1 Scarves shall not be worn with a tunic or jersey but may be worn with rainwear.

3.17 Winter gloves

3.17.1 Winter gloves shall only be worn when weather conditions dictate.

3.18 Reflective Apparel

3.18.1 Regulation reflectors apparel shall be worn over the uniform by members performing any law enforcement or traffic control duties

3.18.2 Reflectorized apparel and white gloves shall be worn while directing traffic both day and night.

3.18.3 Road traffic signs shall be placed in accordance with the K78 Manual at all roadside and speed check points.

3.19 Warm Rain jackets

3.19.1 Warm/Rain jackets may be worn as per weather condition.

3.20 Bunny Jackets

3.20.1 Bunny jackets may be worn as per needs of the concerned member.

4 General

4.1 Members shall adopt a military bearing when in uniform.

4.2 Pens and pencils shall not be carried on the outside of the uniform.

4.3 Hands in pockets are not allowed unless inserting or extracting an article.

4.4 Baton torches shall be worn on the uniform belt.

4.5 The practice of holding hands with any other person while in uniform is prohibited except whilst providing services to the public.

4.6 Cellular telephones may be carried whilst in uniform provided they are attached to the uniform belt in such a manner so as to not interfere with the standard items of issue that are required to be carried on the uniform belt or carried in the member's pocket.

4.7 Members in any uniform apparel shall be identifiable by rank and name affixed to the outside apparel.

4.8 Members shall carry their handbags/satchels on their left hand side.

4.9 A combination of the standard (step out) uniform and combat (field) uniform shall not be worn.

STANDING ORDER NO. 9

9. CERTIFICATES OF APPOINTMENT REGISTRATION OF MEMBERS

1 PURPOSE

The purpose of this standing order is to highlight the importance of appointment.

2 POLICY

It is the policy of the Community Safety, in conformance with the SAPS Act and the National Road Traffic Act that every member and designated employees be in possession of an Appointment Certificate when on duty and that every precaution be taken to ensure the safekeeping of appointment certificates in order to prevent the misuse thereof by unauthorised persons

3 THE ORDER

3.1 Issue

3.1.1 The certificate of appointment authorised by the Assistant manager is issued to persons appointed as members and designated employees of the Community Safety on successful completion of the prescribed Basic Training Courses.

3.2 Proof of Appointment

3.2.1 Members shall carry their Certificate of Appointment on their person at all times while on duty

3.2.2 The exercise of any official duty is prohibited while not in possession of a certificate of appointment.

3.2.3 The certificate of Appointment shall be produced on demand to a person having a material interest.

3.2.4 The Certificate of Appointment must be maintained in a clean and legible condition.

3.3 Re-issue of Certificate of Appointment

3.3.1 The Division will re-issue appointment certificates every three years based on the members and designated employee's date of original issue as per the Community Safety guidelines.

3.4 Loss

In the event of a Certificate of Appointment being lost or stolen

3.4.1 The member concerned shall without delay report the loss at the nearest South African Police Service Centre inform and submit a sworn statement to his immediate supervisor. Thereafter, the supervisor will inform the Section Head who will in turn notify the Assistant Manager.

3.4.2 The Assistant Manager will without delay process the re-issue of a new Certificate of Appointment.

3.4.3 The Section Head or Assistant Manager: Community Safety upon concluding the investigation and inquiry depending on the outcome, the member might be surcharged and/ or face further disciplinary action.

3.5 Termination of service

3.5.1 The Section Head remains accountable for the return of the Certificate of Appointment when a member resigns or is dismissed.

3.5.2 The Certificate of Appointment shall be returned to the office of the Assistant Manager on signing off the employee exit form.

3.5.3 The Directorate: Human Resource shall arrange for the withholding of any pay due to the concerned member until the return of the Certificate of Appointment has been confirmed.

3.6 Suspensions and Demotions

3.6.1 Section Head shall retrieve the Certificate of Appointment of any member or designated employee who has been suspended and or demoted.

3.7 transfers and promotions

3.7.1 Assistant Manager: Community Safety shall retrieve and update the Certificate of Appointment upon promotions.

3.8 General

3.8.1 The Assistant Manager: Community Safety will maintain a register of Appointment Certificates issued. Old certificates will be destroyed and reflected as such in the register. The Director: Human Resources may from time call upon any employee to report for the taking of fingerprints to ensure that they still qualify in terms of legislation for appointment. Any undisclosed criminal convictions resulting there from which may ordinarily affect a Law Enforcement Officer's appointment as a member will be forwarded to the office of the Assistant Manager: Community Safety for further investigation.

3.8.2 It will be the responsibility of the Assistant Manager to register and/ or de-register all members in accordance with the provisions of Section 5 of the National Road Traffic Act, 931996 and the SAPS Act.

STANDING ORDER NO.10

10. COLLECTION LIST FOR PRESENTATIONS OR OTHER PURPOSES

1. PURPOSE

To establish rules to ensure credibility in the circulation of collection list for money or any other items

2. POLICY

No member shall circulate a collection list for money or any other items for any reason without prior of the head of the relevant Department who shall review the request, make the appropriate decision then notify the Assistant Manager: Community Safety.

3. THE ORDER

2.1. The following procedures shall be followed for the approval of a collection list:

3.1.1 A report must be submitted to the head of relevant Department, by the person who wishes to initiate the collection.

3.1.2 The HOD will approve or deny the request then notify the Assistant Manager: Community Safety.

3.1.3 If approved, the list containing particulars relating to the beneficiary and the purpose for the collection may be circulated.

3.1.4 The person authorised to take up the collection shall, when the collection is for any charity, ensure that the final sum of money or items collected be published in a newsletter or some other form for the information of the contributors.

STANDING ORDER NO. 11

11. ISSUE AND WEARING OF BULLET RESISTANT VESTS BODY ARMOUR

1. PURPOSE

The purpose of this policy is to provide for the allocation and establishment of guidelines for the use of bullet resistant vests/ body armour in the operational environment, more specifically whilst performing operational type functions including, but not limited to patrolling, prosecuting, roadside checkpoints, point duty, execution of warrants of arrest, etc. and general crime prevention. This policy is mandatory for all members performing the said functions and field operations.

2. POLICY

It is the policy of the Community Safety that all members assigned to field operations shall be equipped with a bullet resistant vest/ body armour.

3. THE ORDER

3.1 Every member required to perform duty in the operational environment shall draw a bullet resistant vest/ body armour from the store as a permanent issue.

- 3.2 Members shall at all times while actually performing duties in the operational environment wear such a vest body armour over or under the uniform.
- 3.3 If worn over the uniform, the badge and nameplates shall be attached to the bullet resistant vest body armour, with the following equipment (e.g. fire-arm, portable radio, cellular phone or magazine pouches, etc. being optional to be attached.
- 3.4 Unserviceable vests/ body amour shall be exchanged at stores.
- 3.5 Each member who is allocated a bullet resistant vest/ body armour shall be responsible for its serviceability.
- 3.6

PROCEDURE NO.1

1. LEAVE OF ABSENCE

1 PURPOSE

To clarify aspects of leave

2 PROCEDURE

Every Community safety unit shall maintain an Attendance Register

It is the responsibility of the Commanding officer/ Unit Head to notify Human Resources of the leave status of employees in his/ her command.

Leave absence is classified as follows:

- 2.1 Sick leave
- 2.2 Time due
- 2.3 Annual leave
- 2.4 Examination/ study leave
- 2.5 Unpaid leave
- 2.6 Maternity leave

2.1 Sick leave

2.1.1 The council allows members sick leave at the rate of 80 working days over period of three year cycle. Sick leave, if not taken, is not accumulative.

It is the responsibility of every employee reporting off sick to ensure that his immediate supervisor, commanding officer or unit head is notified at least 20 minutes prior to the scheduled time for the commencement of his tour of duty.

Employees who go off sick while at work shall complete a sick leave form prior to leaving if 4 hours are not finished at work.

Employees who go off sick shall complete the sick leave form prior to leaving

The unit head of employees who call in sick shall complete the sick leave report on their return.

The unit head of employees who call in sick shall arrange for a supervisory sick visits to the employees location after 3 days.

The unit head of employees on lengthy sick periods shall arrange for supervisory sick visits to the employees location every 14 days.

2.1.2 An employee's first responsibility when reporting for duty thereafter will be to notify his immediate supervisor, commanding officer or unit head at least 20 minutes before his shift, that he intends resuming duties, where-after he must complete a leave form covering his absence. The official receiving the notification shall cause the employee to be booked back in the appropriate register.

2.1.3 The immediate supervisor must ensure that sick leave is uploaded on the ESS system, the moment employee resumes duty

2.1.4 Where any member is booked off duty for a period exceeding two, the member will be required to submit a medical certificate. Where such member is **on sick leave for a lengthy period, interim medical certificates must be submitted every 30 days.**

NB: Medical Certificate indicating "indefinite period" will not be accepted.

2.1.4.1 Exception: Employees may be required to submit a medical certificate if they have a pattern of repetitive sick absences even if the duration of reported sick is for two days or less as per conditions of services.

2.1.5 Where a member returns to work after having booked off sick and fails to produce his/ her final medical report immediately, he/she shall submit an application for unpaid leave for the period that he was off.

2.1.6 Supervisors shall scrutinise the final medical report to see that it contains a “diagnosis” of the illness to avoid unnecessary queries at a large stage.

2.1.7 Where a member books off sick after completing a minimum of four hours of a shift, the member shall book off with the immediate supervisor, commanding officer or unit head in the normal manner and will be deemed to have completed that particular shift. The period absent during this shift will be non-recordable.

2.1.8 Unless specifically instructed to produce a medical certificate, members shall only produce one if the period of **absence exceeds two days.**

2.1.9 It is the responsibility of the concerned commanding officer/ head to ensure that all appropriate steps are taken and appropriate notifications relating to their employees sick status is forwarded to the Human Resources Directorate.

2.2 Time-due

2.2.1 Employees of the Division may only claim time-due where such time worked falls of official working hours and involve the following circumstances.

2.2.1.1 Court Attendances

2.2.1.2 Taking particulars of traffic accidents.

2.2.1.3 Working at special Events (i.e. sports etc.).

2.2.1.4 Arrest related activity/ crime prevention activity

2.2.1.5 Emergencies/ Unusual Occurrences

2.2.1.6 Time-due must be calculated at time and a half

2.2.2 All time-due (debit and credit) must be authorised by one of the following ranks:

- Assistant Manager
- HOD
- Superintendent

2.2.2.1 Exception: time-due for sections 2.2.1.3, 2.2.1.4, and 2.2.1.5 must be authorised by the relevant Section Head in the concerned section or in charge of the concerned unit at the time of the occurrence. Such official shall be able to document the motivation for such approval.

2.2.2.2 The Assistant Manager may allow some flexibility in section 2.2.1 depending on the circumstances.

2.2.3 Employees who claim time-due shall record such claim on the prescribed time-due (credit) form.

2.2.3.1 The form shall be endorsed by the concerned commanding officer or unit head.

2.2.3.2 The form shall be approved by the Assistant Manager: Community Safety.

2.2.3.3 A copy of the form shall be forwarded to Human Resources by the relevant commanding officer or unit head

2.2.4 Employees may take time-due at their discretion provided it does not clash with the Divisions interests in which case such time-due may be refused.

2.2.5 When applying for the time-due the prescribed time-due (debit) form must be completed and signed by the applicant.

2.2.6 The onus is on the employee to ensure that he has time-due to his credit before submitting the form.

2.2.7 The following entities shall maintain an up-to-date tally of all employees' time-due balance:

2.2.7.1 Relevant commanding officer or unit head

2.2.7.2 Concerned Department

2.2.7.3 Human Resources

2.2.8 It must be emphasised that applications for time-due shall be submitted prior to members proceeding on time-due.

2.2.9 Time-due may only be claimed up to and including the rank of Superintendent.

2.2.10 The ranks of Assistant Manager and above do not accumulate time-due but may take time off for time worked outside of their normal working hours without submitting a form provided the HOD agrees.

2.2.11 The maximum time-due that may be accumulated is 25 hours

2.3 Annual leave

2.3.1 The granting of leave is subject to Councils discretion and the exigencies of the service. Council reserves the right to:

2.3.1.1 Cancel leave

2.3.1.2 Refuse leave

2.3.1.3 Recall members on leave

2.3.2 Employees, excluding those with less than one year's service are obliged to take 16 days (5 day week workers) or 19 days (6 day week workers). Leave not taken as aforementioned will be forfeited

2.3.3 Commanding officers/heads shall ensure that their employees have an opportunity to comply with the provisions of section 2.3.2

2.3.4 Annual leave not taken or forfeited in terms of 2.3.2 may be accumulated but not to be accumulated in excess of 48 days

2.3.5 Requests for leave must be uploaded on the ESS system.

2.3.6 Employees shall receive approval prior to taking leave.

2.4 Examination/ Study leave

An employee who writes any examination relevant to a qualification recognised by the council and subject to written proof being provided, subject to the exigencies of the service, may be granted examination and study leave as outlined in the ULM conditions of service.

2.5 Unpaid leave

2.5.1 Unpaid leave can only be granted by the Assistant Manager.

2.5.2 Unpaid leave shall be submitted in case of employees absent without leave.

2.5.3 If the employee has annual leave to his credit he shall submit annual leave for the period absent.

2.6 Maternity leave

Maternity leave without pay will be granted to any female employee subject to the provisions of the ULM conditions of service.

2.7 General

2.7.1 All applications for leave must be completed on the ESS system and must be approved prior to going on leave. It is the responsibility of each supervisor through the chain of command to ensure that this is done.

2.7.2 When a member leaves any beat, patrol or duty, the immediate supervisor must be informed and an entry made in the member and the supervisors pocket books and the appropriate Occurrence book/ Attendance register.

2.7.3 Members injured on duty must book on and off in the prescribed manner, in accordance with the doctors instruction. Sick leave are to be submitted accordingly as this matter falls within the jurisdiction of the workman's compensation commissioner.

2.7.4 The circumstances surrounding all injured on duty cases and claims of injured on duty shall be investigated and documented by the supervisor. The investigation shall be reviewed by the concerned commanding officer/ unit head and OHASA.

2.7.4.1 The completed investigation shall be forwarded to Human Resources.

2.7.4.2 Evidence of misconduct shall be forwarded to office of the Assistant Manager: Community Safety.

2.7.5 All Directorates shall forward the annual leave plans for all personnel within the concerned divisions during the first week of January each year.

2.7.5.1 Any changes must be approved by the Assistant Manager.

2.7.6 December or April leave will be restricted for uniformed staff and 40% for non-supervisory staff. Members/Employees who have had December/ April leave the previous year are not automatically entitled to December/ April leave for the following year.

2.7.7 In the event of a member absent without leave, the immediate supervisor will cause an entry to be made to this effect in the Attendance register.

2.7.8 Payment of salary will be stopped on the first day a member having less than 3 months service is absent without leave. In other cases payment will be stopped after the third day.

2.7.9 All leave must be accurately reflected on duty sheets/ attendance registers.

2.7.10 All employees shall be informed by their immediate supervisors of the importance of submitting amended leave and sick leave forms timeously.

2.7.11 The supervisor will ensure that an application for leave is correctly submitted by his employee.

Procedure no.2

2. Vehicle operation

1 purpose

To establish rules for the allocation, operation and care of the vehicles and equipment of the Community Safety.

2 POLICY

It is the policy of the Community Safety that:

2.1 Its vehicles be operated in a professional manner, setting an example to all other drivers in order to emphasise the Community Safety's commitment to road safety.

2.2 All sworn members, regardless of rank or assignment, be fully trained and certificate.

2.3 All sworn members attend the mandated training that will maintain their certificate.

3 THE ORDER

3.1 Training and Certification

The proper operation of the Community Safety motor vehicles is essential. Each member who operates a Divisional vehicle shall:

3.1.1 Possess the applicable class of driving licence.

3.1.2 Successfully complete the practical test before permitted to drive.

3.1.3 Possess the applicable class of driving permit.

3.2 Personnel who operate vehicles which are not Community Safety patrol vehicles

3.2.1 Possess the applicable class of driving licence.

3.2.2 Possess a Community Safety driving permit where applicable

3.2.3 Successfully complete the practical test before permitted to drive.

3.3 Allocation of vehicles

3.3.1 **The Section Head** shall maintain the master list of Community Safety vehicles and list of names to which each vehicle is allocated.

3.3.2 **The Section Head** shall notify the Assistant Manager of a particular line function of any vehicle, which becomes available for allocation.

3.3.3 Members will be responsible for the condition and maintenance of the vehicle and any equipment carried therein or thereon.

3.3.4 Whenever a vehicle transferred from one member to another, the prescribed transfer form shall be completed to the Section Head, who will amend his records accordingly. Such transfer must be authorised by the Assistant Manager.

3.3.5 Vehicles shall only be driven by member to whom such vehicle is allocated, provided that:

3.3.5.1 The Assistant Manager may exempt certain members from this provision.

3.3.5.2 A Section Head may authorise the use of a vehicle where the driver to whom the vehicle is allocated takes leave or is likely to be off sick or IOD for one week or longer, in which case a temporary vehicle transfer form must be completed and forwarded to the Section Head who will amend his records accordingly.

3.3.5.3 Each member, in reference to section 3.3.5.2 shall make an entry in his pocket book with specific reference to any damage, defect or missing equipment and countersign same. If any member cannot be present, his supervisor will carry out the inspection and make the necessary entry in his (supervisor) pocket book.

3.3.6 When a member is allocated a vehicle for the first time or his vehicle is replaced he will sign for such vehicle at the office of the Section Head.

3.3.7 The allocation of vehicle(s) to a Community Safety driver is at the sole discretion of the head of Section Head or the Assistant Manager: Community Safety.

3.3.7.1 Assistant Manager allocates to the Units

3.3.7.2 Section Head and supervisors allocates within their commands

3.3.8 No Community Safety employee may be allocated a Community Safety vehicle unless he or she has served with Community Safety for a minimum period of three (3) months.

3.4 Use of Community Safety vehicles

3.4.1 Personal use of a Community Safety vehicle is prohibited. Vehicles shall only be used in the execution of official Community Safety duties.

3.4.2 Only authorised personnel may garage Community Safety vehicles at home. The vehicle must be parked off street in a safe place approved by the Section Head who must be notified of any change of address in order for the parking place to be approved.

3.4.3 Other members shall garage their vehicles in their allocated bays at municipal premises when off duty.

3.4.4 Members who are authorised to take their vehicles home are only allowed reasonable period for travelling time via the shortest and most direct route before or after their official tour of duty in terms of the COID Act.

3.4.5 In the event of a member having to attend any official matter signing off duty he shall contact immediate supervisor and book back on duty.

3.4.6 The member booking back on duty shall make the necessary entry in his pocket book.

3.4.7 Vehicles may only be driven outside the area

3.4.7.1 In hot pursuit of an offender

3.4.7.2 When the members patrol does not provide a turnabout within Community Safety boundary.

3.4.7.3 When authorised members are preceding to/from home before/ after tour of duty.

3.4.7.4 When authorised by a member with a rank of Superintendent or higher.

3.4.8 The Superintendent in charge at the material time may upon receipt of a request for assistance from the SAPS or a neighbouring Traffic Department authorise a breakdown to proceed outside Community Safety area if warranted. The particulars of such assistance shall be recorded in the occurrence book and the breakdown operator shall keep a full record in his pocket book

3.4.9 The supervisor in charge of the shift may issue such instruction if there is no senior ranking member available.

3.4.10 Without exception, the driver of a Community Safety vehicle leaving and or entering the Community Safety area of Jurisdiction shall inform his immediate supervisor, at the time, of such ingress/ egress.

3.5 Passengers in Community Safety vehicle

3.5.1 Non Community Safety personnel shall not be passengers in/ on Community Safety vehicles without prior permission from the members' direct supervisor, except when necessary in line of duty.

3.5.2 Civilian Community safety personnel shall not be passengers in/on operations vehicle without permission from the member's direct supervisor, except when necessary in the line of duty.

3.6 Driving of Community Safety Vehicles

3.6.1 The driver will inspect the vehicle for safety standards prior to each tour of duty.

3.6.2 Patrol vehicles shall only be driven by sworn members and be driven in accordance with the principles of defensive driving. The only exception being non-members operating under extreme emergency conditions.

3.6.3 Every member of the Community Safety shall drive defensively exercising due care, skill and foresight.

3.6.3 The driver of the Community Safety vehicles shall not use a cellular telephone whilst the vehicle is in operation unless such cellular telephone is equipped with and used by means of a hands free device. The fitting in the vehicle of any such fixed hands free devices for a cellular telephone must be authorised by the Section Head.

3.7 Speeding- members

3.7.1 Members shall not exceed the speed limit except in case of an emergency or in pursuit of an offender. The immediate supervisor shall be informed of the emergency pursuit and the commencement and conclusion thereof.

3.7.2 The supervisor must monitor the vehicles on-board computer for any speed violations, and if the speed limit was exceeded the event must be endorsed by his supervisor at the first opportunity after exceeding the speed limit. If the supervisor wishes to take action against the member for exceeding the speed limit it must be done in accordance with the condition of service.

3.7.3 Members who exceed the speed limit without justification are solely responsible for any fines incurred by them.

3.7.4 Community safety must obey all road traffic regulations. If for any reason the driver has to engage a vehicle at high speed he/she must inform his immediate supervisor indicating the reason for such response and the commencement and conclusion thereof. A full description is to be noted in his/her pocket book.

3.7.5 All community safety drivers and passengers must at all times wear their safety belts in a Community Safety vehicle.

3.8 Economisation of Fuel Consumption

3.8.1 Every effort must be made to rationalise Community Safety activities with a view to eliminating unnecessary trips and to drive as economically as possible.

3.9 Maintenance / repair of Community Safety vehicles

The purchase and maintenance of motor vehicles and equipment is a major expenditure. In order to receive maximum benefit from these vehicles, the following rules shall be observed.

3.9.1 Members will be personally responsible for the condition and maintenance of the vehicles allocated to them and any equipment carried therein or thereon.

3.9.2 Maintenance shall be carried out at the workshop determined by the Section Head.

3.9.3 All repairs to Community Safety vehicles or equipment shall be undertaken at a work shop as per directive front Head: Fleet management.

3.9.4 All dealings with the Head: Fleet management shall be within normal office hours (i.e. 07h30- 16h00 Mon to Fri) unless in any emergency. The following procedure will be followed when a vehicle requires repairs or servicing:

3.9.4.1 The immediate supervisor will make an entry in the driver's pocket book approving the issue of a requisition from the Head: Fleet management who will sign the pocket book.

3.9.4.2 On receipt of the requisition from the Head: Fleet management the driver will make the vehicle available for the necessary repair or services as directed. Excluding fixed accessories, the spare wheel and jack, other items should be removed and placed in safekeeping if the vehicle will remain at the workshop.

3.9.4.3 Having explained the purpose of the visit and after handing over the requisition and vehicle equipment, whatever the case may be, such member shall proceed to the waiting room if he is to wait for a service, or forthwith depart from the scene. The waiting period shall not exceed 30 minutes.

3.9.4.4 The workshop is out of bounds to all members with the exception of the reception and waiting areas.

3.9.4.5 The workshop personnel are to be contacted during working hours for official business only.

3.9.4.6 The Head: fleet Management will notify the driver when the vehicle is ready for collection of the vehicle.

3.9.4.7 No members shall directly contact to enquire whether a vehicle is ready for collection. All enquiries must be channelled through the office of the Head: Fleet Management

3.9.4.8 The cleaning of a motor vehicle will be the responsibility of the member allocated with the vehicle.

3.9.5 In addition to the function performed by the workshops, members shall be allocated a fortnight maintenance period during which the first line supervisor shall be present. The maintenance period shall not exceed 30 minutes. Attention shall be given to the following.

3.9.5.1 All fluid to be checked and topped up.

3.9.5.2 The inspection of the vehicle in conjunction with the first line supervisor for any defect e.g. indicators, lights, etc. and the cleanliness of the vehicle both inside and outside.

3.9.6 It shall be the responsibility of each individual member to ensure that he is allocated an alternative maintenance period in the event of not being able to attend the scheduled period for some reason. He shall liaise with his first line supervisor who will make the necessary arrangements.

3.9.7 The respective Community Safety superintendent/ managers must also ensure that vehicles are serviced at appropriate service intervals as specified by the manufacturer.

3.14 Log Book/Fuel Slip

3.14.1 All Community Safety vehicles are allocated with Log Books. These logbooks shall be completed by the driver signed by the supervisor on a daily basis and be available for inspection at any given time.

3.14.2 All log books are to be inspected by a supervisor on a daily basis for:

- Excessive mileage
- Excessive fuel consumption
- Service records
- Damage

3.14.4 The logbook shall not be removed from the vehicle, except for inspection by an authorised supervisor or the Fleet Management Officer.

3.14.5 The fuel and oil intake must be entered in the logbook.

3.14.6 After the inspection, the supervisor shall sign the logbook as proof of inspection.

3.15 Community Safety Damage/ accidents

3.15.1 In the event of a Community safety vehicle being involved in an accident/incident of any nature, the driver thereof, if not injured or and incapacitated, in addition to his/her legal obligations, shall immediately report the collision/incident to his immediate supervisor immediately and supervisor shall respond to the scene to record the details of the accident/incident. **At no time is an admission of guilt to be made or implied.**

3.15.2 The Community safety driver shall, within 24 hours complete and submit the necessary claim forms to the Head: Fleet management. In the event of any injuries sustained, Cases of Occupational injuries and disease Act must be adhere to. If the accident /incident occurs during a weekend, the insurance claim form shall be completed on the first Monday morning, except in cases where the concerned Monday is a public holiday. Then the form shall be completed on the first day following a holiday.

3.15.3 An on-duty Community safety supervisor shall respond to the scene of all traffic accidents/ incidents where an on-duty member driving the Community Safety vehicle is one of the involved parties. The supervisor shall ensure that the investigation is conducted thoroughly and credibly.

3.15.4 If the member is injured and is unable to comply, it shall be the duty of his first line supervisor (at the time of the accident) to see that the necessary forms are completed and handed in timeously.

3.15.5 Under no circumstances shall a vehicle be repaired privately. Repairing a Divisions vehicle privately shall constitute an offence and will lead to disciplinary action.

3.16 Loss of Council vehicle due to negligence

3.16.1 Anti-theft devices fitted to the vehicle must be utilised in instances where vehicles are left unattended for whatever period.

3.16.2 Vehicle keys and anti-theft deactivating devices must not be left in unattended vehicles under any circumstances.

3.16.3 Vehicle doors **must** be locked when unattended, or parked overnight.

3.16.4 Unauthorised or abusive use of any Community safety vehicle under any circumstances will lead to disciplinary action against the offender.

3.17 Leave of Absence

3.17.1 When drivers proceed on leave vehicles and keys must be placed in the custody of the Section Head.

3.17.2 An inventory of the vehicle contents must be entered in the members pocket book and the entry signed by the Section Head.

3.18 Sick Leave

When the driver is booked off sick for more than two days, the vehicle and keys must be placed in the custody of the immediate supervisor.

3.19 Strikes and Stay ways

During any contemplated strike or stay-away the Assistant Manager, at his discretion, may order the vehicles of members likely to be affected by such action be left on the premises of the Community Safety or Municipality.

PROCEDURE NO.3

3 THE ISSUE, SAFEKEEPING AND CONTROL OF FIREARMS, BATONS, PEPPER GAS CANISTERS, AND SMOKE GRENADES

1 PURPOSE

The standing order establishes procedures to provide for effective control over the use of firearms, pepper gas canisters, smoke grenades batons by the member of Community Safety.

2 POLICY

The Community safety recognises and respects the role weapon systems play as a valuable tool for members. It is the policy of the Community Safety that all weapon system be issued stored and controlled in accordance with the relevant national Acts.

Department members shall use only the minimum force necessary to neutralise an unlawful assault or that which is reasonably necessary to overcome resistance by a person being lawfully arrested. This policy is in accordance with the provisions of Section 49 of Criminal Procedure Act.

The Community Safety force continuum

Lower level force

Verbal commands
Use of hands

Intermediary level force

Pepper spray
Batons

Deadly force

Firearms

3 THE ORDER

This order is divided into five parts, namely:

- Firearms
- Pepper gas canisters
- Smoke grenades
- Batons
- General

4 firearms

4.1 Issue of firearms and ammunition

4.1.1 Firearms and ammunition are issued to members for:

4.1.1.1 Self-defence and the defence of other persons and their property against an unlawful attack.

4.1.1.2 Use within the provisions of the Criminal procedure Act. Members also discharge a firearm under the following circumstances.

4.1.1.2.1 To destroy as a humanitarian measure an animal found at large on a public street, which is severely injured or dying and apparently abandoned.

4.1.1.2.2 To destroy any wild or dangerous animal or reptile if it is a danger to life.

4.1.2 Firearms shall only be issued to members who successfully complete the prescribed course and upon certification.

4.1.3 The Assistant Manager will once he is satisfied that all requirements are complied with, issue the firearm and a permit of authorisation to possess the firearm.

4.1.4 The member shall carry the permit on his person when the firearm is in his possession.

4.2 Certification/in-service training

The holder of the Community safety issued firearm must qualify for shooting practice twice annually. The in-service practical shooting will be carried out under the direction of the appointed range officers by means of:

4.2.1 Firearm proficiency test

4.2.2 A test on the legal aspects and

4.2.4 The Assistant Manager will ensure that proficiency record is kept of members who qualify in the use of Community Safety issued firearms containing the passing score, legal and other requirements, including a record of the number of firearm practices attended and scores attained.

4.2.5 When a member does not qualify for re-certification, his Division issued firearm will be withdrawn and he/she will be placed in non-enforcement duties pending re-training

4.3 Private Firearms

4.3.1 A member who has been issued with the Community Safety handgun may carry a licensed private handgun as a back-up weapon, provided that it is concealed. This excludes a rifle, shotgun or any other firearm than a handgun.

4.3.2 The Community Safety does not support the carrying of non-issue firearms by members who have not been issued with the Community Safety firearm. If carried it must be concealed, licensed and not be used in the execution of duties. If used, it is used in a private capacity and the Community Safety will not accept responsibility.

4.4 Safekeeping of firearms

4.4.1 The borrowing, lending or exchanging of firearms or ammunition is prohibited.

4.4.2 The theft or loss of any firearm shall be reported immediately and case opened at SAPS.

4.4.3 When going off duty, the firearm must be stored at the member's residence in a wall mounted/ secured safe and out of reach of children. As an added precaution, the magazine should be removed and stored in a separate place.

4.4.4 The firearm may be carried on the member's person while off duty if it is safer to do so, provided that all reasonable precautions are taken to prevent the loss of the firearm. The firearm must be carried in a holster and be concealed and may only be used in self-

defence or in defence of another person or his property in accordance with the provision of Section 4.7.2

4.4.5 Whenever firearms other than a handgun are conveyed in an official vehicle and not carried on the person, they must be locked in the boot. The exception is if the circumstances dictate the imminent potential use of such weapon.

4.4.6 The armoury/strong room is out of bound to all persons irrespective of rank. The Assistant Manager must accompany authorised visitors. The order excludes the HOD and Municipal Manager.

4.4.7 When proceeding on leave or sick leave for a period exceeding two working days, the firearm must be handed in to the Assistant Manager: Community Safety during office hours.

4.4.8 The immediate supervisor will be responsible for the collection of a firearm belonging to a member who has absconded , been injured on duty or is on sick leave for more than two working days and is unable to hand in his firearm.

4.5 Carrying of firearm

4.5.1 All other members shall carry the weapon in the prescribed firearm holster situated on the strong hand side of the body with equipment pouches arranged on the weak side of the body in the following order from the buckle:

- Pepper spray canister
- Cell phone
- Radio
- Magazine
- Baton
- Handcuffs
- Firearm- strong side

When wearing the exterior ballistic vests, firearms may be carried in the vest holster.

4.5.3 Members in uniform shall carry the firearm in the prescribed holster so that it remains visible except when wearing a rain or winter coat.

4.5.4 Firearms carried by members in civilian dress must be worn in a holster and be concealed.

4.5.5 Firearms carried by members from the rank of Superintendent and higher may be concealed whilst in uniform

4.5.6 Only ammunition issued by Assistant Manager: Community Safety shall be used or carried in a Community safety issued firearm.

4.5.7 The carrying of the maximum rounds of ammunition in the magazine as specified by the manufacturer is permitted. Continuous spring stress will be countered by regular maintenance.

4.5.8 Except on instruction from the supervisor in command of an emergency situation, firearm may not be carried loaded (i.e. with cartridges in the chamber) in the normal course of events due to the risk.

4.5.9 A firearm may not be handed to another person without carrying out a complete unloading procedures and without keeping the breach open. This excludes handguns where the action cannot be kept open with magazine removed.

4.6 Inspection of Fire Arms

4.6.1 Only Assistant Manager/his nominee may adjust, repair or cause to repair Community Safety issued firearms.

4.6.2 Firearms must be kept clean, oiled, and serviceable, including the ordinary care required preserving its condition and appearance.

4.6.3 Always personally make sure that the firearm is unloaded before cleaning it and the muzzle is at all times pointed away from any person.

4.6.4 First line supervisors at parade must carry out firearm inspection daily to ensure that the firearm is clean oiled and serviceable and the provision relating to the carrying of ammunition are complied with. Care must be taken to ensure that the inspection terrain is safe and that a single file has been formed.

4.7 Prohibitions

The following practices are specifically prohibited:

4.7.1 Exhibiting, brandishing, handling or playing with a firearm. The firearm shall remain holstered or in a secure position at all times except for:

- Use within scope of authority
- Authorised inspection
- Use at an authorised shooting range

4.7.2 Handling a firearm after the consumption of intoxicating liquor or a narcotic drug.

4.7.3 Firing shots when the person is only suspected of a traffic or minor offence the use of lethal force is not legally justified.

4.7.4 Firing shots to wound the use of lethal force is not legally justified. The lethal nature of a firearm is well known and firing must only take place when the possibility of killing is accepted and can be legally justified.

4.7.5 Pointing a firearm at a person or in the direction where the accidental discharge may cause damage, injury or death.

4.7.6 Threatening to use a firearm against a person in any dispute whatsoever.

4.7.7. Firing shots when there are or likely to be innocent persons in the line of fire. Account must be taken of the location, vehicular and pedestrian traffic and hazard to innocent persons including property damage. Beware of where the bullet will go and where it will stop (consider range, penetration and deflection) the member shall establish whether he can fire shots without placing the lives of innocent persons in jeopardy.

4.7.8 Firing shots at or from a moving vehicle in order to disable the vehicle except as an ultimate measure of self-defence or defence of another. The danger to innocent persons from ricocheting bullets or out of control motor vehicles argues against firing at moving vehicles in most cases.

4.7.9 Firing shots before the target has been positively identified.

4.7.10 Allowing use of a Community safety firearm by a non-Community Safety person in an illegal manner.

4.8 Impoundment of firearm

4.8.1 If it should come to the notice of any supervisor or other member of the Community Safety that a member has threatened to use his firearm to:

4.8.1.1 Commit suicide

4.8.1.2 Shoot relative or other persons or point firearm in their direction or

4.8.1.3 That the emotional instability of the member is evident, he shall immediately inform the member's supervisor who will in turn without delay, impound the member's firearm.

4.8.2 The firearm will remain impounded until the member is declared fit to possess a firearm by the Human Resources' EAP, in consultation with and on the recommendation of the registered psychologist.

4.9 Firearm Practice

4.9.1 Members who fail to report for firearm practice as scheduled and have not been excused will be subject to disciplinary measures.

5 Pepper Spray Canisters

5.1 Issue of pepper spray canisters

5.1.1 Pepper spray canisters are issued to members for:

- 5.1.1.1 Self-defence or defence of other persons against an unlawful assault
- 5.1.1.2 The protection of property against an unlawful attack
- 5.1.1.3 Use within the provisions of criminal procedure act

5.1.2 Pepper spray canisters shall only be issued to members who successfully complete the prescribed training course and qualify in the legal and proficient use thereof, including the provision of these standing orders.

5.1.3 The Armourer shall issue a pepper spray canister upon certification.

5.1.4 Members and law enforcement officers who have been issued with a pepper gas canister will carry same while on duty.

5.2 Safe keeping of pepper spray canisters

5.2.1 Members issued with a pepper spray canister will be responsible for its safe keeping and will report the loss or theft thereof on a general report form. The report shall be forwarded to the Assistant Manager for attention and in the case of theft must contain the SA police service case reference number.

5.2.2 The borrowing, lending or exchanging of a pepper spray canister is prohibited

5.2.3 When a member is off duty the pepper spray canister must be stored in a safe place and out of reach of children.

5.2.4 The immediate supervisor will be responsible for the collection of a pepper spray canister issued to a member who has absconded.

5.3 Use of pepper spray canisters

A pepper spray canister should be used in lieu of physical force whenever possible

Its use should eliminate, or at least reduce the need for physical force in overcoming a suspect's resistance. This in turn should reduce unnecessary injuries to officers and suspects.

5.3.1 Members

A member exercising the power of arrest as confirmed on him may be justified using a pepper gas canister under the following circumstances:

5.3.1.1 In terms of section 49 (1) of the criminal procedure Act. If authorised to arrest or to assist in arresting another, and such person resist the attempt and cannot be arrested without the use of force or when it is clear that an attempt to arrest him is being made. May use such force as the circumstances may be reasonably necessary to overcome resistance or to prevent the person from fleeing, provided that lethal force is not used to effect the arrest. The criminal procedure act makes it clear that the use of lethal force is confined to schedule 1 arrest.

5.3.1.2 The pepper spray canister and the baton are intermediary weapons that fall between the use of the hands and the firearm. A member shall in the following circumstances, where lethal force may be justified, consider first the use of the pepper spray canister or the baton as lesser means of defence or apprehension, if possible, before resorting to a firearm.

5.3.1.2.1 Protection of property against unlawful attack.

5.3.1.2.2 Self-defence or that of another person against an unlawful attack which may result in serious injuries or death, provided that the defence used was not excessive in relation to the danger. Carrying out an arrest or preventing an escape in terms of section 49(2) of the criminal procedure act with reference to schedule 1 offences.

5.4 Prohibitions

The following practices are specifically prohibited:

5.4.1 Exhibiting, brandishing, handling or playing with a pepper spray canister. The canister shall remain holstered or in a secure position at all times except for:

5.4.1.1 Use within scope of authority

5.4.1.2 Authorised inspection

5.4.2 Handling a pepper spray canister after the consumption of intoxicating liquor or narcotic drug.

5.4.3 Pointing a pepper spray canister at a person or in a direction where accidental discharge may cause harm.

5.4.4 Threatening to use pepper spray canister against any person in any dispute.

5.4.5 The use of pepper spray canister when the use of force is not legally justified.

5.5 Impounding of pepper spray canister

5.5.1 If it should come to the notice of any supervisor or other member of Community Safety that a member uses a pepper spray canister in any unauthorised manner, he shall immediately inform the member's supervisor who will in turn and without delay in conjunction with the Assistant Manager: Community Safety, impound the canisters. The pepper spray canister will remain impounded pending the outcome of any disciplinary action or Community safety enquiry

6. BATONS

6.1 Issue of batons

6.1.1 Batons are issued to members for:

6.1.1.1 Self-defence or the defence of other persons against an unlawful assault

6.1.1.2 The protection of property against unlawful attack

6.1.1.3 Use within the provisions of the criminal procedure Act

6.1.2 Batons shall only be issued to members who successfully complete the prescribed training course and qualify in the legal and proficient use thereof, including the provision of these procedures.

6.1.3 The Community Safety store will issue a Baton on certification or qualification of the member in the use of the Baton.

6.1.4 Members who have been issued with a baton will carry same while on duty in the carrier ring issued.

6.2 Safe keeping of Batons

Members issued with a Baton will be responsible for its safe keeping and will report the loss or theft of it on a general report form. The report shall be forwarded to Assistant Manager: Community Safety for attention and in the case of theft must be reported to the SA Police Service and the report must contain the case reference number.

6.3 Use of the Baton

The baton is an intermediary weapon that falls between the use of the hands and the service firearm. It must be borne in mind that if the baton is not used with the necessary restraint, it is a lethal weapon with all the consequences.

6.3.1 Members

A member shall adhere to the same guide lines as outlined in section 5.3.1 provided that other lesser means of force is considered whereby the defence or arrest can be effected.

6.4 Prohibitions

It is necessary to note that accuracy in directing a blow or thrust is not possible in every situation but when possible blows to the Head must be avoided in favour of other parts of the body. This does not mean however, that the member should expose himself or others to an unreasonable risk of harm merely to avoid head blows.

The following practises are specifically prohibited:

6.4.1 The use of a baton when the use of force is not legally justified.

6.4.2 Threatening to use a baton against a person in any dispute whatsoever.

6.4.3 Twirling, swinging or toying with the baton in public view as these actions made the member appear to be aggressive.

6.4.4 The baton issued will not be altered in any way such as leading, shortening, drilling holes or any alteration that changes its original design or condition.

7 GENERAL

7.1 Members shall carry only authorised non-lethal weapons. The authorised non-lethal weapons are the batons and the pepper spray canisters, which are issued after qualifying in its legal and proficient use as determined by training procedures

Procedure no. 4

4. DISCIPLINE AND COMMUNITY SAFETY ENQUIRIES

1 PURPOSE

To ensure a uniform approach in correcting inappropriate behaviour and implement a procedure to discipline employees who fail to comply with the Community Safety standards of conduct.

2 POLICY

The maintenance of discipline is the responsibility of every member of the Community Safety. Community Safety's public responsibility makes it imperative that its disciplinary policy and procedures are designed to maintain the confidence of the public. The Community Safety investigate all allegation of misconduct. The relevant circumstances will dictate the level of the investigation. This procedure will assist in the protection of the innocent, ensure the application of "positive discipline" for those who are worthy thereof and the discipline of those who wilfully and/ or negligently violate Division policy, Policies, procedures, standards of conduct and conditions of service.

NB. All the clauses referred to in this policy and procedure document are in accordance with or directly from the Disciplinary Code of the basic Conditions of Service and Police regulations.

Definitions

All references to days shall be reference to working days (Monday to Friday, excluding public holidays.)

All other terms contained in the Disciplinary code are defined in the constitution of the South African Local Government Bargaining Council and the Organizational Rights Agreement and Police Regulations.

3 COMPLAINT INTAKE AND INVESTIGATIVE PROCEDURE

3.1 The department will accept and investigate allegations of misconduct, against any Community Safety member, from members of the public, Departmental employees and government officials. The Division will investigate cases referred by the Community Safety officials who detect indications of misconduct while conducting internal audits.

Investigative procedure

3.2 All allegations of misconduct shall be forwarded to the Assistant Manager: Community Safety:

- 3.2.1 The Assistant Manager: Community Safety will cause a preliminary assessment to be conducted on all complaints of misconduct forwarded to him/her.
- 3.2.2 The assessment by Assistant Manager will determine if sufficient evidence exist to warrant further investigation.
- 3.2.3 If it is determined that further investigation is warranted, the Assistant Manager: Community Safety will determine whether the matter will be investigated further.
- 3.2.4 This process should be completed in seven (7) days.

3.3 The investigation of cases assigned to Section Head shall be conducted as follows.

- 3.3.1 Section Head investigations shall complete the investigation and forward it to the Assistant Manager: Community Safety.
- 3.3.2 The Assistant Manager: Community Safety shall review the case and make recommendations as whether there is a prima facie cause to believe misconduct has been committed.
- 3.3.3 The investigation and review should be completed in fourteen (14) days.

3.3.4 The recommendations of the Section Head shall be forwarded to the Assistant Manager who will review the findings and recommendations and make the final decision on the matter.

3.4 The investigation of cases assigned to the relevant line Commanding Officer or Unit Head shall be conducted as follows:

3.4.1 The commanding Officer or Unit Head shall assign a supervisor of equal or higher rank than the person being investigated.

3.4.2 The investigation shall be completed in 14 days.

3.4.3 The Commanding Officer or Unit Head will review the investigation and finalise the matter or make a recommendation.

3.4.4 If the Commanding Officer or Unit Head determine that a prima facie case or misconduct exists he/she shall make recommendations whether to prosecute or not to Prosecute and forward the investigation and recommendations to the Assistant Manager: Community Safety.

3.4.5 The investigation and review should be completed in fourteen (14) days.

3.4.6 The Section Head will cause the investigation and recommendations to be reviewed for the investigative quality, cause the necessary corrections to be made then forward the report and recommendations to the Assistant Manager for final decision.

3.4.7 The Assistant Manager review should be completed in seven (7) days.

3.4.8 The Assistant Manager will review the investigative report and recommendations and make a final decision on findings.

Duty to Report Misconduct

3.5 All employees have a duty to immediately report misconduct that comes to their attention. Employees who fail to do so shall be subject to disciplinary action.

3.6 Misconduct may be reported to a supervisor or directly to the sectional head.

3.7 Supervisors who fail to take appropriate action after being advised of misconduct will be subject to disciplinary action.

3.8 Any official who discloses the identity of any employee who reports misconduct and request anonymity shall be subject to disciplinary action.

- 3.9 Any employee who retaliates in any form against another employee who reports misconduct will be subject to Disciplinary action
- 3.10 Employees who wilfully and knowingly falsely reports an allegations of misconduct will be subject to disciplinary action.

4 STANDARD OF CONDUCT

4.1 Employees are expected to comply in every respect with the conditions of employment and collective agreements and any related regulations, order, policy and practice and to refrain from any conduct which would give just cause for discipline. In particular employee shall :

- 4.1.1 Attend work when scheduled and punctually;
- 4.1.2 Conform to the dress and uniform requirements of the department;
- 4.1.3 Perform their task and job responsibilities diligently, carefully and to the best of their ability;
- 4.1.4 Obey all lawful instructions given by the supervisor
- 4.1.5 Conduct themselves with honesty and integrity;
- 4.1.6 Request permission in advance for any leave of absence,
- 4.1.7 Refrain from being absent from duty without leave or permission, except on good cause;
- 4.1.8 Refrain from performing any other employment outside of normal working hours without the prior permission of the Assistant Manager;
- 4.1.9 Refrain from any rude, abusive, insolent, provocative, intimidating or aggressive behaviour to a superior, fellow employee or member of the public;
- 4.1.10 Refrain from negligent behaviour.
- 4.1.11 Refrain from participating, either individually or with others, in any form of action which will have the effect of disrupting the operations of the Division.
- 4.1.12 Refrain from wrongfully disclosing privileged information; and
- 4.1.13 Refrain from consuming alcohol whilst on duty without authorization or using intoxicating drugs at any time,
- 4.1.14 Refrain from rendering services when unfit for duty.

5 SANCTIONS FOR MISCONDUCT

5.1 Any sanction that is imposed for misconduct is intended to defer future repetition of that behaviour. The sanction imposed will be based on the seriousness of the offence considering the employees disciplinary record.

5.2 The imposition of discipline is progressive in that sanctions are to be applied with increasing severity with repetition of the offence. Except in cases of misconduct which would constitute grounds for immediate dismissal or suspension without pay or the immediate imposition of a final written warning, sanctions will generally be applied in the following sequence:

- 5.2.1 Verbal Warning
- 5.2.2 Written warning
- 5.2.3 Final written warning

5.3 All written warnings and suspensions are to be recorded in the employees' personal file by Human Resources.

5.4 A written warning will remain valid and on the record of the employee for a period of six (6) months from the date of imposition.

5.5 The division may impose as a sanction a suspension without pay having regard either to the serious nature of the misconduct or the fact that there has been a previous warning or warnings for the same behaviour in which event:

- 5.5.1 The maximum period will be ten (10) days
- 5.5.2 The period of suspension will run consecutively
- 5.5.3 In the event of a suspension in excess of five (5) days, the suspension without pay shall be spread over three (3) monthly pay periods.
- 5.5.4 A suspension without pay shall be regarded as a sanction more serious than a final written warning

5.6 As a guideline, an employee may be dismissed on the first occasion for, inter alia

- 5.6.1 Intimidation, fighting and/or assault;
- 5.6.2 Theft, unauthorised possession, unauthorised use/misappropriation of or malicious damage to the Council or public property, or property that comes into any employees control while on duty.
- 5.6.3 Being under the influence of alcohol or intoxicating drugs whilst on duty such that performance is impaired or diminished;
- 5.6.4 Any act of dishonesty;
- 5.6.5 Any act of gross negligence;
- 5.6.6 Insubordination;
- 5.6.7 Wrongful disclosure of privileged information
- 5.6.8 Any act of bribery or corruption ; and
- 5.6.9 Any other act of misconduct which would constitute just cause for dismissal

6 DISCIPLINE PROCEDURE

6.1 All allegations of misconduct shall be reduced to writing. The investigation shall be thorough and the results well documented by the assigned investigator. The results of the investigation shall be presented to the Assistant Manager: Community Safety.

- 6.1.1 The Assistant Manager: Community Safety will review the investigation and assess the evidence in the case.
- 6.1.2 If the Section Head is satisfied that there is prima facie cause to believe an act of misconduct has been committed, he shall present his findings to the Assistant Manager: Community Safety.
- 6.1.3 If the Assistant manager concurs that a prima facie case for misconduct exists, he may cause disciplinary proceedings to be instituted.

6.2 Depending on the seriousness of the misconduct, the Assistant Manager may refer the matter before either a Departmental Enquiry or disciplinary tribunal

- 6.2.1 A departmental enquiry proceeding shall be reserved only for matters where the competent sanction is a verbal or final written warning.
- 6.2.2 In proceedings before a Departmental enquiry the employee shall enjoy the same rights as he would have before a disciplinary tribunal

6.3 If in the opinion of Assistant Manager the misconduct is serious and may result in a sanction of suspension, demotion or dismissal, the matter must be referred to Human Resources.

- 6.3.1 In cases where the member has been convicted of a crime by a criminal sanction without the option of a fine, such employee will be terminated without the institution of the Disciplinary Tribunal.**

PROCEDURE 5

5. POCKET BOOKS

1 PURPOSE

To establish a procedure for completion of pocket books, and by personnel, and the control thereof.

2 POLICY

All personnel up to and including the rank of superintendent, as well as any other section or member specifically instructed shall keep an official pocket book in which he will keep an up to date record of his daily activities.

3 PROCEDURE

3.1 The pocket book shall be in members/employees' possession when on duty,

3.2 Entries shall be made in black ink at the time of the occurrence-giving rise to the entry, or as soon as possible thereafter,

3.3 Blank spaces shall not be left between entries and lines and pages shall not skipped,

3.4 Pocket books must be neat,

3.5 The pocket book serves a dual purpose, i.e. As a personal record and as an assignment record,

3.6 The day and date shall be written across the page at the commencement of each tour of duty,

3.7 The time of each occurrence shall be recorded in the left hand margin of the pocket book.

3.8 The time when an officer reports for and reports off duty shall be recorded. If entries in respect of the same day take up more than one page, the day and date shall be entered at the top of each page referring to that day,

3.9 Daily duties shall be recorded immediately below the day and date,

3.10 Thereafter actual activities/duties etc. which were in fact carried out must be recorded in strict chronological order, e.g. such as the time of arrival and departure from an accident scene,

3.11 Whenever an officer leaves his patrol or post he/she must record the time of departure and return as well as the reason therefore,

3.12 All reports made by members of the public must be recorded, including the name, address and contact number of the person making the report,

3.13 The officer shall also record therein arrests made, enquiries made any information relating to occurrences, which are likely to form the subject of subsequent enquiries,

3.14 An officer may refresh his memory in the witness box as to the facts of any event, by referring to any note made in his pocket book by him, at or shortly after the event,

3.15 The defence, as well as the court, are entitled to see entries from which the witness refreshes his memory,

3.16 Visits by supervisors or ranking officials must be recorded and signed by such ranking member where opportunity permits,

3.16.1 The officer visited shall present his pocket book for checking and endorsement,

3.16.2 The supervisor or ranking official shall enter the time, place and any comments on the pocket book,

3.16.3 The visiting official shall confirm the identity of the member/employee being visited,

3.17 Officers shall not go off duty without a supervisor endorsement in their pocket book. The endorsement shall include the date and time the officer went off duty,

3.18 Any re-assignment or change of assigned task during a work shift shall be clearly reflected in the member/employee's pocket book,

3.19 Except when the officer is assigned to a special detail and will be released off duty at the scene,

3.30 **General**

3.20.1 The officer shall produce a completed pocket book to his supervisor for replacement and thereafter hand the old pocket book to the supervisor who will retain the old pocket book for safe keeping, in accordance with section 3.20.2,

3.20.2 The sectional head shall cause all completed pocket books to be stored in a secured location in accordance with the section's requirements,

3.20.3 When members/employees transfer to another post or assignment they shall hand in their current pocket book to their current commanding officer or sectional head and draw replacement pocket book for the start of their new assignment from their new commanding officer.

PROCEDURE 6

6. OCCURRENCE BOOK

1 PURPOSE

To establish a procedure for the completion of the Occurrence Book (OB) by Community Safety Law Enforcement personnel and control thereof.

2 POLICY

Law enforcement members who are in charge of personnel in a shift shall maintain the Occurrence Book (OB). The OB shall contain a complete record of all occurrences and incidents involving all employees and shifts. It shall contain an accurate and truthful record of all crime, all incidents and other matters of public interest requiring attention by the Law Enforcement Section, as well as that of the duties performed by the members in the relevant offices.

3 PROCEDURE

3.1 The designated officials/shift supervisor for the relevant office shall make all entries in the Occurrence Book (OB),

3.2 The day of the week and date must be written in the space provided at the top of each page and every event must be recorded as soon as reasonably possible after its occurrence,

3.3 Entries must, without detracting from clarity be as brief as possible,

3.4 At the end of every day, a line in red ink must be drawn across the page after midnight and the day of the week and the date must be inserted on the next line,

3.5 Each entry must be numbered consecutively and at midnight on the last day of the month a new series of numbers must commence. At the end of each entry, one line must be left blank,

3.6 Each entry must have a brief heading containing keywords, which gives an indication of the subject matter that will be dealt with in the entry. The heading must be underlined.

The following are examples of keywords which must be used:

Absent without leave ((AWOL)

Accident

Admission

Arrest
On/Off Duty
Charge accepted/Refused
Collision
Complaint
Court
Employee death
Escape
Escort
Extraneous duties
Fire
Handing over to SAPS
Information of crime
Injury
Late entry
Lost/Found property
Missing/Found Persons
Relief On/Off duty
Sick leave
Sick report
Summons
Supplies
Transfer
Unnatural Death
Vacation leave

3.7 When information is recorded in the OB, which is also recorded in another document, cross-reference to such other document must be made in the OB,

3.8 If an entry is recorded in the OB, which is also recorded in another document, cross-reference to such other document must be made in the OB,

3.8 If an entry is made regarding a matter, which has already formed the subject of a previous entry, it must be connected by cross-reference,

3.9 The particulars of members when reporting on duty and off duty must be recorded:

3.9.1 Must state name and rank of member,

3.9.2 The vehicle number plate

3, 9.3 Name of driver

3.10 Proper record must be kept of members reporting on or off duty so as to facilitate the determination of who was on duty at any particular time,

3.11 An entry must be made whenever it is discovered that a member is absent without leave or permission, or if his or her absence cannot otherwise be accounted for,

3.12 When an entry cannot be made immediately after it occurred, the necessary entry must be made as soon as possible,

3.13 Where an entry has been omitted, the error must be rectified as soon as it is discovered, by recording an entry that clearly states that it is a "late entry",

3.14 The Commanding Officer or relevant section head must inspect the OB daily and make the necessary arrangements concerning recordings that need further attention. A personal recording must highlight this by the commanding officer or section head, which he or she must sign personally,

3.15 If any member of the Law Enforcement or SAPS inspects an office, he or she must make an entry in the OB, stating the time or period spent on the work or inspection and sign it.

4 General

4.1 The commanding officer or supervisor or section head shall obtain replacement OB's from the Divisional head. Completed OBs shall be stored in a secure location by the section head in accordance with the division or section requirements.

PROCEDURE 7

7. WRITTEN REPORTS AND STATEMENT

1 PURPOSE

To provide guidelines for the compilation and writing of reports.

2 POLICY

2.1 Reports

Written reports are necessary to ensure effective communication by employees of information that is important to the Community Safety Division operations and also to assist management in the decision making process.

2.2 Statements

Statements are used in judicial proceedings and therefore every effort should be made to ensure that they contain all the facts relating to the incident or offence and are otherwise as accurate as possible.

2.3 Languages

- 2.3.1 English be the official language used by the Community Safety for written communication.
- 2.3.2 Written communication in the language of choice is limited to cases where no other options are available.

3 PROCEDURE: REPORTS

A report is an orderly presentation of facts about a specific activity, incident, problem or programme and often contains a conclusion or recommendation based on facts.

3.1 Information Reports

This type of report only contains facts. The writer does not include his own personal opinions, nor offer his conclusions or recommendations. Examples of informational reports are:

A member's activity return
Report on an arrest
Change of address and personal particulars
Report on impounded vehicle
Incident report, etc.

3.2 Analytic Reports/Administrative Reports

Like an informational report, analytic reports and administrative reports contain facts, but it also contains an analysis of the facts and the writer's conclusions or recommendations.

3.3 Prescribed Forms

- 3.3.1 Reports shall be submitted on the prescribed forms,
- 3.3.2 Reports shall be addressed to the Assistant Manager, Community Safety Division and be marked for the attention of the person who will ultimately be dealing therewith.

3.4 Terminate the Report as follows:

- 3.4.1 Signature, Name printed, rank, division, section and date,
- 3.4.2 Employee's service number shall be included,
- 3.4.3 Reports shall be handed to the supervisor who will check the report for accuracy, counter sign it, and forward it for action.

3.5 Points to remember

- 3.5.1 Only one copy of a report is necessary, unless otherwise specified,
- 3.5.2 Reports must be written neatly and legibly,
- 3.5.3 All reports must be submitted promptly.

4 PROCEDURE: STATEMENTS

4.1 When to submit a statement

- 4.1.1 In all arrest cases
- 4.1.2 In all "notice of intended prosecution" cases for reckless or negligent driving, or inconsiderate driving,
- 4.1.3 In all accident cases involving injuries or death,
- 4.1.4 When statements are specifically requested by the claims unit (RAF) or SAPS,
- 4.1.5 When there is a strong possibility that the person making a statement will not be available to appear in court, such person should attest to it before a Commissioner of Oaths.

4.2 Prescribed Forms

Statements shall be made on the prescribed South African Police Service docket.

4.3 Terminate the statement as follows:

Signature, employee number, rank, division, section, date and place.

4.4 Points to remember

- 4.4.1 Only one copy of a statement is necessary, unless instructed otherwise, although it is advisable to keep a copy for future reference,
- 4.4.2 Statements must be written neatly and legibly,
- 4.4.3 Statements must be submitted as follows:
 - To SAPS immediately after an arrest,
 - To Prosecutions within 24 hours in Notice of intended prosecutions cases,
 - As soon as possible in other circumstances when specifically requested.
- 4.4.4 Statements are always related to date, time, and place, on duty, location.

5 INGREDIENTS OF A GOOD REPORT/STATEMENT

Items 5.1 5.4 relate to statements, items 5.1 to 5.5 relate to reports

5.1 Factual Accuracy

If a report is to be of any value at all, the facts in it must be accurate. Accuracy demands completeness as well as correctness. The wilful omission of important facts is as dangerous as the inclusion of erroneous data. Such omission or inclusion may lead to disciplinary action.

Factual consists of; Who, What, When, Where and How.

5.2 Clarity

To ensure clarity, care should be taken to ensure that the subject has been thoroughly investigated. Care must be taken to arrange the facts in a logical sequence and to keep the words as simple as the subject permits.

5.3 Conciseness

A report should be concise. This does not mean that a long report is always undesirable, but it does rule out the wordy report.

5.4 Objectivity

The value of a report lies largely in its objectivity. The facts should speak for themselves. The reporter must not allow his prejudices to warp his judgement or colour his report. Avoid superlatives and extravagant expressions.

5.5 Convenience

A report should be convenient for the reader to use. Make use of headings and sub-headings.

PROCEDURE 8

8. RADIO COMMUNICATIONS

1 PURPOSE

To provide guidelines as to the responsibilities as well as the response of mobile units and officers issued with two-way radios or PTT devices or any other means of communication to messages received and changes to assigned duties.

2 POLICY

It is the policy of the Community Safety to maintain efficient radio communication and records thereof.

3 PROCEDURE

3.1 When an officer broadcast that he/she is in vehicular pursuit, the following action shall be taken:

- Broadcast on the frequency that a vehicular pursuit is in progress,
- Immediately request radio silence from all units not involved in the pursuit,
- Maintain continuous broadcast for the duration of the pursuit,
- Continually broadcast the pursuing unit's location and direction,
- Immediately notify the immediate supervisor,
- Request a supervisor to respond to the pursuit.

4 OPERATIONS MOBILE UNITS

4.1 Responsibility of Supervisors

The supervisor in charge will ensure that duties of the day are provided to the section head within 30 minutes after the completion of parade. During the course of the shift they will notify the section head of any changes of duty that take place.

4.2 Responsibility of Mobile Units

4.2.1 Mobile units and officers issued with two-way radios/PTTs shall keep the section head and immediate supervisors informed at all times during the course of a tour of duty as to any changes or deviations from their assigned duties.

4.2.2 Mobile units shall also book on or off the air whether attending court or directing traffic or when off the air for extended periods. The member shall keep the supervisor up-to-date with his/her status.

4.2.3 Mobile units shall notify the immediate supervisor when they leave their assigned duties and provide the reasons for leaving. The members also shall also notify immediate supervisor when they return to their assigned duties.

4.2.4 On duty patrol officers shall report their duty status to the immediate supervisor when an hour has passed with contact with the supervisor.

5 DUTY RELATED ACTIVITY

- 5.1 Any member arriving on the scene of an incident or call for service, regardless of whether or not they are the assigned unit shall notify the immediate supervisor on arrival at the location.
- 5.2 Members shall notify the immediate supervisor immediately after completion of any involvement in a call for service or incident.
- 5.3 Members shall not attend to another matter without notifying the immediate supervisor that they have completed their assigned call.

6 MESSAGES – RADIO CODES

6.1 Radio messages should be short, crisp and to the point. Unnecessary words must be avoided, radio codes must be used because they are intended to save air space. It is important that codes be used correctly and not as if they are just another word in a sentence, e.g. do not say “may I please have a code 74?” – Simply say “code 74 please”.

7 PRIORITY OF MESSAGES

The first person on the scene will assess the incident and notify the supervisor whether assistance is required. Radio silence must be maintained as far as possible.

Members stopping a violator/suspect's vehicle shall, at all times, transmit the number plate of the suspect vehicle and location to the supervisor.

8 RADIO CODES

Routine Messages

- 10 – 1 RECEIVING
- 10 – 2 STANDY
- 10- 3 RELAY MESSAGE
- 10 – 4 MESSAGE RECEIVED
- 10 – 5 BACK IN VEHICLE
- 10 – 6 REPEAT MESSAGE
- 10 – 7 OUT OF VEHICLE AT
- 10 – 8
- 10 – 9 RADIO TRANSMISSION BREAKING UP
- 10 – 10 ESCORT
- 10 – 11 CANCEL LAST MESSAGE
- 10 – 12 DOCUMENTS
- 10 – 13 RETURN/PROCEED/EN ROUTE TO
- 10 - 14 LOCATION OF UNIT/INCIDENT
- 10 -15 TELEPHONE
- 10 – 16 PAGE (SMS)
- 10 – 17 BROKEN DOWN VEHICLE
- 10 – 18 POSITIVE
- 10 – 19 NEGATIVE
- 10 – 20 CORRECT TIME
- 10 -21 CALL SIGN
- 10 – 22 POINTSMAN REQUIRED
- 10 – 23 OFFICERS HOME
- 10 – 24 NO MESSAGE
- 10 – 25 MEET UNIT AT
- 10 – 26 ANY MESSAGE
- 10 – 27 SWITCH CHANNEL
- 10 – 28 ARRIVED AT SCENE
- 10 – 29 ASSIGNMENT COMPLETED
- 10 – 30 ON BREAK/LUNCH

- 10 – 31 REFER TO SUPERVISOR
- 10 – 32 VTS
- 10 – 33 SUSPECTED DRUNKEN DRIVER
- 10 – 34 ON DUTY
- 10 – 35 OFF DUTY
- 10 – 36 VEHICLE ON FIRE
- 10 – 37 BUILDING ON FIRE
- 10 – 38 VELD ON FIRE

SPECIAL CODES

- CODE 50 ACCIDENT – UNKNOWN
- CODE 51 ACCIDENT NO INJURIES/NOTHING FOUND AT SCENE
- CODE 52 ACCIDENT NO INJURIES TAKING PARTICULARS
- CODE 53 ACCIDENT WITH INJURIES
- CODE 54 ACCIDENT FATAL
- CODE 55 ACCIDENT DEPT VEHICLE INVOLVED
- CODE 56 AMBULANCE REQUIRED
- CODE 58 FIRE DEPT REQUIRED
- CODE 59 BREAKDOWN REQUIRED
- CODE 60 HIPPO BREAKDOWN REQUIRED
- CODE 61 ELECTRICITY DEPT/ESKOM REQUIRED
- CODE 62 ROAD AND WORKS REQUIRED
- CODE 63 PARKS REQUIRED
- CODE 65 WATER DEPT REQUIRED
- CODE 67 CLEANING DEPT REQUIRED
- CODE 73 SAPS REQUIRED
- CODE 74 REQUEST REGISTERED OWNER
- CODE 75 STOLEN VEHICLE CHECK
- CODE 79 DOG UNIT REQUIRED
- CODE 80 DRIVING LICENCE CHECK

EMERGENCY NUMBERS

- CODE 333 RIOTS
- CODE 444 BOMB SCARE
- CODE 555 BOMBS IDENTIFIED
- CODE 666 BOMB EXPLOSION
- CODE 777 MAJOR DISASTER
- CODE 888 IMMEDIATE RADIO SILENCE
- CODE 999 OFFICER NEEDS HELP URGENTLY

9 LANGUAGE

9.1 All radio transmissions shall be conducted in English only.

10 GENERAL

10.1 The following practices are forbidden

- a) Transmitting indecent or obscene language
- b) Transmitting un-authorized sound or noise
- c) Unofficial conversation/messages between operators
- d) Deliberately pressing the "press and talk" switch in an attempt to upset other transmissions.
- e) Members debating with the supervisor as to whether they should respond to an assigned call for service
- f) Refusal to respond to an assigned call for service

10.2 mobile units transporting any employees who are not Community Safety employees shall advise the supervisor of the following:

- a) The location they are leaving
- b) The intended destination
- c) The time they are leaving
- d) The mileage on the vehicle at the time they are leaving
- e) The time they arrive at the destination
- f) The mileage on the vehicle at the time they arrive.

PROCEDURE 9

9. STOPPING AND APPROCHING OFFENDERS

1 PURPOSE

To provide members with guidelines for stopping and approaching offenders and suspected offenders.

2 POLICY

The Community Safety is responsible for the safe expeditious movement of Traffic, Crime Prevention and By-law enforcement, therefore it follows that a member must take all steps and precautions necessary during vehicle and pedestrian stops to assure their safety and that of the offender and other members of the public.

3 PROCEDURE

3.1 Mobile Stops

- 3.1.1 In order to diminish the likelihood of a pursuit, members intending to stop a vehicle should, when practical, take up a position behind the offender to begin the stopping procedure and not follow so closely as to avoid a collision and avoid having to take evasive action when the offender stops or having to stop in front of the offender.
- 3.1.2 The member must note the registration number of the vehicle on a note pad, to be left inside the patrol vehicle.
- 3.1.3 The member must anticipate the appropriate safe place to stop the offender.
- 3.1.4 The member must attract he offender's attention and signal him/her to stop.
 - 3.1.4.1 The signal should be a hand signal or with the emergency blue dome identification lamps, sounding of hooters, and if necessary the emergency warning device.
- 3.1.5 When the offender looks in a rear view mirror signal him by hand to pull to the kerb or onto the shoulder in a safe place.

- 3.1.6 On multi-lane roadways the member should ensure the safety of the offender during lane changes by changing lanes so as to “cover” the lane change of the offender.

Members are prohibited from stopping in front of the offender’s vehicle

- 3.1.7 In certain awkward situations it may be advisable to use the public address system to “talk” the motorist into the kerb.

NB: keep the message as short as possible and to not alarm the motorist- bear in mind that a good stop is a gradual stop.

- 3.1.8 Once the offender has stooped, the member must stop approximately one car length behind. In case of patrol car it should be positioned at a slight angle so the right front is offset approximately 450 mm to the right of the offender’s vehicle with the left rear near the kerb. This position provides the member with the protection from passing.

- 3.1.9 On all traffic stops members shall inform the radio operator of:

- 3.1.9.1 Location of stop.
- 3.1.9.2 Registration number of vehicle stopped.
- 3.1.9.3 Make and colour of vehicle.
- 3.1.9.4 Number of occupants, and
- 3.1.9.5 Request radio operator to check if vehicle is stolen.

- 3.1.10 Before exiting the patrol vehicle, study the location. Look for available cover behind objects, which provide suitable protection.

- 3.1.11 If there is back-up member only one of the member approach the vehicle. The backup member should stand behind the door of the patrol car to observe, make and receive radio calls and provide firepower should the necessity arise.

- 3.1.12 Instruct the offender to turn off his engine. Then any attempt to restart the vehicle is notice of escape.

- 3.1.13 Keep the strong hand free of objects at all times. Carry prosecution notice books and flashlights in the weak hand and be alert.

- 3.1.14 Officers should maintain visual contact with the passengers in the vehicle he has stopped while approaching the vehicle. On approaching the vehicle from the rear, check that boot lid is closed. Observe passengers/ equipment in vehicle. Be aware of open windows on passenger side. Officers should take up a position near the leading edge of the driver's side of the offender's vehicle and cause the driver to look back at the member. Keep close watch on the hands of occupants and never allow passengers too close or behind the driver.
- 3.1.15 Officers shall instruct the driver and passengers to keep their hands visible at all times.**
- 3.1.16 Officers shall never approach a suspect's vehicle from the front.**
- 3.1.17 Officers shall not allow any offender to sit on passenger side of the member's vehicle for any reason.**
- 3.1.18 In a friendly but controlled voice, immediately tell the offender the reason for the stop.
- 3.1.19 If the offender leaves his vehicle, instruct him to remain outside the vehicle.
- 3.1.20 Keep a safe distance, and position yourself so that your firearm is away from his grasp. Closely monitor the offender while completing the prosecution notice.
- 3.1.21 Don't be lulled into a false sense of security. Stay in your safe tactical position while the offender returns to his vehicle. Do not allow the driver to put his hands inside the vehicle.
- 3.1.22 During the hours of the darkness the bright lights of the patrol vehicle should be used after the suspect's vehicle has been stopped and while the member is approaching the vehicle on foot.
- 3.1.23 During hours of darkness, officers shall illuminate the offender and the area with a flashlight (torch).

3.1.24 Officers must keep their eyes on the offender(s)/suspect(s) at all time and avoid distractions.

3.1.25 Where possible assist the offender back into the traffic flow. On freeways the offender should use the shoulder as an acceleration lane and to signal and merge with the traffic once he has reached freeway speed.

3.2 Foot Patrol Officers – stops

3.2.1 Choose a safe place to stop a vehicle.

3.2.2 Give a clear signal with the right hand and signal the motorist to the kerb with the left hand. At night a torch should be swayed up and down while giving the stop signal.

3.2.3 Officers shall take caution when stopping motorists (while on foot) to avoid being injured.

3.2.4 Approach the vehicle as outlined in Section 3.1.11 to 3.1.22

3.2.4.1 Officers shall never conduct a search of a vehicle while the occupants are still inside the vehicle.

3.3 Pedestrian Stops

Officers stopping offenders or suspected offenders who are on foot must adhere to the following:

3.3.1 In a friendly but controlled voice instruct the offender to stop.

3.3.2 As soon as possible, tell the offender or potential offender the reason for the stop.

3.3.3 Notify the communications call Centre of the stop, location of the stop, reason for the stop and whether assistance is needed.

3.3.4 Stand at an angle facing the offender(s) that keeps officer's firearm the furthest away from offender(s).

3.3.5 Keep strong hand free objects.

3.3.6 During darkness, illuminate the area and offender(s) with a flashlight (Torch).

3.3.7 Carry the flashlight (torch) in the weak of offhand.

3.3.8 Instruct the offender(s) to keep their hands visible at all times.

3.3.9 If bulges are detected on the body of offender(s), a precautionary pat-down search for weapons should be conducted.

3.3.9.1 Officers should conduct the search of offender from the rear.

3.3.9.2 Officers should cause the offender's fingers to be inter locked behind his head.

3.3.9.3 When searching multiple offenders officers shall cause them to be in a straight line with their backs toward the officer(s).

3.3.9.4 Officers never conduct a search of multiple offenders while alone.

3.3.9.5 Offenders shall be searched by officer of the same sex.

3.3.9.6 Do not cause the offender(s) to face a window during a search. The offender(s) can use windows as mirrors and gain tactical advantage.

3.3.11 As much as possible, avoid stopping an offender while alone.

3.3.12 Avoid being distracted by members of the public while engaged with an offender(s).

3.4 General

3.4.1 Use of Blue Warning Light on Stationary Community Safety vehicles

3.4.1.1 All personnel in control Community Safety vehicle fitted with blue lights must activate these lights in all situations where they are parked in an exposed position on freeways or surface roads.

3.4.1.2 Personnel driving unmarked patrol vehicle are exempt from 3.4.1, provided they are not parked in such a manner as to create a dangerous situation for other road users.

3.4.1.3 Surface personnel parking on verges are also exempt.

3.4.1.4 Freeway personnel can stop but shall not park in emergency lanes, except in emergency or tactical situations.

3.4.1.5 Officers shall identify themselves to persons who have a material interest in knowing their identity. This should be done where no tactical or potential tactical challenges or exigent circumstances exist.

PROCEDURE 10

20. FIRST RESPONDER TO CRIMINAL ACTIVITY AND CRIME SCENE MANAGEMENT

1 PURPOSE

To provide operational guidelines for officers who respond to criminal activity and for the management of crime scenes.

2 POLICY

It is the policy of the Community Safety that all members who respond to radio calls for criminal activity or observes shall provide an effective response to the incident. First responders to crime scenes shall manage the scene in such a manner as to not hamper with the successful prosecution of the offender(s). And shall maintain control of the crime scene until relieved by the appropriate supervisor or investigative unit.

3 PROCEDURE

3.1 officers who respond to a criminal act where the suspect is not in custody shall;

3.1.1 Request medical assistance if necessary.

3.1.2 Obtain as much preliminary information as possible from the victim and/or witness(s) about the type of crime, description of suspect(s), weapon (s) used, mode of transportation and direction in which the suspects left the scene.

3.1.2.1 That information shall be relayed to the communications Call Centre Dispatcher who shall broadcast the information to other Community Safety members in the area and relay the information to the SAPS.

3.1.3 Ensure that any items or locations that may have evidential value is protected for the appropriate investigator or forensic technician.

3.1.4 Ensure that appropriate reports are completed and processed

3.1.5 Record the particulars in pocket book.

3.2 officers who respond to the scene of a major crime shall;

3.2.1 Take the offender(s) into custody if they are at scene.

3.2.2 Request medical assistance if necessary

3.2.3 Adhere to provisions of section 3.1.2.

3.2.4 Request a Community Safety supervisor to respond to the scene

3.2.4.1 The supervisor will determine what Community Safety notifications will be made of.

3.2.5 Request the SAPS to respond

3.2.6 Request the appropriate investigative unit to respond.

3.2.7 The supervisor will be the Community Safety liaison to the SAPS personnel and investigative personnel at the scene.

3.2.8 Request additional personnel to assist at the crime scene.

3.2.9 Cordon off the area around the crime scene to protect all possible evidence

3.2.9.1 Do not allow anyone to enter the crime scene except for medical personnel who are providing emergency medical care to someone inside the crime scene or appropriate investigator.

3.2.9.2 Do not touch or move any items or let anyone else touch or move any items from the crime scene except for appropriate investigator or appropriate forensic technician.

3.2.10 Compile a list of witnesses, including name, address and contact numbers.

3.2.10.1 Make note of what the witness(s) saw and heard and exactly where they were standing when they made observance.

3.2.10.2 Make note of weather conditions at the time of arrival at the scene.

3.2.10.3 Make note of the amount and type of illumination at the scene.

3.2.11 Compile a list of all vehicles parked at and near the scene.

3.2.12 Compile a list of law enforcement and medical personnel at the scene and the time of their arrival and departure.

3.2.13 Cover any human body at the scene

3.2.14 Keep possible family members and friends of any deceased victim in a comfortable place away from direct contact with the victim.

3.2.15 Do not attempt to make identification of a deceased victim at the scene.

3.2.15.1 It is the responsibility of the assigned investigator.

3.2.16 Do not make any statements regarding the crime to the press.

3.2.16.1 It is the responsibility of the investigating agency.

3.2.17 Do not leave the scene until relieved by appropriate investigator or supervisor.

3.2.18 Provide the appropriate investigator with the information that is compiled at the scene.

3.2.19 Make note of all items provided to the investigator in the pocket book.

3.3 officers who respond to a crime of sexual assault shall;

5.5.1 adhere to provisions of section 3.1

5.5.2 Ensure the presence of a female officer to conduct interview of the victim if the victim is female.

5.5.3 Ensure that the victim is made as comfortable as possible.

5.5.4 Preserve any bedding and/ or clothing that may have come in contact with the victim during the attack for possible forensic analysis of bodily fluids such as blood, semen, and saliva.

5.5.4.1 Be careful not to lose any possible fibre if hair that may have transferred during the assault.

5.5.4.2 Discourage the victim from washing before the necessary medical examinations have completed.

5.5.5 contact the appropriate investigative agency

5.5.6 Ensure that the sexual assault protocol is followed, i.e. Rape kit examination.

6 GENERAL

4.1 All officers assigned to the crime scenes shall remain at the scene until relieved by the appropriate investigator or supervisor.

4.2 The Section Head shall respond to the scene of major crimes and later give full report to the Assistant Manager.

PROCEDURE 11

11. SPOT SUMMONSES (WRITTEN NOTICE APPEAR IN COURT) (SECTION 56)

1 PURPOSE

To provide administrative and legal guidelines concerning the control and use of spot summonses.

2 POLICY

The spot summons forms a basis for prosecution and the ultimate adjudication of traffic offences, by-laws and any other offences. This specific procedure must be followed when a spot summons is issued.

3 LEGAL ASPECTS

- 3 3.1 The notice to appear in court is governed by section 56 of the Criminal Procedure Act 51 of 1977.
- 3.2 The maximum admission of guilt which may be approved by the magistrate is R1500 in respect of all offences, provided that the penalty clause for the specific offence caters for such an amount. (The amount may be adjusted by the Minister of Justice from time to time).
- 3.3 The spot summons shall not be issued for non- admission of –guilt (NAG) offences.
- 3.4 The notice to appear in court must be signed by the issuing officer and the content thereof explained to the accused.
- 3.5 The statutory obligation of a peace officer in respect of a person issued with a section 56 Notice (spot summons) is to inform such person as follows:
 - 3.5.1 You are entitled to be represented by a legal advisor of your choice at your own expense.
 - 3.5.2 If you are unable to afford a legal advisor you may apply for legal aid from the Public Defender. (This must be done in a language understood by the accused).
- 3.6 Persons under the age of 18 years may only be brought to court by means of a spot summons if a copy thereof is served on the parent or legal guardian.
- 3.7 The spot summons control document is deemed to be the charge sheet in court and therefore great care must be taken when completing such summons.
- 3.8 The offender is not legally obliged to supply his/her telephone number, however, the telephone number of the offender should be obtained where possible.

4 PROCEDURE

4.1 Drawing of Spot Summons Books/ Responsibility, etc.

- 4.2 The Section Head and Back Office Supervisor are responsible for the ordering and initial control of summons books.

4.1.1.1 Sufficient supply of summons books will at all times be stockpiled and kept in a safe place.

4.1.1.2 Quantities of summons books requested will be supplied to authorised personnel and the duty officer and will strictly controlled.

4.1.2 The duty office personnel are responsible for the drawing of summons books from the Prosecutions Processing Division and for the control and issue thereof to members only after office hours.

4.1.3 The register shall be completed and signed as prescribed by both the person issuing such summons book and the officer drawing the book.

4.1.4 Only the officer who signed for the book issue summonses there from. If, as genuine oversight, another officer uses the book he will forthwith submit an explanatory report for the attention of the Head: Prosecution Processing Division and attach such report to the summons.

4.1.5 There shall be strict control over spot summonses from security point of view.

Summons Books will not be issued except for the following circumstances;

4.1.5.1 Old/completed book exchanged for a new book

4.1.5.2 Damaged book where summons are unusable

4.1.5.3 Transfer of officer

4.1.5.4 Lost or stolen book

4.1.6 In the case of a lost/stolen book, the officer shall immediately on discovery of the matter report the loss or theft to the nearest SAPS station.

4.1.7 Officers shall acknowledge receipt of the book

4.1.8 The Community Safety official who issues suspension to a Community Safety officer or responds to the arrest of a Community Safety shall take custody of the book and ensure that it is returned to the officer's commander in case of suspension and to Prosecutions Processing Division in the case of arrest.

4.2 Offences

- 4.2.1 Spot summonses shall be issued for all moving offences as well as for other offences where the offender is present, but must not be issued in cases for which there is no admission of guilt.
- 4.2.2 The spot summons shall contain legible, complete and accurate information.

4.3 Completing the Spot Summons (Compulsory)

- 4.3.1 The full name and the address of the offender shall be recorded. Information shall be taken directly from an I D book or driver's license by the member and not be dictated to him by the offender.

If the offender cannot provide positive identification the officer may use discretion in determining the person's identity.
- 4.3.2 All the relevant selections shall be completed and be printed in a clear and legible manner, this includes the officer's name and the street and offence code.
- 4.3.3 The summons must be signed by issuing officer.
- 4.3.4 The 24 hour clock time shall be used
- 4.3.5 Community Safety's fines book shall be consulted for the wording of the charge. This is necessary so as to ensure that charge wording flows from the printed section of the summons in logical sequence.
- 4.3.6 Only the applicable registration number must be reflected.
- 4.3.7 In the case of a traffic offence. The registration number must at all times be cross checked against that of the License Disc.
- 4.3.8 The admission of guilt fine shall be printed in words and numbers.
- 4.3.9 The sections and/ or regulations shall be written as prescribed in the Community Safety fines book.
- 4.3.10 The date, fine and court number **MAY NOT** be altered.
- 4.3.11 The month **MAY NOT** be abbreviated and must be written out in full.

4.3.12 The age of the accused must be indicated on the summons.

4.4 Cancellation of/Errors on Spot Summons

4.4.1 Alterations shall not be made on a summons. Where any errors is made on a spot summons and the member becomes aware of such error before handing the summons to the accused, he shall immediately re-issue the next summons to the accused. He shall then rule a diagonal line, endorsing the words "cancelled due to error- Summons No. issued in place hereof" and circle the error.

4.4.1.1 In cases where a summons is cancelled for any other reason an explanatory report shall be completed.

4.4.2 In the event of the member discovering the error after the offender has departed he shall not make any alteration to the duplicates. He/she shall however make the necessary comments on his member's notes and submit an explanatory report together with the control document to his/her first-line supervisor.

4.4.3 In other instances when issuing officer wants to have a spot summons cancelled for some valid reason, he/she shall submit a detailed report together with summons, including the original thereof.

4.4.4 The first-line supervisor must take note of such documents, review them for accuracy/ completeness and sign them before submitting them to Prosecutions Processing Division.

4.5 officer's Notes

These are intended to assist the offer in giving evidence in court and if properly completed do go away with necessity of calling for replies to representations for the withdrawal of charges. For this reasons notes shall contain facts and conversation relevant to the alleged offence. A clear description of the offender must be given, e.g. colour of hair, distinctive physical features, etc.

4.6 Issuing/ Handling in of Spot Summonses

4.6.1 The first copy is handed to the accused and the contents explained to them/her.

- 4.6.2 The control documents and completed books shall be handed to the first line supervisor immediately after a tour of duty or first thing the following morning shift.
- 4.6.3 First line supervisors shall at least once a week peruse all summons books to check the quality of work and if the control document have been handed in.
- 4.6.4 **The first line supervisor will record and check all summonses for completeness, accurate and legibility before handing them over to back office.**

4.7 General

- 4.7.1 **Offenders must not be advised to make representation for the withdrawal charges unless there is merit in their explanation/excuse. It must be clearly explained that such representation must be made in writing to the Assistant Manager: Community Safety.**

PROCEDURE NO: 12

12. COMPOUNDING NOTICES (Section 341)

1 PURPOSE

To provide administrative and legal guidelines concerning the control and use of compounding of minor offence notices.

2 POLICY

The compounding notice forms a basis for prosecutions and ultimate adjudication of traffic offences, by-laws and any other offences, thus specific procedures must be followed when a compounding notice is issued.

3 LEGAL ASPECTS

- 3.1 Compounding notice are governed by Section 341 of the Criminal Procedure Act 51 of 1977 and maybe issued in respect of third schedule offences as set out below.

SCHEDULE 3

Any contravention of by-law or regulation made by and for a local authority referred to in Section 341.

Any offence committed by:

- Driving a vehicle at a speed exceeding a prescribed limit.
- Driving a vehicle which does not bear prescribed lights, or any prescribed means of identification.
- Leaving or stopping a vehicle at a place where it may not be lefts or stopped, or leaving a vehicle in a condition in a condition which it may not be left.
- Driving a vehicle at a place where and a time when it may not be driving.
- Driving a vehicle which is defective or any part thereof is not properly adjusted, or causing any undue noise by means of a motor vehicle.
- Owning or driving a vehicle for which no valid vehicle licence is held.
- Driving a motor vehicle without holding a licence is held.
- Driving a motor vehicle without holding a licence to drive it

3.2 In the cases of an offences for which no admission of guilt of payable, an administrative notices shall be issued .Refer o procedure entitled “Administrative Notices”.

NB: In cases where the offender is present, a Section 56 Summon is recommended

4. PROCEDURE OF ORDERING TRAFFIC OFFENCES BOOKS

4.1 The head: Prosecution Processing Division is responsible for the ordering and initial control of compounding notice books.

4.1.1.1 Sufficient quality of compounding notice books will at all times be stockpiled and safely kept in a safe place.

4.1.1.2 Requested quantities of compounding notice books will be supplied under authorised personnel in the different divisions/precincts responsible for the issuing thereof.

- i. The duty office personnel and authorised personnel within the

Different divisions/precincts responsible for the issuing of compounding notice books are responsible for the drawing of compounding notice books from summons office and for the control and issue thereof to individual officers.

The duty office is the only place where compounding notices books can be drawn at unusual hours.

- ii. The register shall be completed and signed for a prescribed by both the person issuing such compound notice book, and the officer drawing such book.
- iii. Only the officer who has signed for a book may issue notices from there. If as a genuine oversight another officer uses the book he/she will forthwith submit an explanatory report for the attention of the Head: Prosecution Processing Division and attach it to such notice.
- iv. There shall be strict control over compounding notices from a security point of view.

4.2 Offences

- 4.2.1 Compounding notices shall not be issued for the moving offences.
- 4.2.2 Compounding notices shall be issued in all cases where the offender is not present.
- 4.2.3 Compounding notices shall be issued to all offenders under the age of eighteen years.
- 4.2.4 Compounding notices shall contain legible, complete and accurate information.

4.3 completing the Notice

- 4.3.1 The name and address of the driver shall be recorded if he/she is present or arrives on the scene.
Information shall be taken directly from an I. D book/driver's license by the officer and not be dictated to him/her by the driver.

- 4.3.2 All the relevant sections shall be completed and be printed in a clear and legible manner, this includes the officer's name and the street and offence codes.
- 4.3.3 The 24 hour clock time shall be used.
- 4.3.4 The departmental fines book shall be consulted for the wording of the charge.
- 4.3.5 The registration number must, where possible be crossed checked against that of the License Disc.
- 4.3.6 The spot fine shall be printed in words and numerals.
- 4.3.7 No officer shall require from any person to disclose, for any reason whatsoever, which race or ethnic group such person belongs to.

4.4 Cancellation of errors on compounding notice

- 4.4.1 Where an error is made in recording the registration number of a vehicle, such notice shall be cancelled by ruling a diagonal line and by endorsing the notice "cancelled due to wrong registration number".

The following notice on the book shall then be issued in place of the cancelled notice.

- 4.4.2 In other instances when issuing officer wants to have a notice cancelled for some valid reason he/she shall submit a detailed report together with such notice to his/her first-line supervisor who must note the error, check the report for legibility, completeness and accuracy and submit the document.
- 4.4.3 Errors that do not concern the registration number may be corrected by neatly ruling out the mistake and adding the correct information.

4.5 Officer's Notes

- 4.5.1 These notes are intended to assist the officer in giving evidence in court and if properly completed do away with the necessity of calling for replies to representations for the withdrawal of the charge. For this reason notes shall be completed for every prosecution and must be clear, concise and legible and should contain facts relevant to the alleged offence.

A clear description of the driver must be given e.g. colour of hair, distinctive physical features etc. The notes made must not merely repeat the charge and must also include details.

4.5.2 The following symbols shall be used on the sketches in order to promote uniformity :

- A drawing of a vehicle indicating the direction the vehicle is headed.

- The relevant road traffic signs

- The relevant road marking

4.5.3 The position of vehicles in relation to signs must be accurately indicated.

4.6 issuing/ handing in of Compounding Notices

4.6.1 The pink copy of the notice is handed to the offender.

4.6.2 The control copies and completed books shall be handed to the first-line Supervisor immediately after a tour of duty or first thing the following morning/ shift. The Supervisor shall review the document for accuracy.

4.6.3 The first- line supervisors shall at least once a week peruse all compounding notice books to check on quality of work and whether the control copies have been extracted and handed in.

4.6.4 If an officer is likely to be away from work for more than two days he/she shall hand his/her compounding notice book in at the Regional Office in the event of sickness, IOD or AWOL it will be the responsibility of the first-line supervisor to collect the book and hand in at the precinct office.

4.6.5 The first-line supervisor must ensure that all compounding notice are recorded in a register for controlling purposes before handing in at the Prosecution Processing Division.

4.6.6 Offenders must not be advised to make presentation for withdrawal of charges unless there is merit in their explanation/excuse. No member of the public shall be referred directly to the Senior Public Prosecutor with regard to a representation. It must clearly be explained that such presentation must be made in writing to the Assistant Manager.

4.7 Grace Periods- Parking Offences

Where the Community Safety offence policy allows a grace period, such full period shall be allowed before starting to issue a compounding notice. In other words the actual time for which the vehicle was kept under observation must be in excess of the grace period and this time of observation must be reflected on the notice

PROCEDURE 13

13. ADMINISTRATIVE NOTICES

1 PURPOSE

The Administrative Notice has been devised for law enforcement actions which require special processing.

2 POLICY

Although the Administrative Notice makes provision for an officer to issue a written warning in response to an offence which is not through negligence and is relatively minor, the officer will only issue a written warning within the parameters contained in procedure No. 31, entitled "Policy Schedule Offences".

3 PROCEDURE

3.1 The administrative Notice makes provision for three possible courses of action appropriate square for the course of action intended must be marked with an "x" and the purpose for each course of action followed shall be as follows.

3.1.1 Treat the following as a warning

This section is to be used for any offence where the officer choose to issue a written warning within the parameters contained in procedure No.31 entitled "Policy Scheduled-Offences".

3.1.2 Take note of an intended prosecution

This section is to be used for any offence which does not have an admission of guilt fine laid down in the schedule of fines e.g. Falling to comply with a lawful instruction, reckless/ negligent/ inconsiderate driving, etc.

Also for the following situations:

3.1.2.1 for charging operator who are not the driver

3.1.2.2 parent(s) of minors who have permission and minor is a traffic violator

The original, where possible is handed to the offender who is informed that he/she will receive a summons in course. Or leave it at the residence of the offender if the offender is not available.

3.1.3 You are obliged to comply with the following instruction

This Section is to be used where an offender is instructed to produce a motor vehicle at the testing station, remove an abandoned motor vehicle, remove an obstruction from the sidewalk etc. where the instruction is not complied with, the officer takes the appropriate enforcement action. This Section is also used to instruct an offender to produce documentation, such as registration certificates, permits or any other documentation. An administrative notice shall not be issued for the production of driver's licence or professional driving permit.

An administrative Notice can be used to give instruction to an offender to remedy a condition that is not in compliance with the law.

3.2 In the event of impounding any licence or document which appears to be invalid or unlawfully altered or defaced or which is being put to unlawful use an administrative Notice will be issued as a receipt.

3.3 Responsibility- Prosecution Processing Division

3.2.1 In the event of a notice issued to produce any document within prescribed period such notice must be retained and cancelled if the relevant document is produced. If not, a Section 54 summons must be issued.

3.2.2 The Head: Prosecution must ensure that notice of intended prosecution, production of documents and testing station productions are finalised and that a record of all administrative notices is kept.

3.3 General

3.3.1 With regard to officer's notes and issuing, completing and handing in of Administrative Notices, the provisions of Procedure 28 entitled "Compounding Notice" will apply.

PROCEDURE 14

14. REPRESENTATIONS ON SUMMONSES AND COMPOUNDING NOTICES

1 PURPOSE

To provide administrative guidelines for processing of representations for the withdrawal of charges or the reduction of admission of guilt fines.

2 PURPOSE

Community Safety affords a person charged with having committed an offence the opportunity of bringing facts to the notice of the prosecutor without necessarily having to appear to court.

3 PROCEDURE

No official of Community Safety shall refer any member of the public who has been prosecuted by means of either a section 54 summons, section 56 written notice to appear in court or a section 341 compounding notice, directly to the senior public prosecutor with regard thereto:

3.1 Wherever a prosecution noticed is issued, or whenever any official is approached by any person regarding such a notice, the following must be explained to such person clearly and unambiguously.

- 2.1.1. He/she has the right to submit a representation to the Assistant Manager.
- 2.1.2. He/she has the right to contest the charge in court.
- 2.1.3. He/she has the right to pay the admission of guilt fine, if one was specified.
- 2.1.3.1. The contents of the notice and the importance thereof, as well as the serious possible consequences of not appearing in court, must be conveyed to such person.

2.2. Representations

- 2.2.1. Representations must be made in writing on prescribed Community Safety form, supplied by the Community Safety, by the person alleged to have committed the offence.
- 2.2.2. Written representations in the form of an ordinary or faxed letter will be accepted.
- 2.2.3. Under no circumstances may members of Community Safety have any part in writing or formulation of representations on the behalf of the person charged.

- 2.2.4. One Community Safety member shall not approach another or prosecutor with the view to having charges reduced or withdrawn.
- 2.2.5. The member who first receive a representation shall check and ensure that:
 - 2.2.5.1. It has been completed in full on the prescribed form.
 - 2.2.5.2. All supporting documents, summonses or compounding notices are securely attached.
- 2.2.6. Representations are not accepted within 7 days of the trial date on a summons or after 30 days grace period for the payment of compounding notice and in the case of companies, 30 days after the date allowed on the reminder notice.
 - 2.2.6.1. Documentation must be returned under cover of a letter advising the writer that a summons has already been applied for.
- 2.2.7. All representations will be forwarded to Prosecution Processing Division for recording, numbering and processing. The Prosecution Processing Division must be advised to hold back the issue of summonses on compounding notice under review.
- 2.2.8. If further comments are needed, representation shall be placed in the officer's writing file. In case requiring urgent attention the issuing officer may, via his first line supervisor, be requested to report to the Prosecution Processing Division.
- 2.2.9. Writing files will be taken to and from the Regional offices by the Prosecution Processing Division's staff, as and when necessary.
- 2.2.10. Replies to representations shall be completed without undue delay.
- 2.2.11. On receipt of his/her writing file, the officer shall:
 - 2.2.11.1. Read through each representation carefully and reply to all the facts or points therein after referring to his/her "officer's notes"
 - Pay particular attention to the comments and or questions raised by the representation reader.
 - 2.2.11.2. It must be stressed that members must be absolutely honest and objective in their replies.
- 2.2.12. The first-line supervisor shall peruse the representations in order to ensure that they are correctly answered and also to acquire a better insight into the quality of work and behaviour of his/her staff.

- 2.2.13. Adjudication of representations shall be done in accordance with Departmental policies, procedures, standing orders and legislation.
- 2.2.14. The “first reader” of the representation shall after weighing all the facts endorse one of the following recommendations together with any pertinent remarks on prescribed form:
- a) Stand
 - b) Reduction
 - c) Warning, or
 - d) Withdraw

2.2.15. The stand cases are forwarded to a “second reader” for further consideration. If he/she agrees with recommendation he/she endorses the form, “stand”. If he/she disagrees with the recommendations he/she endorses his/her recommendation on the form.

2.2.16. The Back Office shall send out letters of reply for all representations submitted.

2.2.17. In the event of representations on compounding notices where the decision is “stand”, the person submitting it must be allowed a further 30 days from the date of reply in which to pay the fine (admission of guilt).

2.2.18. The Back Office must be advised of the results of the representations as follows:

2.2.18.1. Compound notices

- I. “stand”: Duplicate pink copy 6 weeks after date of reply.
- II. “reduction”: Duplicate pink copy 6 weeks after date of reply.
- III. “warning”: Duplicate pink copy 6 weeks after date of reply.
- IV. “withdraw”: Green copy of reply forthwith.

N.B. The official dealing with (stand) forms will ensure, when notifying the Back Office to issue a summons, that the name and address of the accused is supplied, as the person who makes the representation is not necessarily the offender.

2.2.18.2. Summonses

The Assistant Manager or Superintendent has the authority to make changes but he/she must notify Back Office to get access to the documents. The Assistant Manager or Superintendent makes the necessary endorsement.

2.2.18.3. The Assistant Manager or Superintendent forwards the original documents to the Back Office for inputs in the traffic system.

2.2.19. The result of each representation will be recorded in the appropriate register.

2.2.20. Further representations will only be processed if new facts are brought to light.

2.2.21. Representations will be kept for a period of at least three years.

RANKING STRUCTURE

1 Community Safety Rank Structure

1.1 Uniformed Ranks

1.1.1 The Assistant Manager is the head of the Community Safety Division

1.1.2 Superintendent Assignment

Superintendents will be the Heads of Sections or as otherwise appointed by and assigned to the office of the Assistant Manager. The rank of a Superintendent may be assigned to operations and administrative units and functions.

General Duties

Superintendents are members of the Assistant Manager's management team. They report directly to the Assistant Manager. They assist the Assistant Manager in the formulation of policy and procedures. They may, from time to time, act as Assistant Manager in the absence of the Assistant Manager. The rank of Superintendent is the official supervisory level with command responsibility. Superintendents will manage and provide leadership for employees at the level below the rank of Superintendent. Superintendents are responsible and accountable for the overall performance of the unit under their command. They have the responsibility for creating an atmosphere that is conducive to good duty performance. They are accountable for the appearance and condition of

the workstations, equipment and personnel under their command. They are responsible for keeping subordinates aware of organizational and work related issues affecting them. They are responsible for ensuring that all persons under their command adhere to the policies and procedures of the division as well as Acts, regulations and laws of the country. They are also responsible for providing their subordinates with an honest appraisal of their duty performance.

1.1.3 Assistant Superintendents

The rank of Assistant Superintendent will perform first level supervision in operations (patrol supervisor) and administrative units and functions.

General Duties

Assistant Superintendents are accountable for the readiness of their subordinates to perform their duties. They have the responsibility for creating an atmosphere that is conducive to good duty performance. They are accountable for the uniform appearance of their subordinates. They are expected to provide an honest appraisal of their subordinates' duty performance. They shall carry out the Division's mission. They shall adhere to the Division policy and procedures as well as Acts, regulations and laws of the country. Assistant Superintendents are also subject to the provisions of section 3.1.

1.1.4 Law Enforcement Officers/Examiner of Driving Licenses/Examiner of vehicles

All these perform front line tasks in both operations and administrative units and functions. Testing of vehicles, learners and driving licences.

4.1.1.5 Employees

Employees perform front line tasks in administrative units and functions.

4.1.1.6 The chain of command and span of management control refer to:

1. Role and function of a supervisor;
2. Communication of orders;
3. Unlawful orders;
4. Conflicting orders;

5. By-passing the chain of command;
6. Lateral communication;
7. Saluting.

GENERAL DUTIES AND RESPONSIBILITIES

Roadblocks/ Operation

1. All roadblocks must be planned and conducted according to operational plan
2. All relevant stakeholders i.e. SAPS, Provincial Traffic Officer and Home Affairs, must be invited through invitation letters signed by Accounting Officer
3. Roadblocks approval must be obtained from Chief Law Enforcement Officer (Assistant Manager: Community Safety Division) before any operation is done
4. All roadblocks must be visible marked with road traffic signage i.e. cones, signs
5. All roadblocks must be done in a spacious and visible place
6. No roadblocks must be conducted without the presence of a senior officer i.e. Assistant Superintendent, Superintendent or Chief Law Enforcement Officer
7. All vehicles and the number of passengers stopped at a roadblock must be recorded
8. All incidents occurred in a roadblock must be recorded in an Occurrence Book (OB) and also on Pocket Books of each officer attending such operation

Parking Enforcement

1. All officers must be acquainted with the parking laws and regulations within the municipality's jurisdiction and must be prepared to take appropriate action on illegally parked vehicles when required.
2. Officers must exercise good judgement whenever taking enforcement action against parking violations within limited time zones, restricted zones, loading areas, emergency zones, parking lots, or during weather emergencies.
3. Community Safety Division must have measures in place to manage parking tickets and fine collection.
4. Officers must comply with strict rules regarding the control, issuance, and nullification of parking tickets
5. Community Safety Division must have procedures in place to govern the removal, towing, or immobilization of illegally parked vehicles

6. The procedure must cover the conditions under which a vehicle may be removed, the method by which the owner may retrieve the vehicle, and a course of action for the owner or operator to challenge the decision to tow.

Drunken Driving

1. The national Road Traffic Act No. 93 of 1996 prohibits driving while under the influence of intoxicating liquor or drugs having narcotic effect, or with excessive alcohol in the blood or breath.

2. Law Enforcement officers as enforcers of road traffic law are empowered to ensure that road users do not contravene the law.

3. Intoxicated driving is a recognized major risk factor in accident causation and requires dedicated attention from law enforcement authorities.

4. Drunken driving operations shall be conducted in line with the relevant legislation, policies.

5. Drunken driving operations should be planned based on the intelligence led data relating to the prevalence of the offences, accidents and socio-economic factors.

Loads management

1. Section 31 of the National Road Traffic Act No. 93 of 1996, amongst other things, empowers law enforcement officers to ascertain the dimension of, the load on, or the mass, axle mass load or axle unit mass load of, any vehicle, or the mass of any combination of vehicles, loaded and unloaded, and if necessary for the purpose of ascertaining such mass, require any vehicle or combination of vehicles to proceed to a mass meter or mass-measuring device.

2. Overloading control plays a major role in protecting the road infrastructure from damage caused by vehicles that do not comply with the mass restrictions prescribed in legislation.

3. The equipment used for weighing vehicles must be calibrated and checked as prescribed.

4. Impoundment of overloaded vehicles has major financial implications for operators and must be conducted within the prescribed parameters.

5. Law enforcement officers should deal with the vehicles transporting dangerous goods in terms of the relevant legislation applicable SANS Codes.

6. The result of the static legal scale is the result that is acceptable in court and must be retained as proof of load mass for prosecution purposes.

Batho Pele Principle/Approach

1. Community Safety employees are subject to strict discipline and moral behaviour.
 2. Members of the public must at all times be treated and approached in a respected and dignified manner.
- 25.3 No employee must in any way treat the members of public in a way which is humiliating and unbecoming manner

Altering records

1. Stealing, altering, forging or tampering with any law enforcement records, report or notice, is a criminal offence.
2. The removal of any record, card, report, letter, document or other official file from the traffic law enforcement authority, except by process of law or as directed by the Chief Law enforcement officer, is a criminal offence.

On-and off-duty; ethics

Engaging in conduct, on or off duty that tend to bring the Community Safety Division authority into disrepute or prejudice the operation or efficiency of the authority, is prohibited.

Impounding Procedure

1. The vehicle to be impounded must be towed by Umzimvubu Local Municipality Breakdown or be towed under contract by a Private Towing Company to the Official Municipal vehicle pound.
2. The following investigation of the vehicle must be done and recorded:
 - 2.1 General condition of the vehicle, including the vehicle's parts (should any be missing, broken etc. this must be recorded).
 - 2.2 Obtain undercarriage number (chassis), engine number, number plate, make, model and colour of vehicle.
 - 2.3 Obtain e-Natis print-out indicating the registered owner of the vehicle.
 - 2.4 Give notice by way of registered letter to the owner to the last known address that the vehicle was impounded.

2.5 Inform by registered letter the S.A.P.S. of the impoundment and request written confirmation as to whether it is a reported stolen vehicle or not.

2.6 In case the vehicle was reported stolen, hand-over the vehicle to the Police as possible exhibit for any Court Case, and obtain from the Police an acknowledgement of receipt of the vehicle. The Official Police Stamp must appear on the acknowledgement.

2.7 When the vehicle is booked in after impoundment, the Institutional Tariffs shall be implemented with immediate effect.

2.8 In case where the impounded vehicle was not reported stolen, and no reaction was received within 3 (three) months from the owner, advertise the impoundment and intended selling of the vehicle in the official papers in circulation in the area in an English or Xhosa paper.

2.9 Arrange the auction, time and date and when the vehicle is sold, obtain the name, address and I.D. number (copy of I.D. document) from the buyer on payment of the price for the vehicle.

2.10 Give notice by registered post of the fact that the vehicle (full particulars) was sold.

- The Receiver of Revenue.
- The SAPS.
- The provincial Administration Licence Department.

3. The amount paid and all documents must be kept in a suspense account or a further 12 months where after the amount is forfeited to Council. Should the owner claim the amount for which the vehicle was sold, it is paid to him after deduction of all expenses the Council incurred. The balance is then paid to the claimant.

4. A separate file must be kept for each vehicle. All impounded vehicles must be recorded in a register for impounded vehicles.

5. Council's pound must be fenced in with a proper fence (barbwire etc. with a proper gate and lock to prohibit any possible theft, and all vehicles must be checked weekly.

6. Should the vehicle be damaged, stolen etc., the security provider doing guard services to the premises shall be held liable and responsible. Therefore Municipality must take the necessary precautions to keep the impounded vehicles safely.

7. Normal impoundment due to traffic contraventions shall simple be towed away and the vehicle report must be completed.

8. The vehicle must be checked on e-Natis for ownership and a telephonic enquiry should be made to the SAPS for possible stolen vehicles.

9. The normal pound fees as determined by Council from time to time will be payable on release of the vehicle to the owner.

10. The towing company must on appointment as official tow away, supply Council with a copy of his 3rd party all liability insurance as the letter of appointment must make it clear that he will be held responsible for any damage to vehicles, which he must accept, before appointment.

11. The vehicle must be impounded in the official pound and the receiver of the vehicle must sign a receipt when the vehicle is released to him/her.

12. Impoundment fees as determined by Municipality yearly must be paid before the vehicle is released to the owner.

13. The Policy on impoundment of vehicles and all the prescribed forms and procedures must be followed. Any vehicle will be towed away in the following circumstances:

1. Parked in a tow-away zone, ambulance, emergency service or disabled parking area;
2. Parked in a no-parking area; no stopping area;
3. Parked in such a way that the vehicle creates a danger/obstruction to road users or will likely causes such danger/obstruction;
4. Parked in a red or yellow line demarcated area;
5. Any motor Vehicle disregarding Road Traffic signage e.g. Limited time parking sign

6. Un-licensed vehicles;
 7. Vehicles impounded at roadblocks on instruction of the operational manager
 8. Abandoned vehicles identified by the operational manager;
 9. Double parked vehicles; posing an obstruction or danger to other road users;
 10. Vehicles parked in a loading zone;
 11. Any vehicle obstructing the flow of traffic on instruction of the operational manager;
 12. Parked in a bus or taxi demarcated area specifically designated for busses and taxis.
 13. Vehicles driven by unlicensed drivers
 14. Stolen Vehicles
 15. Public transport without transportation permit
 16. Unroadworthy Vehicles
 17. Motor Vehicles conveying drugs and any other illegal substances
 18. Vehicles driven by drunk driver
14. All areas that vehicles will be towed from shall be clearly marked and all necessary signs shall be displayed at such areas.

Implementation

Official implementation will commence on the date the policy is endorsed and adopted by council. The success of the implementation of the strategy shall be measured by the percentage increase of sustainable co-operatives established.

Review

The review of this policy will be done every three years to ensure that space and time is allocated for the evolution processes for developmental co-operatives.

Authentication

The policy was adopted by the council on the as per Council
Resolution Number: COUNCIL/413/2019/2020

