



PSiRA

Private Security Industry Regulatory Authority

Narrowing the Gap

**The regulation of
In-house security sector
in South Africa**

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ABBREVIATIONS

CCTV	Closed-Circuit Television
CoC	Code of Conduct
ECC	Employment Conditions Commission
HR	Human Resource
KSIA	Kenya Security Industry Association
NQF	National Qualification Framework
PMCs	Private Military Companies
PSCs	Private Security Companies
PSiR Act	Private Security Industry Regulation Act 56 of 2001
PSiRA App	PSiRA Application
PSiRA	Private Security industry Regulatory Authority
SAPS	South African Police Service
SASSETA	Security Sector Education and Training Authority
SD6	Sectoral Determination 6
SIA	Security Industry Authority
VIP	Very important Person



PSIRA

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ABOUT THE REPORT

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Security

A property or persons can be protected in many ways. The decision on how to protect or safeguard a property or person lies with a consumer of a security service.

Some consumers decide to outsource their security services and others prefer to insource or have their own in-house security. The case of South Africa the insourcing of workers by both the public and private sector has been a burning issue in recent years. The common insourcing that has been witnessed in the country is that of general workers and security officers in particular. The involvement of security officers in the process means the involvement of PSiRA as the regulator of the industry. PSiRA is mandated to regulate the private security industry and to exercise effective control over the practice of the occupation of security service provider in the public and national interest and the interest of the private security industry itself. Therefore, the Authority conducted this study in order to gain insight on how in-house security service providers operate and provide possible recommendations to advance effective regulation and ensure effective compliance within the sector.

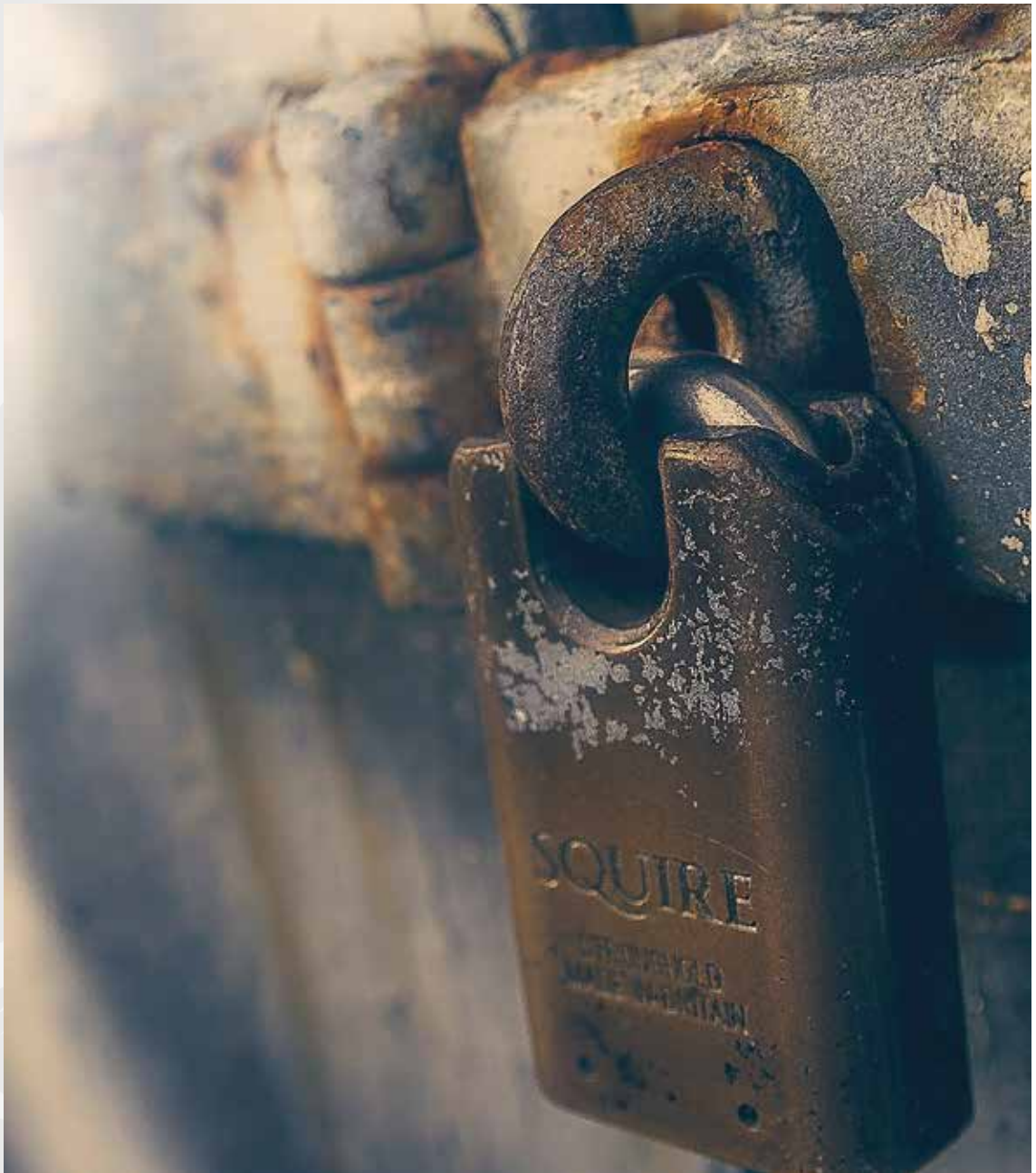
The research adopted a qualitative research approach, which was informed by an interpretivism paradigm. This means that reality was socially constructed through the views of participants and their lived experiences within the sector. The study used interviews and observation as data collection instruments. Face-to-face interviews were selected with semi-structured questions. The targeted sample were PSiRA officials, in-house security officers and businesses or in-house security employers. The study was conducted in South African towns and cities. Purposive and snowball sampling were used in the study. Letters were distributed to participants seeking permission to interview them. The consent form was developed to address ethical issues to the participants. The study used member-checking method to confirm validity and reliability of the collected data.

The literature was reviewed for purposes of gaining insights about the phenomenon being studied. Scholars hold different views when it comes to state policing and private security. Some are of the view that the functions of

the state police and private security are the same while others dispute such assertions by looking at the mandate of the two. They highlighted that the main role of the private security industry is more on the prevention of crime, while state policing seeks to deter crime by incarcerating criminals after committing crime. Moreover, private security has limited legal powers than state or public police. Their powers are confined within the premises of the consumer of service, which means they do not go beyond that scope. It is argued that state police is available to all citizens and is accountable to local, provincial and national government and the public at large. However, private security industry is only available to those who can afford to buy the service. The private security industry is the fastest growing industry when compared with state policing not only in South Africa but also internationally.

The literature highlighted that if a person wants to understand in-house security, he or she needs to consider two elements, namely, employment relationship and the primary intention of employment. In-house security refers to a person or group of people who are directly employed by an organisation with a sole purpose to provide any form of security service. It is noted that in-house security form part of the private security industry. However, the gaps created by the Act makes it difficult for the Authority to effectively regulate the sector. Scholars argued that the current Act is not the contributor to the challenges faced by the regulator however; the previous Acts that were used to regulate the industry created these gaps. When the PSiR Act came to effect in 2002 in-house security service providers were included within the ambit of regulation. The provision that was previously used to exclude in-house security sector from the scope of regulation was not clear. The literature presents that the PSiR Act put no obligation to register on in-house security employers. This sparked a debate of whether or not in-house security fall under private security industry. Scholars show that in-house security service providers are part of the industry including their employers.

The research findings discuss different motives behind insourcing security services. The study discovered that the decision to insource security services in some organisations was as a result of political influence as majority of those were municipalities and universities. There were organisations who pointed out that they appointed in-house security to ensure that there are reliable people to supervise or



manage contracted security service providers. Some in-house security are of the view that in-house security officers are more reliable and trustworthy than their outsourced counterparts. Other organisations pointed that insourcing security services is an economical viable strategy. In terms of the regulations of the industry, the study discovered that in-house security does not have stricter regulations than private security companies.

The study found that the Authority registers in-house security officers and excludes their employers. In-house security employers are only encouraged to list with the Authority. The aim of listing in-house security employers is to link them with their security officers on the database of the Authority. There are various challenges that confront PSiRA and the sector

as a whole. The study uncovered that a majority of in-house security officers were not aware of the mandate of PSiRA. Some officials of the Authority criticised the drafting of the PSiR Act and highlighted it as a major contributing factor to the challenges of regulation. Further the study revealed that Sectoral Determination 6 excludes in-house security sector.

The study focus was more on in-house security in general which may necessitate for the Authority to conduct other studies focusing on different aspects of in-house security sector in the near future.

1. Introduction

In recent years, South Africa has been confronted with an increasing debate about the sourcing of workers in both public and private sector. The arguments about the reasons for organisations to insource or outsource their workers remain a topical issue within the political and academic space. One might ask what insourcing or outsourcing entails. According to Sikula, Kim, Braun and Sikula (2010) insourcing is the opposite of outsourcing, insourcing can be defined as a situation where by an organisation utilises its labour than using a third party to do a particular task. The aforementioned matter has been witnessed in different organisations, particularly those who appoint security officers to provide any security service as contemplated in the Private Security Industry Regulation Act 56 of 2001 (PSiR Act).

The Private Security Industry Regulatory Authority (PSiRA) is mandated by the PSiR Act, to “regulate the private security industry and to exercise effective control over the practice of the occupation of security service provider in the public and national interest and the interest of the private security industry itself”. According to the PSiR Act, security service means, “protecting or safeguarding a person or a property in any manner”. A public and private property can be protected in various ways. Consumers of security services may decide to outsource their security services to a security company while others would prefer to appoint their own security officers, also known as “in-house security”. PSiRA is mandated to regulate the latter.

In-house security is defined as the security service that an organisation provides for itself by training their own security personnel to meet their desired functions of the security officers within the organisation (De Waard, 1999). Contrary to the in-house is the “contract-security”, these are mainly providing security services for another organisation on a paid contractual basis, also known as outsourced security (Strom, Berzofsky, Barrick, Daye, Horstmann & Kinsey, 2010). Strom *et al* (2010) state that regulations of the in-house security are not that strict than those of the outsourced security.

In the Authority’s database, there are 541-registered in-house security companies. According to the PSiRA’s Annual Report 2018/2019 205 inspections were conducted

within the in-house security. This study seeks to uncover the compliance issues within the South African in-house security with the aim of addressing challenges posed by this sector to the Authority, and inform policy changes within the Authority. In addition, PSiRA has to play a significant role in effectively regulating the in-house subsector and ensuring that security officers are receiving adequate training and they are compliant with the PSiR Act.

2. Research aim, objectives, hypothesis, questions and methodology

The aim of the study is to gain insight on how in-house security service providers operate and provide possible recommendations to advance the effective regulation and ensure effective compliance within the sector.

The objective of the study are to:

- explore the motives behind insourcing than outsourcing security services.
- explore the challenges faced by the in-house security sector.
- discover which sector is having stricter regulations than the other.
- explore the effects of insourcing security services for the regulatory Authority.

The research hypothesis of this study is: *maximisation of in-house security inspections by PSiRA will deter non-compliance within the sector.*

The research questions of the study are as follows:

Main research question:

What role is PSiRA playing to ensure the effective regulation, adequate training and professionalism of in-house security in the South African private security industry?

Secondary research questions:

- What is the motive behind insourcing than outsourcing security services?

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- Which sector is having stricter regulations than the other?
- What are the challenges faced by the in-house security sector?
- What effects does insourcing cause within the regulatory Authority?

2.1. Research methodology

The section deliberates on the techniques that were used to conduct the study. The research adopted the qualitative research approach. Kothari (2004) defines qualitative research as the approach that has concerns on the subjective assessment of attitudes, opinions and behaviour. The approach was informed by the interpretivism paradigm. The interpretivism paradigm mainly focuses on participants' view on their background and lived experience, since it believes that reality is socially constructed (Mackenzie and Knipe, 2006). Briefly, qualitative research seeks to gain insight of the phenomenon being studied through participants' experiences.

The study used data collection instruments found in the qualitative research approach namely, interviews and observation. The interviews were selected based on the fact that there was likelihood for participants not to answer the questionnaire in time, which was going to delay the data analysis. Face-to-face interviews were selected with semi-structured questions. Semi-structured questions assisted in making follow-up questions where there was an unclear statement made or the participant revealed more information that could help to advance the study. Observations were used to assess the witnessed conditions in the premises during the interviews.

With regards to sampling, the targeted sample was PSiRA officials, in-house security officers and businesses or in-house security employers (include: mining, institutions of higher learning, farms, municipalities, government departments and others). The study was conducted in South African towns and cities. The sampling method that this study adopted was the purposive sampling and snowball sampling. Teddlie and Tashakkori (2009) state that purposive sampling refers to the selection of research participants based on the characteristics that they possess. Purposive sampling was used to select businesses that are using in-house security from the database of the Authority.

Some companies were not recorded in the database of PSiRA but were providing

in-house service therefore, snowball sampling was employed to discover those companies. Goodman (1961) argues that snowball sampling can be used when participants are not known by asking each individual in a sample to name another participant with similar characteristics. In this case, registered in-house security companies were asked to refer a researcher to other in-house security companies, be whether they are registered or not. Content analysis was used to process data.

A letter was sent to participants to seek permission to interview them. When permission was granted, the researcher then began to confirm dates for interviews. The consent form was developed to address ethical issues like anonymity and confidentiality of the participants. Those companies that were not in the Authority's database were visited and the consent form was explained to them before the interview commenced. The study used member-checking method to confirm validity and reliability of the collected data. Member checking refers to the quality control process by which a researcher seeks to improve the accuracy, credibility and validity of what has been recorded during a research interview (Harper & Cole, 2012:01). The method is also known as participant verification. This method requires a researcher to select participants who never participated in the study but they possess the same characteristics of the selected participants to check whether the findings reflect their views, feelings and experiences or not. If so, that confirms the credibility of the study.

3. Literature review

The research reviewed South African and international publications to gain insights on how other countries within the continent and globally handle issues related to private security industry.

3.1. The brief overview of state policing and private security

The mandate of the state police and private security is not clear to some individuals. Irish (1999) argued that some people are of the view that the functions of the private security industry and public police are the same. In support of the latter statement, Joh (2005) maintained that state policing and private

security industry might seem different but their functions are the same. Disputing those assertions, Irish (1999) pointed out that private security industry cannot replace the public police because their mandate is not the same. According to Gumedze (2007), the maintenance of law and order is the mandate of the state or public police, whereas, the obligation to guard private property, install security devices in private properties, control boom gates on private property is the mandate of the private security industry.

Some scholars referred to private security industry as private policing (Joh, 2005). Private policing can be divided into four categories that include, protective policing, intelligence policing, publicly contracted policing, and corporate policing (Joh, 2005). The focus of protective policing is more on safeguarding private property, which is normally done by armoured car drivers, security guards and private patrols hired by homeowners' associations (Joh, 2005). Irish (1999) argued that the aim of public policing is to protect the public interests. In addition, De Waard (1999) noted that state police is available to all citizens and they are accountable to local, provincial and national government and the public at large. However, private security industry's aim is to protect their clients' or employers' interests and it is a profit-driven industry. Irish (1999) and De Waard (1999) assert that private security industry is available to those who can afford to buy the services. The industry mostly account to their clients or employers (Irish, 1999 & De Waard 1999).

The main role of the private security industry is to reduce the risk of crime and loss, while policing seeks to deter crime by incarcerating criminals after committing crime (Irish, 1999). Private security have limited legal powers than state or public police (De Waard, 1999 & Irish, 1999). Private security industry's powers are confined within the premise of the private property of their clients or employers (Irish, 1999 & De Waard, 1999), which means it does not go beyond that. Button (2016) states that private security industry undertook the role that was meant for state police. In support of the latter statement, De Waard (1999) asserts that the rapid expansion of the industry is due to that the currently public police does not put more effort on non-police functions, which enables private security industry to fill that gap.

The duties of the private security industry have increased and become more complex than before (De Waard, 1999). The functions that are not performed by the state police includes;

reception attendance and public functions, management of public events, parking enforcement, protecting private properties and the erection of crush barriers (De Waard, 1999). The escalating rate of criminal offences, particularly, private property related crimes give rise to the private security industry (De Waard, 1999). De Waard (1999;146) noted that the failure of social control in traditional institutions such as churches, schools, neighbourhoods and families created the escalation rate of criminal behaviour within societies.

Undoubtedly, the private security industry is the fastest growing industry globally, and in some countries, the number of security personnel outnumber the public police officers (Button, 2007, Button 2016; Gumedze, 2007; & Mbuvi, 2015). Irish (1999) asserts that the private security industry is the fastest growing industry in South Africa. The growth of the industry has made countries to develop legislations to govern the industry (Button, 2007). For instance, South Africa established the PSiR Act, which governs the industry nationally. In the majority of developing countries, particularly African countries such as Kenya, they have their regulatory Authority for instance, Kenya Security Industry Association (KSIA). In these African countries, private security industry is seen as a key employment source for less privileged people (Mbuvi, 2015). Button (2016) confirms that private security industry in most countries is viewed as the potential employer that employs more people than state police. In support of those assertions made by Button (2016) and Mbuvi (2015), the South African private security industry is three times bigger than the South African Police Service (SAPS) in terms of personnel (De Waard, 1999). This shows that the industry is growing.

3.2. In house security

Button (2005) argued that when looking at the definition of in-house security, there are two elements that one needs to consider, firstly look at the employment relationship, which enables an individual to establish whether the person is directly employed with the organisation. Secondly, one needs to identify the person's primary function within the organisation, which should be to provide any form of security services. Therefore, Button (2005) defines in-house security as a person or group of people directly employed by an organisation with a sole purpose to provide any form of security service. Strom *et al* (2010) notes that in-house security refers to the organisation that has more control over

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security activities of their security personnel. They introduced another name for in-house security guards that was “Proprietary guards” (Strom *et al*, 2010). These names “in-house security” and “Proprietary guards” may be used interchangeably. In the context of this study, in-house security refers to an organisation that appoints their own security personnel to meet the standards of the security services required by the organisation. A person who is directly employed by the organisation to provide any form of security services is called in-house security officer (Button & George, 2005).

De Waard (1999) provided a brief history of in-house security in the Netherlands and pointed out that the first in-house security in the Netherlands originated in 1920s and were called Night Watchers. These were mainly elderly people (pensioners) who did not have security training but were employed by private property owners to check the locks in different premises at night. In the case of South Africa it was not specified when the in-house security sector began.

In-house security belongs under private security industry and has to be subjected to the regulations of the industry like any sectors of the industry (Button, 2007). Failure to regulate in-house security will undermine the aim of developing the industry and will create confusion amongst the public and other agencies (Button, 2007). The regulatory body can regulate in-house security however; the officers will also be subjected to the requirements of an employer. Some organisations employ unregistered in-house officers because they want cheap labour and trying to evade the law (Button, 2007). Strom *et al* (2010) assert that in California organisations hired unregistered in-house security officers but they do not receive penalties for such conduct because the sector is not closely monitored. The organisation that wishes to employ in-house security officers should consider themselves as a security firm with its training standards and it needs to comply with the regulations (Button, 2007).

According to Button (2007; 115) in-house security officers are beyond the scope of Security Industry Authority (SIA) and only meet standards required by their employers. Button (2007) argues that in-house security

in Sweden was not regulated as is the case in some African countries. For example, KSIA requires that all guards be screened before they can re-register with the Authority (Mbuvi, 2015). The screening includes checking their previous conduct with their former employers (Mbuvi, 2015). According to KSIA, some security officers collaborate with criminals when committing crime, therefore it is imperative to conduct background checks in the industry (Mbuvi, 2015).

The in-house security officers are trained to take actions and report any incidents that jeopardises the protection of the property of their organisations (Mbuvi, 2015). It is said that in house security is mostly used in places such as commercial concerns, local authorities, hospitals, universities, hotels and broadcasting companies (Button & George, 2005). There might be other places where in-house security officers are found, which Button and George (2005) did not mention.

Some organisations employ unregistered in-house officers because they want cheap labour and trying to evade the law

In the case of *Bertie Van Zyl (Pty) Ltd and Another v Minister for Safety and Security and Others* (CCT 77/08) [2009] ZACC 11;2010 (2) SA 181 (CC);2009 (10) BCLR 978 (CC) (7 May 2009), the matter concerned and constitutional validity of provisions of the PSiR Act.

The applicants were farmers who had hired as in house security guards. Case concerned whether they were required to register as security service providers under section 21(1)(a) of the PSiR Act and be bound by the PSiRA Code of Conduct which ensured the payment of payment of minimum wages and compliance with labour standards. The Majority of the Court held that the provision was not overboard; that the in-house security guards fell within this definition and were thus required to register in terms of the Act. Furthermore the Court held that the requirement of compliance with the PSiRA Code of Conduct was not unconstitutional since it was an important purpose of the Act.

3.3. Pros and cons of appointing in-house security

Reasons for the appointment of in-house and contract security vary from one organisation to another. Discussions have shown the motives for people to choose in-house security instead of contract or vice versa. Those who operate with in-house security according to Hanks (2019), considered these advantages. The directors of a company can determine the policies and procedures for security officers and can outline the level of work experience that is required from the officers. They can provide their security guards with training that meets the standards of the security service required in the company (Button, 2007 & Hanks, 2019). Directors and managers of a company have control on how the security personnel conduct their operations. Security officers in the in-house section operate as internal employees, rather than external contractors (Hanks, 2019). Button and MP (1998) and Hanks (2019) state that some of the reasons people decide not to choose in-house security is that it requires the hiring process for security personnel. The human resource department has to compile the hiring records for every security officer (Hanks, 2019). Sometimes business owners are not familiar or do not know the security procedures or their own internal security requirements (Hanks, 2019). Now, because the security officers are part of the staff, from a financial point of view, they need to subscribe to the payroll and benefits of the organisation. Hanks (2019) argued that other organisations view outsourcing of security services as the cost effective move than insourcing.

In support of the cons provided about the in-house security, De Waard (1999) argues that firms hive off security activities to the outsourced private security companies after 1987. It was due to that the firms wanted to focus on their core tasks and leave the security services in the hands of the outsourced security companies (De Waard, 1999). The causes of the decline of the in-house security in the EU countries might have been influenced by the above-mentioned cons of the sector. According to De Waard (1999) previous studies in one of EU countries showed that the number of registered in-house security was 5 175 before 1987 but during the time De Waard (1999) conducted the study, numbers declined to 3 374 (De Waard, 1999).

Button and MP (1998) argue that when assessing the security risks, organisations are

privity to a wide range of options with the first one being not to take any security measures. Secondly, if an organisation has ever faced robbery, it can opt not to take risks or decide to relocate to avoid risks. Thirdly, and organisation may opt to appoint its own security personnel to deal with those risks. If the organisation is experiencing loss through theft and fraud within its sections, it may decide to add a third part by entering into contracts with security companies. (Button & MP, 1998). Button and George (2005) assert that some companies have an option of employing in-house security officers, contract security companies or make use of a combination of the two methods to prevent crime.

3.4. The brief history of the regulation of in-house security sector in South Africa

In previous years, the security industry was regulated by the Security Officers' Board. The Security Officers Act, which had many amendments resulting from the loopholes that were identified, was governing the board (Berg and Gabi, 2011:4). Visser (2003:147) argued that the previous Act that was governing private security industry was only regulating the contractual security. In house security was not covered by the regulatory legislations requiring, inter alia, registration, training and compliance with a code of conduct by security officers (Visser, 2003:147). The Act was repealed and replaced by the PSiR Act, that came into operation in February 2002. Furthermore, the PSiR Act does include the in-house security service providers within the ambit of regulations compared to the previous legislations (Berg and Gabi, 2011).

Visser (2003) further pointed out that the exclusion of in-house security from the regulations was informed by the definition that was provided in section 1(1) of the Security Officers Act 92 of 1987:

- “[A] service rendered by a person to another person for reward by –
- (a) making himself or a person in his employ available for the protection or safeguarding of people or property in accordance with an arrangement concluded with such other person: or
 - (b) advising such other person in connection with the protection or

safeguard of people or property in any manner whatsoever, but does not include a service rendered by an employee on behalf of his employer.”

Visser (2003) was of the view that the provision that was used to exclude the in-house security sector from the scope of regulation was not clear. The definition that was provided by the previous Act was not convincing because one may argue that even a security service rendered by an employee of a private security company can be excluded in that definition. Section 20 of the PSiR Act does not put an obligation to register to in-house security employers. This sparks a debate of whether or not in-house security does fall under private security industry. Before one can argue, there is a need to understand what private security industry is in order to establish where in-house security belongs.

3.5. Private security industry

Private security industry implies different things to different people. Oxford dictionary defines private as anything that is “belonging to or concerning an individual person, company or interest”. Kamenju and Singo (2004) defined private security as an industry made up of individuals and businesses offering a service to clients or employers that includes the protection and safeguarding of the property or a person. This includes the performance of functions related thereto or supporting these core functions (Wairagu *et al*, 2004). It is an industry that functions along the corporate lines (Wairagu *et al*, 2004).

De Waard (1999) holds a different view that in order to understand the private security industry, one needs to know that it is constituted by four sectors, which their objective is to safeguard a person’s property or maintain public law and order using manpower. The sectors that De Waard (1999) talked about include: firstly, “contract-security” which provides security services for third parties on a contractual basis. Secondly, the organisations that perform the functions of the security service for their own firms (insourced security service) is referred to as a private “in-house security” services. Thirdly, “private central alarm monitoring stations” render security services for third parties using detectors that transmit their findings by telecommunication links to one or more central points where the findings are recorded and evaluated. Fourthly, “private high security transport” firms also known as Asset-

In-Transit are transporting valuable assets for third parties on a professional or contractual basis.

Gumedze (2007) argues that private security industry can be divided into two categories, firstly, private military companies (PMCs), which in other cases is referred to as PMFs. Secondly, private security companies (PSCs). In short private security industry is more complex but one needs to draw a line of what constitute private security industry. Strom *et al* (2010) provided a hint of what constitute private security by saying “the private security industry is often described by distinctions based on the proprietary or contractual nature of security departments.” Following the previous definition, one may argue that the definition provided by the PSiR Act is incomplete. The PSiR Act only speaks about the security service providers being the only ones that constitute the industry. Based on the explanation provided by Strom *et al* (2010) it can be argued that private security industry in the PSiR Act does not cover the whole aspects of the industry. It only covers the aspect of security service providers and exclude in-house employers. For purposes of this study, private security industry also refers to the industry that is conducted by security service providers and in-house security employers.

A formally employed person whose mandate is to protect and safeguard people’s property is known as a security guard or security officer (Mbuvi, 2015). The PSiR Act defines a security officer as “any natural person employed by another person, including an organ of State, and who receives or is entitled to receive from such other any remuneration, reward, fee or benefit, for rendering one or more security services”. Mbuvi (2015) outlined the duties of security officers. It is their duty to protect the property through visibility maintenance in order to avert illegal and wrong actions by: observing signs of criminality (either directly, through patrols, or by looking at alarm systems or Closed-circuit television cameras (CCTV cameras); observing signs of fire then report them to the client and emergency services (if necessary) (Mbuvi, 2015). Wairagu *et al* (2004) added some functions of the private security industry from those mentioned by Mbuvi (2015) which among them include, special events security, private investigation services and in-house security. The protection and other security services in some private properties is rendered by the private security industry (De Waard, 1999). In that case, the study seeks to fill the gap of the regulatory framework of the in-house security in order to

ensure that the sector is compliant with all the regulations applicable to the private security industry.

4. Research findings

The section presents the findings of the study. Moreover, it provides answers to the research questions.

4.1. Motives for insourcing security services

The section discusses general motives behind insourcing of security services by different organisations.

4.1.1. Political influence

The study uncovered that the decision to insource security services in some organisations was a result of political influence. Majority of those organisations noted that security services were previously outsourced to private security companies. The idea of insourcing came as a result of protests that took place within the organisations which emanated from the fact that, general workers and security officers in particular should be entitled to employment benefits like any other employees of the organisation. General workers demanded the management to insource them. The organisation took the demands of general workers into consideration by insourcing all the previously outsourced services including security service. A good example of the latter statement is the matter reported by Moatshe (2019) wherein outsourced security guards and one of the opposition political parties were demanding the mayor of the City of Tshwane municipality to speed up the process of insourcing security officers.

In some municipalities, the decision to insource their security services was an idea of the municipality's council, as observed in the case of the City of Johannesburg. In discussions with the media, the former mayor of the city highlighted that they (together with the other opposition political party) have decided to insource security because officers earn unsatisfactory salaries (Ramphela, 2017). In that case, the municipality would directly employ security officers (Ramphela, 2017). This complements the definition provided by Button (2005) about in-house security. Button (2005) pointed that one needs to look at the employment relationship between a security officer and the employer. If an officer is directly

employed by an organisation with a sole purpose to provide a security service, he or she can be referred to as an in-house security officer.

4.1.2. Supervisory role

The work of Button and George (2005) noted that some organisations have a choice of appointing in-house security, contract security or use a combination of the two methods to prevent crime. The study revealed that there were organisations who use the two methods to secure their properties. This is because they wanted to ensure that outsourced security companies adhere to all the laws applicable to them, which may include organisational rules and PSiRA compliance. Therefore, in-house security officers would play a supervisory role on behalf of the organisation to those security companies. Some organisations insourced their security services because they wanted their own people who will be onsite daily to supervise their outsourced security officers. The in-house security manager or supervisor would have to ensure that outsourced security officers obey the rules and regulations put in place.

4.1.3. Financial implications

Button (2007) found that some organisations employ unregistered in-house officers because they want cheap labour and trying to evade the law. The study found that one of the reasons for insourcing security services is to minimise costs. The majority of participants who insourced their security services were noting that it is an economic viable strategy. In-house security managers were of the view that outsourcing is more expensive than insourcing. Furthermore, they pointed out that insourcing saves money from tendering security services, which is profit-driven. It was said that security businesses cost higher than what they are paying as in-house security.

4.1.4. Harvesting times

The research revealed that farm management would take a decision to appoint their own security officers during harvesting time. Button (2005) mentioned two elements that one needs to consider when looking at in-house security namely:

- the employment relationship
- the services that an employee is appointed to perform, which is to protect or safeguard a property.

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Button (2005) argued that a person or group of people whom are directly employed by an organisation with a sole purpose of providing security service for that organisation could be referred to as an in-house security officer. In this case, those security officers are directly employed by the farm and their sole purpose in a farm is to protect and safeguard a farm during the harvesting season. Those security officers were often called “seasonal security officers”.

Majority of foremen pointed out that seasonal security officers look at anything that may pose a threat to the property of the farm, it might be criminals, trespassers or domestic animals. It shall be noted that seasonal security officers are not herdsmen. Their main function is to report any security breach identified, either to the outsourced security company or farm management. In terms of the definition of security service in the PSiR Act, seasonal security officers are providing security services. It was discovered that when harvesting time passes then the contract between the farm and seasonal security officers would be terminated. The study found that majority of seasonal security officers were not PSiRA registered over and above that they were not having PSiRA grades. Majority of the salaries of seasonal security officers are governed by the Farm's Act not the Sectoral Determination 6; it was because they are directly employed to the farm not a security company, which make them farm workers.

4.1.5. Unfavourable working relationship

The paper revealed that some organisations had bad experience with the PSCs. It was argued that PSCs were problematic which led to them insourcing their security services. Insourcing of security services made those organisations to be in control over their security departments.

4.1.6. Trustworthiness

The majority of organisations insourced their security services to have more control over their security officers. The latter statement complements the work of Hank (2019) when arguing that property owners who operate with in-house security want to have control over the development of policies and procedures for their security department. Some security managers pointed out that in-house security officers are more loyal than the outsourced ones. Therefore, the organisations appoint in-house officers because they need trustworthy

people. Furthermore, it was argued that some organisations' policies state that the in-house security officer should carry the keys of their buildings.

The other issue that compelled some organisations to insource their security services was the confidentiality of information they were dealing with. The confidentiality of information made it necessary for those organisations to appoint their own security officers. Parts of the aforementioned organisations were parastatals (National Key Points). The study reveals that the security plan of some parastatals (National Key Points) need to remain confidential. In that case, it was impossible for them to outsource the overall security of the organisation. However, it was noted that some security services within the organisation could be outsourced but the overall security plan remain with the in-house security officers because they are reliable.

The other motive that was provided by some organisations was that they wanted to have full-time employees to monitor CCTV cameras in their control rooms and that has to be done by their own security officers whom were screened by them.

4.1.7. Lack of awareness

The study discovered that some security managers were not aware of why the company or organisation insourced its security services because they were not part of decision-making structures at that time. However, the assumption was that it might be the issue of loyalty and reliability of in-house security officers.



4.2. Stricter rules and regulations between In-house and outsourced

The research found that majority of in-house security managers were not having a background of working for outsourced security companies. Some of the managers had SAPS background; others started their career working as in-house security officers in the same companies. They do not have any history of working for an outsourced security companies. The latter contributes to security managers not having the idea of the regulations that govern the private security industry. The lack of awareness about the regulations of the private security industry leads to managers not being able to make distinctions of the stricter regulations (for insourced or outsourced). Moreover, it adds to the lack of information about the requirements of PSiRA in terms of ensuring compliance within the sector.

Some of the managers obtain the experience of working with private security companies when the organisation employs private security service providers. The service providers would have to report to them as in-house security and officers in that sense they were able to learn about the daily operations of the private security companies, therefore they consider in-house security as stricter than outsourced in term of ensuring compliance. There were various issues pointed out about outsourced security service providers among them include, the issue of deploying unregistered security officers on site. In-house security providers stated that such cases are hardly found in their sector due to that their supervisors are always on site to ensure adherence with all the laws applicable to them. Which was difficult for outsourced companies because majority of them are having more than one sites, which creates the opportunity for their officers not to comply due to the lack of supervision. From a regulatory point of view, it was argued that the laws that govern both the in-house and outsourced security service providers are the same. However, when the legislation was drafted its focus was more on private security businesses than in-house security sector, which creates difficulties in some instances for the Authority to apply them to the in-house security sector. In-house security does receive attention from the Authority but that attention cannot be compared to that of security businesses. Majority of in-house employers have much stricter rules when it comes to the adherence to the laws as compared to that of the outsourced security companies.

4.3. The effects of the sectoral determination 6 on the sector

The below discussions are based on the effects of SD6 within the sector.

4.3.1. *The exclusion of in-house security*

The working hours vary from one company to the other depending on the policies of that particular company. There are organisations that are using Basic Conditions of Employment Act to regulate their working hours. Others use the Sectoral Determination 6 (SD6) to design working hours whereas there are those who believed that SD6 is not applicable to in-house security; they do not have to use it when designing their working hours and payroll. It was noted that in some organisations the exclusion of SD6 when designing shifts for in-house security came as an advice from trade unions. Trade unions were of the view that SD6 is not applicable to insourced security. In those organisations, it was said that working hours were designed in a way that favours trade unions. In confirmation of the latter statements, SD6 does exclude in-house security providers. Broadly speaking the in-house security sector is still in confusion of which law should they use when designing shifts. The inspectors pointed that the in-house security sector when it comes to payroll and the way shifts are designed it remains with their employer or the industry they work under because the SD6 is indeed excluding them.

According to the Employment Conditions Commission (ECC) the exclusion of the in-house security officers within the SD6 was informed by firstly, the definition of private security industry that employers thought it does not include their security officers. Secondly, the denial of benefits by employers if officers were to be included in the SD6 therefore employers and trade unions reached a consensus that in-house security should be excluded in SD6. The discussions on this section make it clear that in-house security employers are not supposed to pay or design shifts using SD6. There is no law that compels in-house security employers to use SD6 when designing their payroll and shifts; it is their choice to use it.

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4.3.2. The determination of salaries and working hours

The study discovered that other organisations were not paying overtime when security officers work over 208 hours a month, which is stipulated in the SD6. Some of the in-house security officers would see their salaries being way above the minimum wage and believe that they were not underpaid. During the fieldwork, the calculation of hours that security officers work were made using SD6 requirements and it was discovered that the amount of money that is received by some in-house security officers is less than the number of hours they have worked in a month. The study found that other in-house security employers were paying decent salaries, which were above the minimum wage. Over and above that, they would pay over-time to their security officers. However, there were those who pay a salary that is way above a minimum wage and the overtime would be included in that salary.

The announcement made by the President of the Republic of South Africa about the minimum wage excludes domestic and farm workers. Seasonal security officers are farm workers, which means their payroll is informed by remove and put Sectoral Determination 13 not SD6. The case of some government departments was that the Public Service Act regulates their payroll; it stipulates a minimum amount to be paid to government employees. It was pointed out that their officers are receiving salaries of level 3 government employees, which was way above a general minimum wage. The gap that was identified by some PSiRA inspectors when conducting inspections in the sector was that the organisations were paying the security officers well because they were paying more than the expected minimum wage. However, the money that officers were receiving in some organisations was less than the expected salary before the inclusion of the overtime and holidays (Sundays). Therefore, some companies were not complying with the minimum wage requirements.

4.4. The recruitment requirements for the sector

The minimum recruitment requirements for the appointment of the in-house security officer in most organisations were the curriculum vitae, identity book and PSiRA certificate with a minimum of Grade C. According to managers, officers with grade C are able to do access control, which is identified as the most significant point when an individual enters their buildings. In some organisations, an educational report was among the requirements. For instance, they would need their officers to be in possession of Grade 10 to 12 in order to be considered for employment. The managers and supervisors were expected to have PSiRA grade A. An experience of working for law enforcement agencies was a requirement in other companies.

Some organisations pointed that they recruit an ordinary citizen and train them to become a security officer. Thereafter, the individual would be registered with PSiRA. In some parastatals, it was discovered that Safety and Security Sector Education and Training Authority (SASSETA) skills 1 to 3 training was part of the requirements. The clearance certificate from SAPS confirming the criminal record status of the individual was required in other companies. Other job advertisements would require security experience. Majority of security officers working at the casino were expected to have gaming experience, mathematics/literacy and be computer literate. It was noted that in some instances employers would require security officers to have firearm competency certificates when applying for a post. There were companies who were not having formal recruitment requirements for their security officers, they would appoint any person they like or trust whether that individual complies with all the laws applicable or not.



4.5. Security services offered

The study discovered that majority of registered in-house security organisations are not providing one-security service. In-house security service providers provide various security services among them include:

1. Guarding	11. Assets verification
2. Traffic control*	12. Key management
3. Access Control	13. Supervisory role (to the outsourced companies)
4. Events	14. Investigation
5. Control Room (Monitoring CCTV and Alarms)	15. Car guarding
6. VIP Escorts	16. Armed response (alarms)
7. Reception management	17. Close Protection
8. Asset in Transit	18. PSiRA Training
9. Firefighting*	19. Cash Escort
10. Audit training*	20. Land Invasion

*Not a security service

The majority of in-house security employers stressed that they outsource armed response security services because their organisations were not in possession of the firearms' competency. However, some in-house security providers were having firearm certificates and they were in possession of firearms in their premises.

Contrary to what the ECC states about in-house security providers, it was discovered that in-house security service providers were providing guarding, protection of fixed property, premises, goods, persons, monitoring and responding to alarms at premises. Part of the reasons for their exclusion in the sectoral determination 6 previously was that they were not providing such services over and above that they were not forming part of the private security industry in terms of the definition.

Button (2007) believed that in-house security sector is part of the private security industry and has to be subjected to the regulations of the industry like any sectors of the industry. The study has shown that in-house security does form part of the industry however; some definitions in the PSiR Act exclude the sector. The other reason for the exclusion of in-house security service providers from the SD6 was that they were not going to have more benefits if they remain within the ambit of the SD6. In most cases, non-compliance of in-house security providers was found on those who were providing guarding than other services.

4.6. The in-house security refresher courses

The PSiRA Code of Conduct (CoC) for security service providers state that a security service provider must, at his or her own cost and as often as it is reasonable and necessary, but at least once a year, provide training or course. Such training to be provided, to all the security officers in his or her employment which should enable them to have a sufficient understanding of the essence of the applicable legal provisions regarding the regulation of the private security industry, and the principles contained in this code. The findings of the study have shown that majority of in-house security providers were not aware of this regulation in the code. It was discovered from some in-house security providers that at some stage they do call a security-training provider to come and do a PSiRA refresher course to their security officers. The latter also covered the expectations of PSiRA from security officers in terms of compliance and the CoC.

There were in-house security providers who pointed out that they do not provide refresher courses but what they do was to identify the special areas that require skills training. This is the point that was made by Button (2007) and Hanks (2019) that, in-house security employers can provide additional training to their security officers, which will enable them to advance security services rendered. The research revealed that security officers were capacitated with those skills in order to advance security services rendered within

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the organisations. The following were the skills training courses that were provided by in house security employers to their officers.

1. Computer literacy	10. National Key Point
2. Anger management	11. Firefighting
3. Financial management	12. Advance driving
4. Sexual harassment	13. High Voltage course
5. Personal Development Plan	14. Platform marshalling
6. First-Aid Course	15. Risk management
7. Client services	16. Firefighting
8. Forensic investigation	17. Firearm refresher
9. Health and safety	

These courses were discovered from in-house security providers however, they vary from one organisation to another. The sexual harassment course was mostly done by universities because of the nature of cases that students report to their protection services. Some universities saw a need to provide this course to their security officers in order for them to be able to handle cases of sexual harassment with care. There were organisations such as refineries that participated in the study and what was discovered from them was that their security is more on ensuring safety in their sites than the actual guarding.

Some inspectors within the Authority pointed out that indeed the training is required in terms of the legislations however; the section does not say security officers should re-do PSiRA grades. Moreover, when inspections are conducted, inspectors do not check whether employers do provide such training to their employees because their inspection sheet is silent on that matter. It was said that such training has to focus on general and specific obligations under which security officers work. The training should also cover other laws that are applicable to their sector. In that case, the studies revealed that the majority of in-house security employers were not providing any PSiRA related training to their security officers. They were not even aware that they were supposed to provide such training.

4.7. Compliance within the sector

Majority of companies pointed out that they were sending communique to all security officers who were supposed to renew their PSiRA certificates. Some companies would give officers a day off for purposes of PSiRA certificate renewals. The research found that when it is time for in-house security employees

to renew their PSiRA certificates, they would receive an invoice from the Authority that has an outstanding amount to be paid. They would pay that amount and their payments would cover both the renewals of the company and security officers. It was noted that some were using that way to ensure compliance within their sphere of influence.

Other employers were of the view that in-house security officers need not to register with PSiRA, which led to some officers not renewing their PSiRA certificates because employers were not compelling them to do so. Those employers were in violation of the code of conduct section 23(a) in the PSiR Act when promoting non-compliance of the in-house security officers. Security officers fall under the category of a security service provider and therefore, they have to renew like any other security service providers registered within the Authority. Moreover, the code of conduct requires that even the appointed security manager should be registered with PSiRA. Similar cases were found in most government departments wherein security officers were not registered and those who were registered, were not compelled to renew their PSiRA certificates. In some organisations, the issue of non-compliance was perpetuated by the fact that there were no security managers to oversee the security department. This complements the findings of Strom *et al* (2010) that in-house security officers usually follow whatever standards set by their employers and comply with them, whether legally or illegally.

Some security managers saw a need for security officers to be registered with PSiRA. They mentioned that PSiRA registration confirms that the officer's criminal record background was checked which makes an officer to be an eligible individual to serve in the industry. Others said, sometimes people

take chances and apply for a position even if they know that their registration application was withdrawn. Therefore, managers would use PSiRA individual verification system to check the registration status of the applicants in order to ensure compliance. Other managers conducted internal inspections or audits to ensure that security officers comply with all laws applicable to them. They would parade security officers on regular a basis to check uniforms and PSiRA cards. The previously mentioned strategies are used to assist security managers or supervisors in discovering some of the irregularities within the sector.

4.8. Inspections by the authority

This subsection discusses the inspections that PSiRA has conducted in the sector and how it was carried out. The time of going through the database.

4.8.2. The visibility of PSiRA

In some organisations, it was discovered that they would request PSiRA inspectors to come and do inspections, particularly if there was suspicious conduct identified from the outsourced security companies. In respect of some government departments, parastatals and other private companies, it was found that PSiRA inspectors were not regular showing up which made some of those organisations not to know what PSiRA requires when conducting inspections. In a case of security on farms, majority of them pointed that they have not seen any person from PSiRA not even an inspector. Other managers highlighted that after 20 years of service in their companies, they never received even a single inspection from PSiRA or SOB, and it was the first time seeing PSiRA in their premises. Nevertheless, there were farm workers who confirmed that PSiRA have conducted individual inspections. This leads to the assertion made by Strom *et al* (2010) that if the sector is not closely monitored, it is likely not to comply with the laws applicable to them.

With regards to government departments, it was said that PSiRA conducted little or no inspections on them. The only form of inspections they received was from SAPS when conducting internal audits. SAPS would also check the officers' registration and criminal record status. In one of the government departments, it was pointed out that they were more compliant to SAPS than

PSiRA. PSiRA does not visit other places but some organisations confirmed that PSiRA inspectors have conducted inspections in their organisations and they were done on a yearly basis. Majority of in-house security managers pointed out that the relationship they had with inspectors was good and there were no challenges that they encountered during inspections. The research revealed that majority of municipalities that were not in Gauteng province; they hardly receive inspections.

4.8.3. The inspection focus

The study found that where PSiRA conducted inspections, participants were complaining that inspectors tend to focus more on checking compliance of security officers working on the ground than their managers and supervisors. In support of the latter statement, some places where PSiRA had conducted inspections, the study discovered that some security managers were not registered. Moreover, they were not having any qualification which is security related.

In terms of the CoC, in-house security employers who were deploying unregistered security service providers were in violation of section 23(a) and (c) of the CoC. Which states that "an employer of in-house security officers may only use, permit or direct an employee to protect or safeguard merely his or her own property or other interests, or persons or property on his or her premises or under his or her control, or to perform any other function that is subject to the Act. If such employee is registered as a security service provider in terms of the Act, has successfully completed the security training required by law relevant to this function, and is otherwise entitled by law to perform the function in question". The CoC in section 23(c) put the obligation to employers on ensure that they appoint registered people to manage or supervise in-house security service providers. It was found that in most cases inspectors of the Authority would disregard section 23(a) and (c) of the CoC when conducting their inspections. This prohibits in-house security managers and supervisors to operate without PSiRA registration.

4.8.4. Inspection of the national treasury's database

The study revealed that the appointment of security service providers by government departments to install security equipment or render any security services in their premises

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was done through national treasury's requirements, some of which were not in line with PSiRA requirements. It was noted that some companies found in their database are not PSiRA compliant and security managers are encouraged to select from that list. According to PSiRA inspectors, the Authority does not have access to the national treasury's database, and therefore, they do not have any information about security service providers found in that database.

4.9. The reason to register within the authority

According to the PSiR Act, a security service provider refers to "a person who renders a security service to another for a remuneration, reward, fee or benefit and includes such a person who is not registered as required in terms of this Act". The Act requires a security service provider to be registered, following the definition in the Act, the question was asked what informed in-house employers to register within the Authority. Some managers were of the view that the registration of all security service providers (including in-house security) brings the standardised regulations of the industry and it enables them to know the expected CoC for security service providers. In a word, they wanted to be regulated like any other security service providers. The following are reasons why in-house employers are registered with PSiRA.

4.9.1. Advise to registered within the Authority

In some organisations, the idea of registering with PSiRA came as a legal advice from their legal team. The previously mentioned organisations were advised to comply with all relevant bodies and PSiRA was the relevant regulatory body to comply with because it regulates the private security industry. Some organisations stated that the decision to register with PSiRA was an idea from their executive. Some security managers were not convinced of the decision of the executive to say the organisation should register with PSiRA but they were doing it because their highest office want them to do it. They believe that PSiRA does not regulate in-house security.

4.9.2. Compliance

There were security managers who were not having a clear understanding of why they registered under the banner of in-house

security. The study discovered that some organisations registered because they want to be compliant nothing else. It was pointed out that there is none that forced them to do so. Afterward those managers viewed PSiRA registration, as a bad move due to that PSiRA does not conduct inspections in their organisations. It was discovered that they did not get even a single inspection from the Authority. Moreover, they were not aware of the expectations of the Authority from them as in-house security in terms of compliance.

4.9.3. The code of conduct

There were other organisations who pointed that their registration was informed by the CoC on the PSiR Act, which requires security service providers (both the businesses and security officers) to register with PSiRA.

4.9.4. Lack of awareness about the obligation to register

According to PSiRA officials, it was pointed that the reasons for in-house security employers to register with PSiRA might vary from one company to the other. The officials of the Authority noted that in terms of the law, in-house security employers are not obliged to register as a security business however; they are required to list within the Authority. The obligation to register only goes to their security personnel. Other officials were of the view that the majority of registered in-house employers were having fear of criminal prosecution if they do not register with PSiRA. It was noted that most of the registered employers were not aware that PSiR Act does not put the obligation to register on them.

4.9.5. Obtaining proof of registration for application purposes

The study revealed that when some in-house employers are applying for a company's insurance, one of the requirements would be to have PSiRA registration. Therefore, they would register within the Authority just to have proof of registration to produce when applying. PSiRA officials highlighted that some in-house security employers would register because of firearm certificates. SAPS would require proof of registration from PSiRA, which serves as a proof that the organisation is indeed providing security services before they can consider firearm license. Interestingly, in-house security employers do not get any certificate from PSiRA, which shows that they are registered however; they get a letter of good standing that

serves as a proof of registration when they are applying.

4.10. PSiRA guidelines for uniforms, insignia and badges

The subsection presents the findings about the use of PSiRA guidelines when in-house security employers are selecting uniforms.

4.10.1. Provision of uniforms, insignia and badges by employers

The research found that majority of in-house security service providers were provided with uniforms, insignia and badges. When the uniform is lost, security officers take full responsibility for the loss. Some government departments do not provide security officers with uniforms and that was mostly witnessed in the provincial departments. The departments noted that they were still waiting for service providers to be appointed. The service providers were going to supply the departments with uniforms. It was discovered that service providers were expected to supply both the uniforms for security officers and that of general workers. One of the departments highlighted that uniforms that they were waiting for were not selected using PSiRA guidelines.

There were security officers from various organisations who were providing close protection services, and their case was different because they were not required to have uniforms, insignia and badges. Some would wear suits. In the study that was conducted by PSiRA, it was highlighted that close protectors have to dress like a person they protect; therefore, they have to wear like that person even when he or she is in casual clothing. It was further highlighted, that in the absence of uniform for the close protection sector, the officers operating in that space need to have a card, which they will have to produce when PSiRA inspectors are doing inspections.

4.10.2. The sector's awareness about PSiRA guidelines

Majority of in-house security managers and supervisors were not aware of PSiRA guidelines used when selecting uniforms. The uniform design was based on colours that were required by the employers, not PSiRA guidelines. Contrary to that, there were some security managers who used PSiRA guidelines

to select their uniforms. An example of those organisations were some municipalities. However, there were municipalities that were not aware of PSiRA guidelines. The research found that inspections of the Authority revealed that some in-house security organisations were not complying with PSiRA guidelines. The justification on the matter was that the nature of work they are doing does not allow them to comply with the PSiRA guidelines. For instance, security officers who work in game reserves and other places where they use camouflage.

4.11. Contribution on the advancement of regulations and ensuring compliance

Some government departments were pointing out that the SAPS take the mandate of PSiRA by checking compliance in a form of internal audits. The departments stated that PSiRA should liaise with SAPS when conducting internal Audits. They further pointed out that the Authority needs to consider the establishment of a monitoring and evaluation unit that will check the mechanisms used to ensure compliance within the industry. Furthermore, it will assist the Authority on what to consider when reviewing its legislations and how they could improve its process of regulating the industry.

Majority of in-house security managers urged PSiRA to continue with compliance awareness campaigns, capacity workshops and stakeholder engagements. The aforementioned workshops include security providers as to inform them about PSiRA and the expected requirements in terms of compliance. Workshops would strengthen working relationship between PSiRA and In-house security providers.

In places where PSiRA has conducted inspections, in-house security officers pointed out that the Authority should also check compliance of security management because they too are supposed to be registered with PSiRA. The security managers stated that PSiRA should have management training courses for security officers and supervisors. The course should also capacitate security managers in terms of how they can ensure compliance within the sector. It was indicated that the Authority and Department of Home Affairs should establish good working relationships. This was because of the

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irregularities that were discovered during their internal inspections; they stated that some guards (more especially those who were under their supervision working for contracted security companies) were having fake identity books and PSiRA certificates.

The majority of in-house security providers believe that private security industry regulations need to be the same for both sectors of in-house security and contracted security because they are all providing security services. The Authority should have the compliance unit that would be responsible for in-house providers; it has to deal with the concerns of the in-house security sector.

Security managers pointed out that PSiRA's working relationship with the courts and SAPS is not in a good state. It was noted that there should be a link between the courts and the Authority's database; if the officer is convicted the information should immediately appear on the Authority's database so that the security service provider's registration can be withdrawn. Thereafter, the Authority would have to inform the organisation about the registration withdrawal.

There were security managers who suggested that PSiRA cards should reflect a field of specialisation for those security officers who are specialising in other sectors of the industry for example CCTV, close protection, aviation security etc. Some participants were of the view that PSiRA renewals should be done yearly, not in 18 months because that is a long period to verify the officer's criminal record status. However, they were of the view that in terms of the collection of renewal fees the Authority should consider 2 or 5 years option.

It was suggested that PSiRA should establish good working relationship with other regulatory bodies to ensure that security officers working under their supervision are compliant with PSiRA requirements. The managers stated that, if a security officer is in possession of a diploma or degree in the field of safety and security, the Authority should accredit them in some grades. Moreover, PSiRA grades should be aligned to the the National Qualification Framework (NQF) levels in order to enable security officers to grow in the field of safety and security.

The majority of PSiRA inspectors suggested that the Authority should put the obligation to register also on in-house security employers. Failure to register would have to be a criminal offense. The registration of in-house security

employers would give the Authority more powers to fully implement the CoC to the employers. The penalties of the industry should be more or less the same for both in-house employers and security businesses.

4.12. The challenges of In-house security providers

4.12.1. The role of PSiRA

The majority of in-house security officers were not aware of the mandate of PSiRA. The officers stated that they register because their employers do not permit unregistered security officers to operate in their space but when it comes to the question of what PSiRA does, they were not aware. Some security officers questioned the stance of PSiRA when it comes to the working conditions of the officers. The officers stated that the areas in which they are operating are not safe and there are no measures put in place to ensure safety of security officers. These incidents were commonly found in the institutions of higher learning, where officers pointed out that, they are expected to ensure safety of students within the institutions but they are not protected because the places are not fenced which makes it easy for people to enter with firearms and which put their lives at risk. The question was whether PSiRA has a role to play in ensuring safety of officers in the work place.

4.12.2. Lack of communication

It was discovered that some of the seasonal security officers that were operating on farms were ex-convicts or criminals who wanted to fend for themselves. The foremen at the farm were complaining about some seasonal security officers that they collude with criminal syndicates to rob the farm. It was found that some farm owners were not aware that they should appoint PSiRA registered people to provide security services. It was due to the lack of communication between the Authority and farm owners, which need to inform them about the expectations of PSiRA from the sector in terms of compliance. The awareness of PSiRA regulations was not a concern raised by farms only. There were some companies with in-house security who were not aware of PSiRA and its regulations.

4.12.3. The registration

The in-house security providers were having concerns with PSiRA registration, Firstly, it

was stressed that the offices of the Authority are far from where officers operate. They were not aware of the PSiRA Application (PSiRA App) that they can reserve a date to come and renew because no one has ever told them about the PSiRA App. Secondly, service providers pointed out that the PSiRA registration process takes too long. Thirdly, in-house security managers noted that they have a challenge with renewals of certificates of their security officers because sometimes it affects their daily operations due to officers being sent to renew their PSiRA certificates.

There were security officers who raised issues of being supervised or managed by people without PSiRA grades or registration. Officers who were mostly vulnerable to that were those who operate within government departments. The department would appoint a person who is not having any background in security to head a security unit. In one department, it was noted that in-house security manager or director appointed an unregistered security service provider when the department was outsourcing other security services. This matter was resolved internally before PSiRA inspectors came to that department. Security officers were of the view that if the department appointed an eligible person to head a security unit such incident would have been prevented.

The security managers pointed out that the registration status of security officers on the PSiRA App does not specify the reason for withdrawal or rejection of registration of a security officer. It was pointed out that the Authority is not having subsections focusing on matters of in-house security. There were organisations who disputed that the PSiR Act created the challenges found within the sector, they believe that challenges were created by the implementation of the regulations.

4.13. The private security industry regulatory authority

The perspective of PSiRA officials about the regulation of in-house security. Below are the findings from PSiRA officials.

4.13.1. Law enforcement

PSiRA enforcement inspectors attend to complains laid to the Authority. The inspectors who know more about compliance within the sector are those from compliance side. The latter can randomly inspect organisations with

in-house security service providers to check compliance. Their inspections cover both compliant and non-complaint in-house security employers. The inspectors of the Authority use the regulations of 2002 and the CoC for security service providers as their guidelines when conducting inspections on the sector.

The Authority conducts inspections on the sector and what is mostly discovered from their inspections is that some employers underpay their security officers. Majority of security officers do not notice that they are underpaid due to that their salary is above that of their counterparts working for private security companies. The inspectors pointed out that when they check the number of hours or shifts officers work, they discover that the salary is above the minimum wage but security officers are not paid according to the hours worked. In general, inspectors stated that a majority of in-house security organisations are paying salaries that are higher than the minimum wage as per SD 6 . Yet, there are organisations who are not reaching the minimum wage standard. The research also used information from PSiRA branches about the inspections that were conducted in farms. Some inspectors from the branches pointed out that they do receive complains about non-compliance on farms. It was said that they do attend to such complains. The inspections that were conducted on farms revealed that some farm owners employ people who are not PSiRA registered to render security services (mostly guarding). Over and above that, those people were also given other tasks to do on the farms. Due to the latter statement, inspectors stated that when an individual is found not performing security duties at that particular time, they do not bother them however; they would focus more on those who are rendering or giving an impression that they are rendering security services at that particular time. Some law enforcement inspectors pointed out that they have charged in-house security officers on farms but their concern was that they sometimes do not do a follow up after the inspections to check whether the farms are now complying or not.

4.13.2. Registration

PSiRA encourages organisations to list within the Authority in order to ensure the effective regulation of the sector. The organisations are registering with PSiRA but it was discovered that their status is written “unregistered” in the Authority’s database. Some PSiRA officials pointed out that other in-house organisations

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encounter difficulties when applying for firearm certificates from SAPS due to their registration status on the Authority's website. The employers would then request a letter of good standing from PSiRA that serves as a proof of record that they are on PSiRA's database. Furthermore, the research revealed that PSiRA does not issue registration certificates to in-house security providers. It was stated that in-house security providers are not trading therefore they could not be given certificates.

The Authority is not having a deregistration form for in-house security organisations if they want to deactivate their account. In order for an account to be deactivated, the organisation needs to settle the outstanding fees within the Authority. If not, the account remains active.

4.13.3. The challenges of regulating in-house security

There are various challenges that inspectors of the Authority encounter when conducting inspections in the sector. Majority of inspectors were of the view that the PSiR Act is the major contributor to the challenges they have. The way in which the Act was drafted, left many loopholes that create difficulties to regulate the sector. In support of the statements made by the participants, Berg and Gabi (2011:4) argued that the loopholes that are found in the PSiR Act are not new; they could be traced back to the Security Officers Act. Visser (2003:147) agreed with previous scholars by stating that the security Officers Act is the sole creator of the crisis found when trying to regulate the sector because the previous Act was mainly focusing on security businesses than in-house security.

The PSiR Act: excludes in-house security employers from its definitions and that of the private security industry. Secondly, the Act pays more attention to security businesses than in-house security employers.

The other challenge that some inspectors pointed out is that the Act does not put the obligation to register to in-house security employers. This contributes to the CoC not being fully enforced on the sector. In terms of the Act, if in-house security employers are found in violation of the law, they may be subjected to the penalties found in regulation 27 of the CoC. The majority of inspectors pointed out that none of those penalties stipulates that a registration status of an in-house security employer may be withdrawn if they are found in serious violation of the

PSiR Act. It is because they are not obliged to register with PSiRA. The only registration status that can be withdrawn is that of security officers because they are registered with PSiRA. Moreover, security officers are subjected to any penalties applicable to the registered security service providers. Most inspectors argued that none of the regulations could stop in-house security employers from appointing their own security officers even if they are found in serious violation of the Act. What happens is that, a responsible manager or director of the organisation gets charged for an improper conduct. If the conduct continues, the responsible person faces a previous conviction charge, which is harsher than the previous verdict. Not all of that stops the organisation from having in-house security.

In research that was conducted by Button (2007), it was noted that failure to regulate in-house security sector will undermine the aim of developing the private security industry and it will create some confusion amongst the public and other agencies. In support of Button's statement, majority of PSiRA inspectors believed that the previously discussed challenges are the ones that hinders Law Enforcement Unit from dealing with improper conduct of in-house security sector, which leads to the public saying, that PSiRA is not doing anything about the improper conduct found within the sector.

5. Recommendations

The section discusses the recommendations that the Authority needs to consider in order to effectively regulate the in-house security.

5.1. Strengthening of the sector

Due to the gaps identified in the PSiR Act, the Authority should strengthen its sector committee. This committee would focus on how best the regulation of in-house security could be strengthened.

5.2. The revision of registrations status

The Authority should change the registration status of in-house security employers on its database. The use of the term "unregistered" when referring to registered in-house security employers in the PSiRA's database should be discontinued. The status of registered in-house

security employers should be “operating” meaning the organisation is operating with in-house security officers. If the employer is deregistered, it should reflect as “non-operating”, in a case of outstanding renewals, it should be specified. Moreover, for withdrawn registration status, it should remain as “withdrawn registration”. The aforementioned status would assist people who want to verify registration status of the in-house security employer on the Authority’s database. It will also assist SAPS when they want to issue firearm licenses to those employers without them requesting a letter of good standing as a proof of registration.

5.3. Inspections on farms

The Authority should conduct frequent inspections on farms with the aim to ensure compliance within the sector. It is necessary for people who are appointed to render security services to be registered with PSiRA regardless of the sector they work under. Therefore, PSiRA has to ensure that seasonal security officers are registered. The Authority should encourage farm owners to compile a list of seasonal security officers and submit it to its regional offices for record keeping purposes. The list should have PSiRA registered security officers. Employers who failed to submit the list of their in-house security personnel will have to be penalised.

5.4. The reviewing of the database

The database of in-house security within the Authority should be reviewed to eliminate inactive companies and update the contact details of a responsible person managing or supervising security officers. The IT unit should advance the registration system of the Authority. The system would have to automatically reflect changes made by Registration unit.

5.5. The creation of software

The IT unit should create application software (App) that will enable inspectors to see uninspected companies. The App would have to be linked with the updated database. It will have to raise a red flag for companies who did not receive any inspection for a certain period. The previous statement will minimise chances for inspectors to conduct inspections in similar places. They will have a number of companies to inspect.

5.6. Contribution to future publications

The study focus was more on in-house security sector in general which may necessitate the Authority to conduct other studies focusing on different aspects of in-house security sector.

6. Conclusion

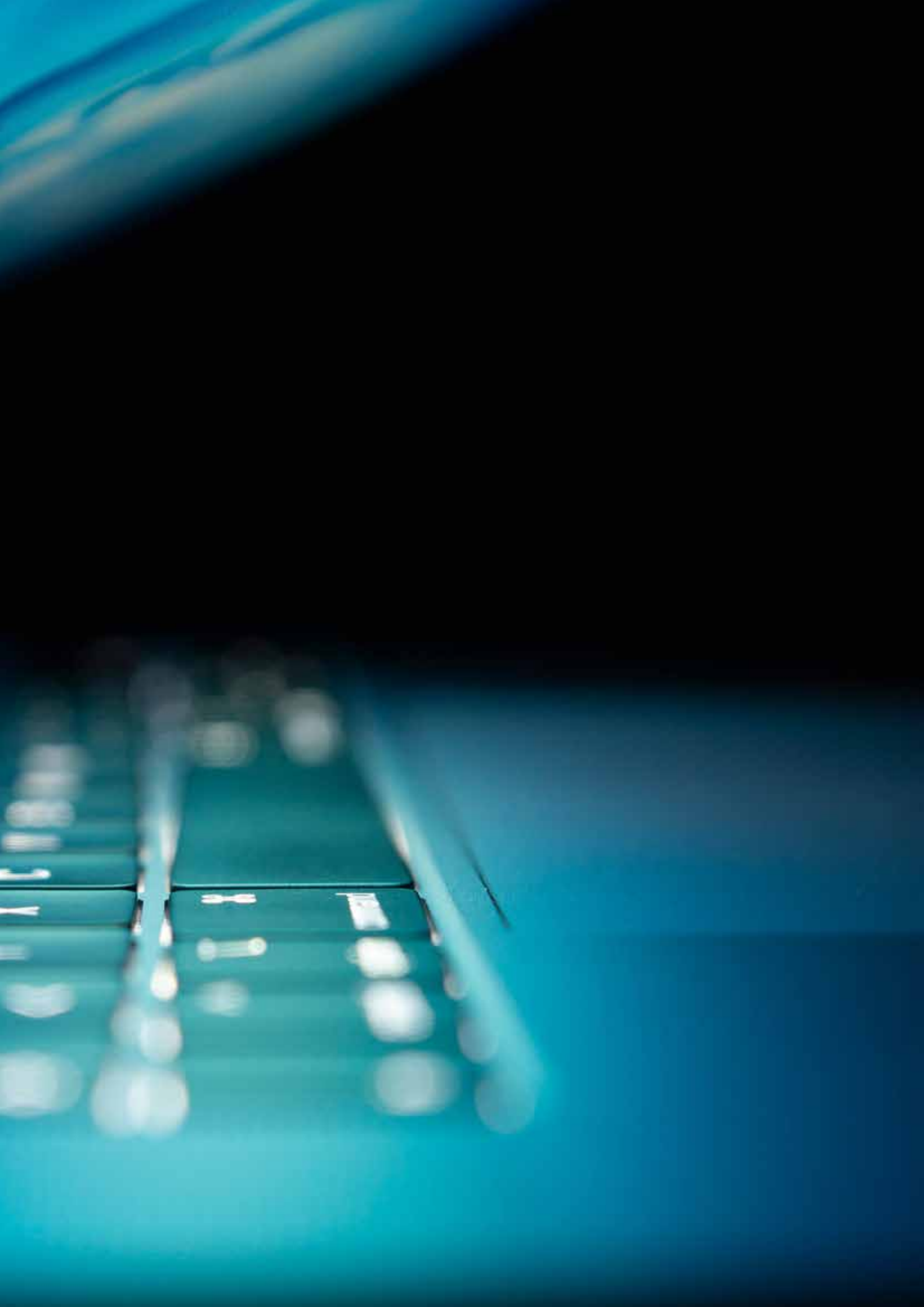
The study has shown that some property owners in South Africa prefer insourcing than outsourcing their security services. The main reason why majority of those owners prefer insourcing was the issue of trust and reliability. The study highlighted that the appointment of in-house security would have effects in a way in which PSiRA regulates the industry. The PSiR Act guides PSiRA on how to regulate the industry; and the research findings have proved that the Act is having a plethora of loopholes when it comes to the regulations of in-house security sector. The research emphasized that the Act was drafted in a way that focuses more on security service providers (security businesses and officers) and left other aspects of in-house security unattended.

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