



TSHWANE FRESH PRODUCE MARKET ESCALATION PROCEDURES FOR SECURITY INCIDENTS

These procedures describe the steps to be taken to ensure security in the case of physical and computer incidents that occur at the Tshwane Market. The physical incidents covered are theft, illegal building access, unfit conduct, property destruction and misuse. The computer incidents covered are loss of personal password sheet, suspected illegal system access (including account sharing), suspected computer break-in (internal and external) and computer viruses. For additional information on incident response and handling refer to the Tshwane Fresh Produce Market Business Continuity Plan, the Market By-law and other applicable Council ordinances.

The types of incidents have been classified into three levels depending on their severity. The Level 1 incidents are the least severe and should be handled within one working day after the event occurred. Level 1 incident usually requires that only the Security Officer and/or the market officials responsible for operations be contacted. Level 2 incidents are more serious and should be captured and escalated to the Director: Market System Development within 24 hours. Level 3 incidents are the most serious and should be handled as soon as possible. The examples are life-threatening incidents, such as car accident, chemical spillage or injury on duty.

Step 1

Step 1 provides guidance to the complainant or victim of an incident to address or communicate his grievance.

- 1.1 If criminal activities are involved, contact the security officers immediately to set the processes detailed in step 2 in motion.
- 1.2 Fill out a complaints form to describe the nature of the complaint and submit to security.
- 1.3 The security officer must escalate the incident by submitting the complaints form to the Deputy Director: Market Safety and Security after which a copy of such form or complaint must be submitted to the Director: Market System Development.
- 1.4 The Director: Market System Development must acknowledge receipt of the complaint within 48 hours and refer it immediately to the responsible director involved.
- 1.5 If the incident is of a criminal nature, security must call the Metro Police By-law enforcement Unit.
- 1.6 The complainant must be advised or be made aware of alternative actions available to him or her including opening a docket with the SAPS.
- 1.7 The security officer must follow up the matter to obtain a case number and establish the identity of the investigating officers.
- 1.8 The complainant must attend the court proceedings relating to the inquiry as instructed by the court at his or her own expense.

Step 2

Step 2 describes the minimum expectations from security staff when facilitating to resolve incidents, especially on levels 2 and 3.

- 2.1 Apprehend the suspect in line with applicable laws.
- 2.2 Keep the suspect until the police arrive.
- 2.3 Give a statement of the arrest to the Metro Police.
- 2.4 When the Metro Police arrive, contact the complainant and witnesses to provide statements.
- 2.5 Attend the court proceedings on the date and time set by the court.

Step 3

The Director Market System Development must refer all level 2 and 3 incidents for a decision to the Executive Director by submitting the complaints forms on applicable areas of transgression. Upon receiving the complaint, and if the incident is serious the Executive Director can apply the sanctions stipulated in the applicable sections of the Market By-law immediately. These are not limited to but include the following:

- 3.1 Suspend the operations or prohibit the accused from operating or accessing the market facilities pending the investigations in terms of applicable sections of the by-law.
- 3.2 Make the accused aware of the appeal and other due processes to follow regarding his or her case.
- 3.3 Commission an investigation and get the accuser's version of the story so as to administer the appeal.
- 3.4 Can arrange a hearing to consider the collected evidence for final judgement and a decision.
- 3.5 Seek legal opinion if the allegation is serious and contains criminal elements.
- 3.6 Put a moratorium on the access to a facility or asset being misused to achieve criminal objectives.

Step 4

Step 4 describes the process and procedure to follow where a dispute arises from any sanction.

- 4.1 Where the accused or complainant disagrees with the sanction given, he or she must explain the reasons to the Strategic Executive Director: Agriculture and Environmental Management within 21 days of being notified about the sanction.
- 4.2 In submitting the reasons or grounds to appeal, the accused person must supply all the evidence to support the application.
- 4.3 The Strategic Executive Director: Agriculture and Environmental Management through DEXCO must consider the application and provide a response within five working days subject to the nature of the case submitted.
- 4.4 If the accused is not happy with the outcome of the appeal he or she may refer the matter to the City Manager.
- 4.5 If the accused is not happy with the outcomes of the appeal he or she may refer the matter to the Executive Mayor and the Council.

- 4.6 If the outcome of the appeal with the Council is not satisfactory to the applicant, he or she can obtain legal assistance outside the internal municipal processes at his or her own cost.

Additional information

Should an incident happen after hours in the absence of the market agent, a person responsible for the agent sales area will be required to give a statement, however, he or she does not replace the official complainant who in this instance is the market agent. This is done to execute an arrest officially. The market agent will be contacted later by the investigating officer to give a statement and will be required to attend the court hearing.

List of Contacts

Deputy Director: Trading Operations Safety and Security, tel: 012 358 0980
Secretary, tel: 012 358 2307/98

Director: Trading Operations Support, tel: 012 358 2330,
Secretary, tel: 012 358 2307/98

Director: Trading Infrastructure and Operations, 012 358 2355,
Secretary: 012 358 2394/98

Director: Market System Development, tel: 012 358 2335,
Secretary, tel: 012 358 2380/98