



PSiRA

Private Security Industry Regulatory Authority



“Sorry, but I have a complaint to make”:

A study on the benefits of
PSiRA’s complaints office for the industry



PSiRA
Private Security Industry Regulatory Authority

“Sorry, but I have a complaint to make”:

A study on the benefits of
PSiRA’s complaints office for the industry

Title: "Sorry, but I have a complaint to make": A study on the benefits of PSiRA's complaints office for the industry

Author: Ms. Londiwe Caluza

Publisher: Private Security Industry Regulatory Authority

Sincere appreciation to all the research participants who contributed to this report and making it possible to publish it.

TABLE OF CONTENTS

EXECUTIVE SUMMARY	4
1. INTRODUCTION	6
2. RESEARCH BACKGROUND	7
3. RESEARCH AIM AND OBJECTIVES	8
4. RESEARCH HYPOTHESIS AND QUESTIONS.....	9
5. METHODOLOGY	10
6. RESEARCH LIMITATIONS	11
7. LITERATURE REVIEW	12
7.1 The benefits of a complaint’s office	12
7.2 Framework for the functioning of the complaint’s office	13
7.3 The identification of assets	13
7.4 Training.....	16
8. FINDINGS	18
8.1 The nature of complaints and their segmentation	18
8.2 Quality of services received and rendered	21
8.3 The current complaints system	29
8.4 Training	37
8.5 Identification of tools	38
8.6 Identification of stakeholders	38
9. RECOMMENDATIONS.....	39
9.1 Complaints and their segmentation	39
9.2 Functioning and powers of the office.....	39
9.3 Training for PSiRA staff	40
9.4 Tools to enhance efficiency	41
9.5 Key stakeholders.....	41
9.6 Establishment of an ombudsman for the private security industry	42
10. CONCLUSION	43
11. REFERENCES	44



EXECUTIVE SUMMARY

Many may be upset when complaints are laid against them as complaints are sometimes deemed as an attack on a person or an organisation. However, receiving complaints must be viewed as a corrective measure as they point out exactly where the issues are and where improvement is needed. Complaints provide the reason to develop possible solutions to issues that are recurring and afford us the opportunity to deal with such issues effectively and efficiently.

With the private security industry growing exponentially and the public becoming more reliant on the services of the industry, it is vital that the services rendered to them are high quality.

PSiRA - as the regulator of the country’s private security industry - provides stipulations of how the industry must operate and conduct itself. As mandated by sections 4(r) and 35(j) of the PSiRA Act, PSiRA has established a complaints office within the Authority. This newly established office will receive, process, deal with, and refer complaints relating to the quality of services rendered and all other industry related complaints.

A study was conducted with the aim to establish the benefits of a complaints office within the Authority.

From the data collected, non-compliance by the industry was the biggest complaint in the industry stated by consumers and security service providers. Participants reported that the industry had non-registered people working within it which badly affected companies that were compliant with all industry related requirements. The study also highlighted that the Authority has no definition and standards that exist for quality of services of all the sectors within the industry. This impedes the establishment of the quality of service rendered to consumers.

“Sorry, but I have a complaint to make”:

A study on the benefits of PSIRA’s complaints office for the industry

The Authority is equipped with sufficient assets that will ensure that the office operates however, there is still a need to establish a system, whether centralized or decentralized to receive complaints. An online system is also needed to aid in receiving, processing, and referring complaints. This will ensure that all complaints are received are collated onto one platform and will provide a more accurate account of complaints in the industry.

Recommendations are also included in this report. This study recommends that a definition on the quality of services and standards be formulated for the office to be effective in carrying out its functions. Despite being equipped with sufficient assets to ensure efficiency, the study recommends that the office establish if it will use a centralized or decentralized structure. The study also recommends that the Authority partner with stakeholders that have been identified by the study to ensure the optimum functioning of the office.

The establishment of the Complaints Office is potentially not only beneficial for the Authority but for the industry at large.

The study also sets out the researched benefits of the establishment of an Ombudsman for the Private Security sector and lists the reasons why such a progressive move will benefit service providers, employees in the private security industry and consumers of private security services while assisting to professionalise an industry that is rapidly outgrowing its current regulatory status on the African continent.

1. INTRODUCTION

The private security industry is one of the biggest employers in many countries and a substantial contributor to world economies. In South Africa this is also the reality with the industry believed to have an annual turnover of US\$6 billion (South African Embassy in The Netherlands, 2021) and is an employer of 557 277 registered and active security officers (PSiRA Annual Report, 2020/2021).

South Africa’s private security industry is growing and continues to expand exponentially. Despite the outbreak of COVID-19, the industry grew by 2% from the 2019/2020 to 2020/2021 financial years (PSiRA Annual Report, 2020/2021). The growth of the industry means that the Private Security Regulatory Authority (PSiRA) has additional responsibility in ensuring that it meets its objectives - as stated in section 3 of the Private Security Industry Regulations Act No. 56 of 2001 (PSiR Act, 2001) - through fulfilling its functions as stated in section 4 of the PSiR Act, 2001.

With the private security industry growing, consumer satisfaction is one of the key aspects of the consumption of security services that needs renewed focus. Section 4(r) and section 35(j) of the PSiR Act, 2001 make provision for the “establishment of a complaints office to receive, process, refer or deal with complaints regarding the quality of service rendered by security service providers”.

It is for this reason that a study on the benefits of a complaint’s office was conducted. This was done by firstly unpacking the nature of complaints and their segmentation. Secondly, by establishing the services that will be rendered by the office. Thirdly, by establishing if training of employees is needed and to identify viable tools to enhance efficiency. Lastly, to identify stakeholders that can be partnered with and whose complaint’s office can serve as a benchmark for the Authority.



2. RESEARCH BACKGROUND

The growth of the private security industry is directly linked to the consumption of security services by the public. A study by Caluza (2021) identified the need to feel safe as the biggest contributor for the growth of the industry. Moreover, the consumerist approach has allowed for persons to fill in the security gap where there is lack of security (Caluza, 2021).

It was observed that “the South African Consumer Protection Act No. 68 of 2008” (Consumer Protection Act, 2018) protects consumers of services and goods from being exploited by service providers and business entities” (Netshivhuyu, 2018; p23). The Consumer Protection Act, 2008 provides protection not only to the consumer but also to the service provider. The establishment of a complaints office will ensure that service providers render quality services.



3. RESEARCH AIM AND OBJECTIVES

The aim of the study is to establish the nature of a complaints office as recommended in section 4(r) and 35 (j) of the PSiR Act, 2001.

The objectives of the study are as follows:

- To establish the nature of complaints and their segmentation.
- To establish the services that will be rendered by the complaints office.
- To establish if training of employees is needed and to identify viable tools to enhance office efficiency.
- To identify stakeholders that can be partnered with and whose complaint’s office can serve as a benchmark for the Authority.

“Sorry, but I have a complaint to make”:

A study on the benefits of PSiRA’s complaints office for the industry

4. RESEARCH HYPOTHESIS AND QUESTIONS

The hypothesis of this study is as follows:

The establishment of a complaints office is beneficial for the Authority.

The primary research question is:

Is it beneficial for the Authority to establish a complaints office as contemplated in section 4(r) and 35(j) of the PSiR Act, 2001?

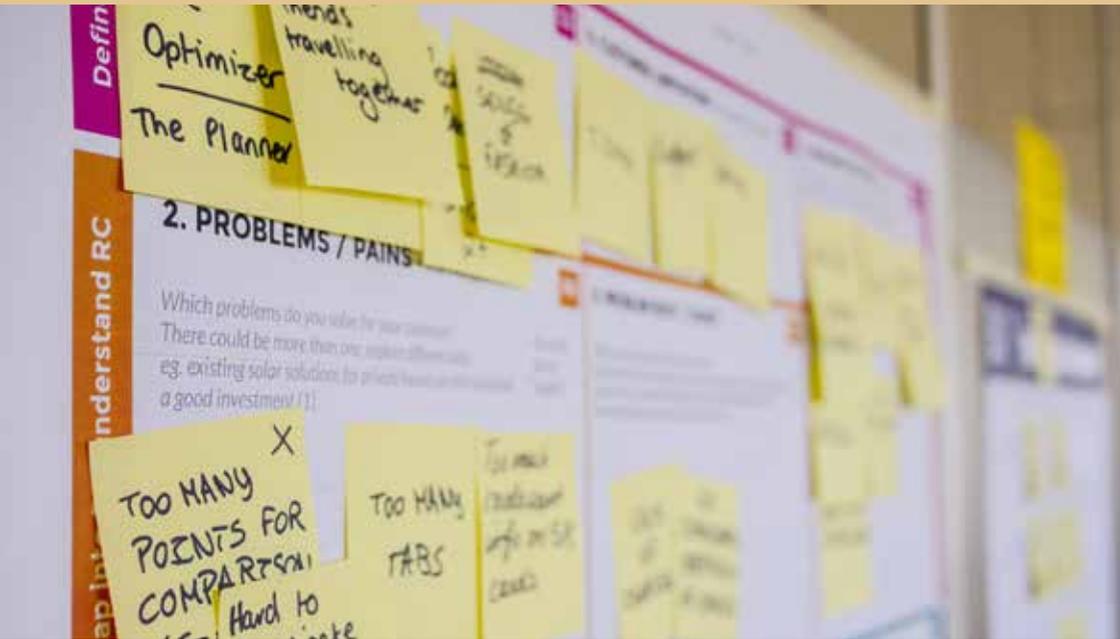
The secondary research questions are as follows:

- What is the nature of complaints and their segmentation?
- What services will be rendered by the complaints office?
- Is training needed for employees?
- What tools can be used to enhance efficiency?
- Which stakeholders can be partnered with and whose complaints office can be used as a benchmark?



“Sorry, but I have a complaint to make”:

A study on the benefits of PSiRA’s complaints office for the industry



5. METHODOLOGY

The research used the qualitative research methodology. The qualitative research approach affords consumers of security, security service providers, regulators and PSiRA staff the opportunity to share their lived experiences. The research used face-to-face interviews as a data collection instrument from the qualitative research approach. The interviews involved the use of a semi-structured questionnaire; this type of questionnaire provides a set of opened-ended questions that may allow a follow-up question if there is an unclear statement made by the participant.

The study used the purposive sampling method to form a sample for the study. Tangco (2009) defines purposive sampling as a non-random sampling that selects participants on the qualities they possess. The sample of the study consisted of internal PSiRA staff from relevant departments and at the PSiRA branches, regulators identified in the Complaints Policy, consumers of security services and security service providers.

6. RESEARCH LIMITATIONS

One of the challenges that were faced during data collection was having insufficient participants who were consumers of security services. Most of the businesses that were approached had a procurement department that was responsible for hiring security companies. It was difficult to get them to participate as they felt that were being investigated. In addressing this issue property managers were approached as they worked closely with the security companies and with procurement. Property managers also had first-hand experience of issues and complaints because security companies report to them directly.



7. LITERATURE REVIEW

The following section of the report presents a review of literature available on the research topic

7.1 The benefits of a complaint's office

Many people do not want complaints laid against them as they consider complaints as being an attack to their image. However, there is a positive side to complaints that some may fail to see. “Complaints should be considered an indicator of organizational performance assessment, signaling some problems or failures in internal processes that need quick recovery in order to avoid migration of profitable customers. Furthermore, organisations must learn that the consequences of losing clients are both profit decrease and negative word of mouth” (PSiRA, n.d; p3).

The advantage PSiRA has is that it is the only regulator in the country that regulates the private security industry. The fact that PSiRA has no competitor does not negate the Authority's needs to remain relevant to the public and the industry itself by effectively regulating the private security industry. Benefits of having a complaint's office which have been identified by several sources (Lotich, 2021; Perzynska, 2022) include:

- Complaints are a reality check and challenge the status quo of how things are done with an organisation
- Enhancement of customer satisfaction resulting in loyalty to the company when the complaint is handled in a timely manner
- Complaints serve as a source of insights on what areas should be worked on and upgraded
- Improvement of policies and procedures and the identification of those that should be discarded if they are inconvenient or not needed
- Boosts customer communication when customers know there is an open line of communication and their input matters. Happy customers are likely to share their good experience, spread the word and build your reputation

“Sorry, but I have a complaint to make”:

A study on the benefits of PSIRA’s complaints office for the industry

- It has a positive impact on brand image and improves the reputation of the company
- Provides valuable insights into how trained your front-line support is and how to improve them
- Provides opportunities for employee growth

7.2 Framework for the functioning of the complaint’s office

The aim of a complaints office is to establish where a company can improve in relation to the services or products it offers. The end goal of managing complaints is to find out who is complaining about what, so you can figure out the problem and fix it so other customers do not experience it. The use of different databases can lead to a waste of time and energy which limits the efficiency of complaints gathering (Evans, n.d). A single consolidated system allows you to manage the progress of the complaint, identify those that need immediate action and work through an issue until it is resolved (n.a, 2014).

Complaints management requires accuracy in terms of receiving and dealing with complaints. Hence there is a need for a standardised process of receiving complaints. A standardised process is a favorable method as it assists the complaints officer in managing complaints and creates a better overall customer and business outcomes (Evans, n.d). It is advised that there be a standardised process for complaints process which includes complaints collection, assignment, investigation, tracking and responses (Evans, n.d).

7.3 The identification of assets

For the identification of assets that will be used in the functioning of the complaint’s office, the Asset Based Community Development (ABCD) approach will be used. The ABCD approach is one of the methods from the Asset Based (AB) approaches. The AB approaches are recognised as an important part of community development as they are concerned with bringing people and

communities together to achieve positive change through using their own knowledge, skills and lived experience (Glasgow Center for Population Health, 2012). In this regard the establishment and functioning of a complaint’s office within the Authority is the positive change that is being sought as this will fulfill, the mandate of 4(r) of the PSiR Act, 2001.

In achieving the establishment and ensuring the functioning of the complaint’s office, the ABCD is the best approach to use as this initiative to establish a complaint’s office enhances the development of the Authority. In addition, the ABCD is an approach to community-based development founded on the principles of appreciating and mobilising individuals’ and community talents, skills and assets. It is community driven development rather than development driven by external agencies (Glasgow Centre for Population Health, 2012). This is evident through the employment of a Complaint’s Manager and Complaint’s Administrator who are internal staff members.

The ABCD approach also ensures that the development that takes place is sustainable as the assets used for development are assets (tangible and intangible) found in the community. ABCD’s premise is that communities can drive the development process themselves by identifying and mobilizing existing, but often unrecognised assets (Nurture Development, 2018). An asset-based approach makes visible and values the skills, knowledge, connections and potential in a community. It promotes capacity, connectedness and social capital (Glasgow Centre for Population Health, 2012).

The following table identifies tangible and intangible assets by applying the ABCD approach. The identified assets are at the disposal of the Authority which can be used in the establishment and functioning of the Complaint’s office.

“Sorry, but I have a complaint to make”:

A study on the benefits of PSiRA’s complaints office for the industry

Figure 1: Asset Mapping

Tangible	Intangible
<p>9 Offices (Head Office and 8 branches)</p> <p>The following PSiRA units have been identified as key to the blueprint of the establishment and functioning of the Complaints Office.</p> <ul style="list-style-type: none"> ● Communications Unit: Report to the office of the DD Communications. Ensure that there is accountability ● Manager Complaints: Provide oversight on the functioning of the office and ensure that the KPI’s of the office are met ● Complaints Administrator: Responsible for the dissemination of complaints to the relevant units and follow up on complaints made online, telephonically or through walk-ins at office branches ● Human Capital: Training and human capital recruitment; Job evaluations ● IT Unit: Online complaints system ● Research and Development Unit: Previous research conducted to assist in the classification of complaints ● Law Enforcement Unit: Carrying out investigations on complaints ● Legal Unit: Development of a policy and regulations on the functioning of the office ● Risk Unit: Evaluate and identify any risks once the office starts functioning and establish how these risks can be mitigated <p>Finance Unit: Budgeting for the new office and its operations</p>	<p>PSiRA hotline, social media platforms and the PSiRA App.</p>
<p>Computers, Telephones, Stationery</p>	<p>Relationships with external stakeholders</p> <ul style="list-style-type: none"> ● Department of Labor ● Security Associations ● Unions ● Bargaining Council ● South African Police Services (SAPS) <p>Possible future working relationships</p> <ul style="list-style-type: none"> ● Office of the Consumer Goods and Services Ombudsman (CGSO) <p>Experience</p> <ul style="list-style-type: none"> ● The development of Units in the Authority over the past decade

German psychologist Paul B. Baltes, a leading expert on lifespan development and aging, developed the approach of **lifespan perspective**. One of the key development points Baltes mentions is that development is **lifelong** meaning that many diverse patterns of change, such as direction, timing, and order affect the ways in which development takes place (Lazzara, 2020).

It is for this reason that the table above must not be considered as exhaustive, as it can, and most likely will change as the development of the Complaint's office unfolds and improves.

Moreover, Asset-Based (AB) approaches are not a replacement for investing in service improvement (Glasgow Centre for Population Health, 2012). As the office grows there might be a need to hire more staff or have other internal and external stakeholders that the office will collaborate with.

7.4 Training

Handling customer complaints can be daunting especially to the person receiving the complaint. Handle a complaint well and turn a complainant into a fan. Handle a complaint poorly, you run the risk of wreaking havoc and tainting your reputation. Not all complainants are the same, hence the manner in which we deal with them will not be the same. There are five types of complainer personalities which have different approaches of how they must be handled (n.a, 2021):

- **The meek complainer personality type**

The meek complainers avoid confrontation and do not make their complaint known at the time unless you actively seek detail. These complainants need to be probed to find the hidden issue and we need to do whatever is necessary to address their concerns.

- **The aggressive complainer personality type**

The aggressive complainers complain loudly to anyone who will listen. They do not respond well to those who are aggressive

“Sorry, but I have a complaint to make”:

A study on the benefits of PSiRA’s complaints office for the industry

in return. The best way to deal with these complainants is to listen to their complaint, acknowledge the problem and calmly and precisely let them know how and when the issue will be addressed.

- **High-roller complainer personality type**

These complainants expect the absolute best and want it now. They may be reasonable in their complaints but can act like aggressive complainers. The best approach is to listen respectfully and ask probing questions to get to the root of their issue.

- **The rip-off complainer personality type**

These complainers are not really looking to resolve a real issue but are more interested in getting something they are not entitled to receive. With these complainants you need to stay objective and back up your position with actual quantifiable data and ensure that you document everything. If they persist with the ‘complaint’ try considering asking what can be done to make things right. Just ensure that the response is in line with the established policy for customer service.

- **The chronic complainer personality type**

These are customers who are never satisfied and will always find something wrong. When dealing with a chronic complainer, a sincere apology and an honest effort to correct the situation are likely to be the most productive. Exercise patience.

Training of complaints officers is imperative so that they are equipped to handle every type of complaint and validate its authenticity. Not validating the data entered by customers results in capturing a lot of information that can also cause a lot of wasted time, increase complaint handling costs, and render reporting and statistics useless (n.a, 2014).

8. FINDINGS

The following section of the report will highlight on the findings of the study. The data was analysed using thematic data analysis and is presented using themes.

8.1 The nature of complaints and their segmentation

Section 4(R) of the PSiR Act, 2001 states that the Authority must establish a complaints office that is focused on the quality of service rendered to consumers. Upon engagement with the Complaints Office Manager, it was highlighted that the office would not only receive, process, refer or deal with complaints regarding the quality of services rendered, but also manage all industry related complaints.

Engagements with the PSiRA’s Law Enforcement Unit also highlighted that the merits of the case would determine if the complaint would be handled by PSiRA. To categorically state which complaints will solely be dealt by PSiRA will be difficult. Section 4(a) of the PSiR Act, 2001 and the Code of Conduct gives PSiRA powers to achieve its objects by performing duties as per the PSiR Act, 2001 and any other laws. However, it must be noted that the expectation of the Law Enforcement Unit is to have fewer complaints sent to them because the Complaints Office will resolve the bulk of the complaints. If the complaint is more severe and complex only then should it be sent to the Law Enforcement Unit or any other relevant unit.

Complaints that are outside the scope of PSiRA will be referred to the relevant people or agencies. The ABCD approach of development mentions relationships as an intangible asset that will greatly assist the Authority to refer complaints and have them resolved by the relevant people.

"Sorry, but I have a complaint to make":

A study on the benefits of PSiRA's complaints office for the industry



The following table contains complaints that have been segmented into different categories which were identified during data analysis. These complaints were mentioned by the participants of this study which include consumers (property managers and in-house security management), security business owners and/or managers and security officers. These complaints will be elaborated on further in the report.

Figure 2: Complaints and their segmentation

Consumers (Companies and individuals)	Security Companies and Security Officers	
<p>Quality of services</p> <ul style="list-style-type: none"> • Security companies not paying security officers which compromises the quality of services • Security officers not stationed in their respective/ designated areas leading to inability to account when incidences occur • Security companies not meeting their contractual obligations • Lack of etiquette from security officers • Inability of security officers to write statements when occurrences occur <p>Training</p> <ul style="list-style-type: none"> • Level of training is questionable. Have to retrain security officers at times 	<p>Industry concerns</p> <ul style="list-style-type: none"> • Working with criminals in the industry- PSiRA system only picks up cases after renewals. • Cannot depend on PSiRA certificates when hiring • Industry entry requirements are too low • Online system not working at times • PSiRA services not at their disposal (some people have to travel 8 hours to be assisted at a PSiRA branch) • Consumers hiring non-compliant security companies and/ or security officers knowingly • Fraud: Fronting with previously disadvantaged persons for _B-BBEE status • Non-adherence and application of competition rules <p>Training and registration</p> <ul style="list-style-type: none"> • Non-recognition of specialized courses recognized by PSiRA • Security officers are not well trained although they have PSiRA registration • Selling of training certificates • Training centres not issuing training certificates • Quality of training is not on par • Fly-by night training centres 	<p>Non-compliance</p> <ul style="list-style-type: none"> • Unaccounted deductions on salaries (SARS, medical aid) • Underpayments of salaries • Fraud: Use of security officers’ identities to hire illegal security officers • Hiring of non-registered security officers and illegal foreigners • Downgrading of grades • Abuse from employers • Non-payments of bonuses and service money • Non-payment by employers to their provident fund although money is deducted <p>Quality of services</p> <ul style="list-style-type: none"> • Caliber of security officer produced in some training centres cannot offer quality security services <p>PSiRA services</p> <ul style="list-style-type: none"> • Not being assisted • Preferential treatment

8.2 Quality of services received and rendered

When participants were asked about the quality of service that they receive and render, the majority stated that they were not happy and sometimes just ‘make do’ with what they have. They believed that the issue stemmed from the training that security officers receive. Both consumers and business owners/managers had the added responsibility of having to retrain security officers despite them having received their grades. Consumers stated that they could not fully depend on security officers because they are either never stationed at their designated posts, or are absent from work especially during night duty. When incidences occurred security officers could not account because they were not there at the time of the incident. They also could not provide information as to who the culprit was. Stemming from the issue of training, security officers could not even write incident reports because they could not write.

There are no educational requirements needed for one to train and become a security officer. However, consumers and business owners stated that there is a need to have such requirements. Some the security companies provided services in spaces that were frequented by international guests and knowing how to communicate in English was a need.

One participant stated that their security company recognised the need for computer training to allow employees to operate tech gadgets more easily.

For some business owners it was evident that certificates were bought by security officers because they could not even perform basic tasks such as access control. With access control comes customer service which many did not possess. Consumers are also dependent on security officers to be brand ambassadors for their business because they are usually the first people that a person will meet when entering their premises.

“Sorry, but I have a complaint to make”:

A study on the benefits of PSiRA's complaints office for the industry

A key factor that participants also believed stemmed from lack of training is that there seemed to be no motivation and dedication from some security officers to do their job properly.

It is vital that security officers be taught about the importance of their job during training. One participant even stated that it also important for instructors to take pride in their job because theirs is to “build” a security officer who is competent and efficient. However, even instructors seem to not be motivated and some of them were said to be “questionable individuals”. The industry is in support of the quality assurance measures PSiRA's Training Unit had started and called for more quality assurance inspections to be done in training centres.

The quality of services rendered by security officers is also dependent on salaries and wages received by security officers and plays a role in absenteeism and service delivery. One of the managers of a mall reported that absenteeism used to be an issue because security officers were being underpaid by their employers. However, when centre management ensured that security officers were paid their due, the absenteeism stopped. One consumer stated that security officers would, at times, beg for money which, they conceded was an internal company matter.

A payment complaint was laid with PSiRA by a consumer because, as part of their contractual obligation, the security company had to pay security officers but the quotation they received from the security company included salaries for security officers.

In Limpopo a similar occurrence happened with the Department of Health. Security officers protested and shut down the clinic they were guarding because they were not paid their salaries by the security company that had employed them. The public could not receive medical attention because of the protest.

“Sorry, but I have a complaint to make”:

A study on the benefits of PSiRA’s complaints office for the industry

8.2.1 PSiRA services

There were complaints made about the services received by some of the staff at PSiRA. Some participants mentioned that in order to get assistance they needed to copy managers on emails so that they get a response.

Another issue that was highlighted was that in-house security service providers registration status appeared as *pending renewal* despite having paid their annual fees. An institution of higher learning said this matter becomes a real problem when they have to account to Auditors. Their registration status shows as *pending renewal* but there is an invoice stating that they have paid money to the Authority. Auditors asked where the money goes to and the only response that they received from PSiRA was a one line email stating that in-house services do not receive PSiRA certificates. It must be noted that security officers operate in different spaces, hold positions in offices of high stature and report to people of high stature. Documentation or communiques that is sent to them needs to be of the same high caliber.



The industry stated they needed assistance from PSiRA to ensure that they comply. After registering they did not get workshopped as to what is expected of them when it comes to compliance. An institution of higher learning mentioned that an industry circular from 2014 stated that the lowest grade for in-house is a grade B. However, they have security officers with grades lower than B and, although they have been inspected over the years, it has not been mentioned as non-compliance during inspections. Other participants stated that some security officers received preferential treatment during inspections and boasted about such to other security service providers. It must be noted that all persons in the industry but be treated equally.

8.2.2 Employment of service providers

When consumers were asked what informed their decision to employ a certain security company, it was stated that this was the job of their procurement department while theirs was to just receive the company that was appointed and work with them. PSiRA registration was one of the requirements stated in the tender bid. As part of the vetting process, security companies had to provide the security officer's PSiRA certificates as proof of registration. However to some of the service providers and consumers, the PSiRA certificate is a compliance matter only as they do their own fingerprint clearance to ensure that they do not employ criminals.

Some security companies did state that affiliation to certain associations assisted them greatly in finding contracts especially in the intruder detection and surveillance space. Some insurance companies even provide lists of security companies that are affiliated to these associations to their clients so that they can install security equipment in their premises or vehicles. Some of these companies are unfortunately not PSiRA registered.

8.2.3 Industry Concerns

Despite checking for PSiRA registration, consumers and security companies were sometimes dealt a blow finding out that the person they had hired has been convicted or a criminal case had been opened against them. This happens despite security officers having PSiRA certificates. This had made it hard for security companies to fully depend on a person’s PSiRA registration for employment purposes. The industry complained that it had criminals working in it and there was nothing they could do about it. One of the institutions of Higher Learning that participated in this study highlighted that there was a case of a security officer involved in a theft case that led to a fatality on campus. The police did not have sufficient evidence to arrest the person and all they could do was to ask the security company to remove their employee from their premises. One participant in the gambling industry highlighted that a security company that they had hired asked to withdraw from their contractual obligations because the they were too disciplined.

One service provider stated that they would dismiss security officers who had been involved in criminal activities on sites that they guarded. Despite having brought evidence the culprit would not be arrested. Moreover, with no system in place to report such events these security officers can get employment elsewhere and have people close to them pretend to be their reference from their previous employer. Another participant highlighted that when security officers committed offences and breached the PSiRA Code of Conduct, Human Resources would tell them that they cannot enforce it because it goes against the Labour Laws. Security managers are then left in limbo as to how they should go about handling such cases.

8.2.4 Non-compliance in the industry

The biggest complaint that the industry has is non-compliance from other service providers and consumers. Some consumers knowingly employ unregistered and untrained persons because they do not want to pay the correct wages. Service providers stated that they would sometimes be called by these consumers who would want them to under-quote despite being told that they have to pay security officers the minimum wage. Service providers voiced their frustrations and felt that consumers needed to be held accountable to some degree for such actions.

Service providers who were compliant in relation to payments of guards, contributions to provident fund, the Bargaining Council, medical aid and COIDA stated their frustrations of being compliant while other security companies were not. Non-compliance also results in a monetary disadvantage to compliant companies as those that underpay their guards got more contracts based on lower cost.

Identity theft was also mentioned as a prevalent issue within the industry. Business owners would use the identity of registered security officers to employ unregistered persons and some of these people are undocumented foreigners. The danger with identity theft is; should anything untoward happen, the person whose identity was stolen can be blamed for something they had not done. Some security officers were not de-linked by their previous employers on the business profiles for purposes of being able to purchase firearms for their business and for tender bidding purposes. One participant stated that to some level they felt exposed to identity theft because anyone could print out their certificates and felt that printing of certificates must be done by people who have been vetted and authorized to do so

8.2.5 Treatment of security officers

Security officers reported that there were deductions made on their salaries but when they made follow ups on these deductions, they were unaccounted for by the institutions they were meant to be paid to. One security officer stated that when she checked with the provident fund there were missed payments by her employer. Another security officer stated that he had tax deductions but after making follow ups with SARS he found he did not have a TAX number.

Some security officers felt that were being abused by their employers and they had no one to defend them. They were expected to deliver services however, being paid for their services was a constant battle.

One security officer reported that they had worked at the a mall for a number of years under different companies. Every time the contract ended between the security company and property owner, they would not be paid their due benefits such as leave days and service money. She and her colleagues had won a case against their previous employer at the CCMA to pay out what was due to them but were faced with the same issue when their current employer’s contract was coming to an end. They were not paid their salaries but only their leave days money. The new employer downgraded their grades meaning they would be earning less than their prescribed salaries.



8.2.6 Ensuring quality service

When asked how quality of service has been rendered, consumers and service providers stated numerous ways of achieving this. Firstly, consumers ensured quality of service through clauses of their contracts which their legal departments developed. If a service provider does not meet their contractual obligation, the contract can be terminated on grounds of breach of contract. Secondly, there is the use of security equipment to monitor security officers. One of these include the GPS tracking tags that track a security officer’s patrol route. The reports from this system also serve as evidence to the consumers should there be concerns that arise with the security company. There are also weekly meetings between consumers and security companies whereby they share updates and concerns.

When a complaint is laid, it is relayed to the security manager who conducts an investigation on the complaint. It does happen at times that the complainant is not being truthful about the manner in which things transpired and if this is the case the security company has to then take corrective measures. These measures include retraining of the security officer or sometimes just communicating the issue with them. If it is a recurring complaint, it becomes a verbal warning. Dismissals are the last resort should it happen that there is a major or repeated offence. The conduct of the participants interviewed was in line with the Labor Laws.

8.3 The current complaints system

The Authority has been receiving complaints through the Law Enforcement Unit and was later moved to the Communications Unit. Complaints have been received mainly through walk-ins at the branch offices. There is also an email and phone call system which people use if they cannot lodge a complaint at one of any of the PSiRA branch offices. Once received, the complaints are sent to the Senior Inspectors, the Senior Manager Law Enforcement or the Forensics Unit and are then allocated to the relevant inspectors.

Participants highlighted that they were very pleased that PSiRA has established a complaints office because they now have someone they can refer to once a complaint has been made. Other participants stated that they did not know that complaints could be made to PSiRA. Some others said that they could never find out what the outcome of their complaint was, which is something that needs to be addressed. There were also participants that stated that they would only terminate contracts with security service providers if they did not meet their contractual obligations. Having the complaints office would also allow them to voice out their dissatisfaction on the quality of services because at times they felt that they received the short end of the stick even though the contract was terminated. The establishment of the complaints office will ensure that there is accountability from industry.

8.3.1 Bench-marking other organisations

Desktop research on the Complaints Office was initially done and it identified regulators and other institutions whose complaints office could be bench-marked in terms of receiving, processing and dealing with complaints. Some of the identified organisations were approached to participate in the study and only two agreed to participate in the study. From the participants interviewed the first step was receiving complaints from different platforms which include emails, letters, fax, websites, walk-ins and phone calls. All the complaints that were received are lodged in writing

“Sorry, but I have a complaint to make”:

A study on the benefits of PSiRA's complaints office for the industry

only so that they can be scanned on the system. However, if the complainant cannot write, or is an elderly person, the complaint is captured by the office after having taken instructions from the complainant and then scanned onto the system.

When a complaint is laid it is received by the data-capturer, captured onto the system and sent to the complaint officers or case management officers. The case is then analysed to establish if it falls within the jurisdiction of the organisation. The jurisdiction is determined by the Act that establishes the organisation. The Act also allows the organisation to be a creator of statutes and as such can only deal with complaints within their legislation and regulations. If outside the jurisdiction, the complainant is referred to the relevant organisation and the contact details of that organisation are shared with them so they can lay the complaint with them and the matter is considered as concluded. If the complaint is within the jurisdiction, evidence is asked from the complainant. This can include an email or any form of evidence of what they are complaining about.

The regulator stated that, as they are an escalation office, they do not deal with complaints firsthand. Before they attend to a matter they ask if there were any means done to first resolve the issue between the complainant and the person they are laying the complaint against. They require that there be proof of the complainant laying their complaint against the respondent and they must give the respondent 14 working days to resolve the issue. If 14 days passes without resolution, the complainant can then formally lay their complaint with the regulator. Once captured and proof is provided, the case is escalated to the case management officer who is given 48 hours to acknowledge receipt of the complaint. The case management officer then contacts the respondent about the complaint that was laid against them. The respondent is given 14 days to investigate the matter and if they are at fault, they can propose a resolution on the matter. The resolution is then brought forward to the complainant and if the resolution is accepted, the case is closed.

“Sorry, but I have a complaint to make”:

A study on the benefits of PSiRA’s complaints office for the industry

However, there are times where the resolution is not accepted by the complainant. If this happens the matter is sent for alternative dispute resolution that takes place through a committee seating. This committee is chaired by a counselor who is the Senior Manager of the Complaints Unit, and is supported by members of the Consumer Affairs Unit. If there is no resolution through the mediation that happens through Alternative Dispute Resolution (ADR), or if the committee feels that the matter is very severe, it is escalated to the Complaints and Compliance Committee (CCC) for adjudication.

The CCC is a quasi-judicial committee which hears matters and recommends to the regulator what actions or sanctions to be taken on the matters brought forward. The CCC is headed by a retired judge and/or magistrate or advocate with over 10 years’ experience. The CCC has to be of legal stature because any recommendations that the CCC makes are declared an Order of the Court and the regulator may implement them.



“Sorry, but I have a complaint to make”:

A study on the benefits of PSiRA's complaints office for the industry

The CCC is however not the court of final instance and, should complainants and respondents feel that there are other legal matters they would like to raise or feel that the process was not fair, they can exhaust all other available litigation processes available in South Africa.

An office of the ombudsman that participated in the study also had a similar reporting structure. Complaints were received in writing and captured by the data capturer and sent to the case management officer. The case management officer must firstly establish jurisdiction. If jurisdiction falls within the office of the ombuds, the officer mediates between the complainant and the respondent. There needs to be evidence that there were means taken to resolve the issue before escalating to the ombuds. However, there were cases that were considered as urgent, and these were cases that infringed on human rights. In such instances an inspector is sent on site to evaluate the case and, if the findings were true, the respondent is given 48 hours to rectify the issue.

The difference between the handling of cases by the ombuds and the regulator is that the case management officer is given powers by the Ombudsman to assess and evaluate if the matter should be brought forward to an advocate or prosecutor for litigation. If the merits of the case indicate that the matter must go for adjudication, it is then sent to the prosecutor. The office of the ombuds also has a quasi-judicial system. The prosecutor is handed over the evidence and the two parties are given a chance to bring more evidence. If the prosecutor feels that they do not have sufficient evidence, an investigator is sent to gather more evidence. The investigator can also be handed to evidence to ensure that its legitimacy before being sent to the prosecutor. The ombuds office is more hands on with the cases as opposed to the regulator. The regulator only sends inspectors for compliance and enforcement issues and not complaints. Theirs is to escalate and mediate between the parties. The ombuds on the other hand investigates cases, determines the legitimacy of the evidence and gathers evidence.

8.3.2 Structure of the reporting system

The structure of the reporting system of the regulator and the ombuds were different. The regulator had a more centralised system whereby their head office was the only office that could deal with complaints despite having regional offices all over the country. The ombuds also had a centralized system however their Gauteng office was overburdened with cases because of the high population in the province. When the office decentralised their system, other offices in other provinces assisted with the case load and they were able to achieve their turnaround of 3 days for acknowledgment of cases by the case management officer after being captured by the data-capturer.

To ensure that the process is transparent and fair the complainant and the respondent cannot speak to the prosecutor handling their case. The ombud uses SharePoint and persons that are involved in the cases have limited access. Once the case management officers hand over the case to an investigator, they can no longer see how far along case is in terms of its investigation or see any other evidence brought forward. The respondents also cannot be in contact with the prosecutor to ensure that the proceedings of the case are fair and transparent. It is only the data capturer - who is the point of contact – who can provide feedback by means of the end notes that each person handling the file must complete when they have received or forwarded the file. The regulator on the other hand uses a Customer Relations Management (CRM) system which auto allocates cases to case management officers. The system’s dashboard shows how many cases were received, how many have been attended to and to which case management officer the case was brought to.

8.3.3 The strengths and weaknesses of the current complaints system

The current PSiRA complaints system has its strengths and weaknesses. One of its strengths is the walk-in system. Although we live in a more digital era some people still prefer face-to-face interactions and value putting a face to the name of the person who they lay the complaint to. The PSiRA Compiere system generates a unique complaints number once the form has been captured on the system. Once uploaded it preserves the information in a register and a spreadsheet for record keeping.

The current system is a bit tedious with having to register complaints for record keeping and does not consolidate all complaints into one system. Complaints that come in via email end up not being attended to timeously because walk-in complaints get more attention. There are not enough people receiving and processing complaints. The PSiRA branches have their own record keeping system which cannot easily give feedback as to what complaints are common in the industry. The system also does not show how far along a complaint is in terms of being addressed. Complainants have to call in for follow ups.



“Sorry, but I have a complaint to make”:

A study on the benefits of PSiRA’s complaints office for the industry

Complaints made to the Authority are received without checking if there were any means made to first resolve the issue between the two parties. This means that complaints that could possibly be resolved internally in the organisation, are being reported to PSiRA. It was highlighted that complaints made to PSiRA could possibly not have reached the security company owner because the people they report to are usually supervisors who potentially would not escalate the matter to the owner. Some security officers do not know who their employer is because the supervisor or manager are the only persons that they report to. Some managers and supervisors hire and fire because they know that there are many security officers who are looking for employment hence, they are sometimes oppressive towards security officers and do as they please.

8.3.4 The services and powers of the office

Section 4(r) of the PSiR Act, 2001 establishes the complaints office which must receive, process, refer or deal with issues relating to the quality of service rendered by security service providers. The office will also receive all industry related complaints. In terms of the definitions there in none that exists for quality of service. There are also no standards set for quality of service of the different sectors that the Authority regulates. The only document that can be referred to is the PSiRA Code of Conduct which provides guidelines on the conduct of security officers.

The regulations that are to be formulated for the functioning of this office need to address these mentioned issues. There needs to be a set definition of quality of services and standards that can be used to measure quality of all sectors in private security industry.

Sections 4(r) and 35(j) give the Complaints Office immense powers. The word ‘deal’ in section 4(r) can be interpreted in many ways. To deal with a complaint can mean having a committee that will deal with complaints relating to quality of service.

“Sorry, but I have a complaint to make”:

A study on the benefits of PSiRA's complaints office for the industry

Complaints outside that scope can be referred internally to other committees should the complaints be in their jurisdiction. Dealing with complaints can include sending the matter for litigation should there be no resolution between the parties involved, or if the complaints committee feel that the matter is very severe and should be sent for litigation. The regulations also need to establish who is responsible for making rulings on complaints as to whether or not they should be sent for litigation, or any other ruling that needs to be made during a committee setting.

Dealing with a case can also include advising the Minister to give powers for the establishment of an Ombudsman for the private security industry. The industry would not be the first to have a regulator and an ombudsman. Currently, the financial sector has a regulator and an ombuds office. The regulator creates regulations that govern the conduct of participants in a specific industry. The ombudsman on the other hand is an impartial institution that reviews customer complaints against service providers and makes determinations on the evidence on hand. The main function of the ombuds is to provide alternative dispute resolution so that the courts can focus on other cases. Moreover, because of legal costs, it is not everyone who can afford to have their cases represented by an attorney in a court setting.

Having an ombudsman for the private security industry would be progressive in ensuring transparency in the industry. It would also protect security service providers from consumers who do not fulfil contractual agreements.

The PSiRA Consumer Notice only speaks to the hiring of non-complaint security service providers and not to consumers being malicious towards security service providers. A private security industry ombudsman office will also ensure that security service providers are protected and that PSiRA meets its values of transparency and fairness.

“Sorry, but I have a complaint to make”:

A study on the benefits of PSiRA’s complaints office for the industry

As previously mentioned, not everyone can afford legal fees. Security service providers can have their cases sent to the Ombudsman if they feel that a ruling at any of the committee settings at PSiRA was unfair. The committees that exist are not the court of final instance. Having an ombudsman will also benefit those who would want their case to be brought forward to an independent body without the cost of legal representation.

8.4 Training

To ensure the success of the office, training of data capturers and case management officers is needed to ensure accurate data capturing and jurisdiction assessment. The Manager of the complaints office stated that the office needs to have an online system with a dashboard displaying the number of complaints that have come in and how many have been attended to. The mentioned people will have to be able to operate the system and capture any complaints and evidence brought forward and training will be needed for this. There is also the matter of dealing with different personalities when providing customer service. Some complainants will be hysterical, others will be emotional and others will be angry and all of these personas need to be assisted promptly and professionally.

The ombuds office that participated in the study highlighted that the minimum requirements to work for the office as a Case Management Officer Intern was a LLB. Degree. To be an investigator you needed to have had previous experience in law enforcement as an investigator or be a registered Forensic Investigator. This goes to show the importance of skills development in the PSiRA complaints office.



8.5 Identification of tools

As previously mentioned, there is an existing structure within the Authority that is used to receive complaints (the Authority receives complaints via walk-in’s, emails and a hotline). With regards to tools of trade, personnel that receive complaints have telephones and either desktops or laptops that they use to generate a unique complaints number from Compiere. There is however a deficient in the tools that are readily available and the biggest one being a system that consolidates all complaints onto one platform. The current system (which can be considered a tool as it is used to capture and refer complaints) needs to make it possible to see the phases in which the complaint is being addressed and provide status updates in real time to the complainant of their complaint.

8.6 Identification of stakeholders

From the data collected these are some of the stakeholders that the research identified to partner with the Complaints Office, some of which the Authority already has relations with. It must be noted that this list is not exhaustive as more stakeholders will be identified when the office progresses with its operations. More stakeholders will be identified.

Existing stakeholders	New stakeholders
<ul style="list-style-type: none">• Department of Labour• Security Associations• Unions• Bargaining Council• South African Police Services (SAPS)	<ul style="list-style-type: none">• Insurance companies• Competition Commission• ICASA• SABS• SARS- Customs and Excise

9. RECOMMENDATIONS

The following section of the report makes recommendations as per the findings of the report.

9.1 Complaints and their segmentation

The study has identified some of the complaints that consumers and service providers have raised. It is recommended that the Complaints Office and other units within PSiRA develop solutions as to how these complaints can be addressed quickly and efficiently. This will ensure that there is a short turnaround time of receiving, dealing or referring of complaints.

Training of the industry was mentioned as one of the industry concerns. The quality assurance for training by the Authority was immensely appreciated by the industry. The Authority needs to intensify its quality assurance which will greatly assist in ensuring that security officers undergo training with accredited training institutions and not buy training certificates. The Authority also needs to have stakeholder engagement sessions with newly registered businesses to assist them to become fully compliant. The Authority can also consider having training and informative videos uploaded on its website, YouTube and on social media platforms so that security service providers can be workshopped on compliance on demand.

9.2 Functioning and powers of the office

Regulations must be formulated to guide the operations of the Complaints Office as stated in section 35(j) of the PSiR Act, 2001. There needs to be meetings between the different committees with PSiRA to ensure that there is not over regulation by the Authority. The office needs to have a committee that will look into cases of quality services rendered. The committee can benchmark its committee setting and operations from the regulator and ombuds mentioned in section 8.2.1 of the report.

In addition, there needs to be standards set for the quality of services rendered. This will ensure that there are standards that can be used to determine if quality of service has or has not been met. Most importantly, there needs to be a definition of quality of service as currently, no definition exists which will make it hard to determine if service providers have been in contravention of the regulations.

9.3 Training for PSiRA staff

The mandate of the Authority is to ensure that the industry operates with the transcripts of the law. Moreover, the Authority exists to render services to the industry. The issue of etiquette towards security service providers needs to be addressed. More importantly, documentation sent out to security service providers needs to be of high calibre.

The respect that the industry gives to the Authority needs to be given, in return, to the industry. Having to copy managers on emails in order to be assisted does not paint the Authority in a positive light. It is also recommended that staff members working within the Complaints Office receive training on complaint handling as there will be different personalities that will lodge in complaints and they need to be prepared beforehand for such encounters.

To turn a negative situation with a service provider into a positive one that builds a solid relationship, it is vital that all staff know and enact the prerequisites for good complaints handling. It is therefore not only the personnel within the complaints unit that needs training - all staff within the Authority needs to be trained on stakeholder etiquette and complaints resolution. Guidelines must be created to assist staff members in the execution of their stakeholder related duties.



9.4 Tools to enhance efficiency

The office needs to have an online system that will be used to receive, capture, allocate and refer complaints. It is recommended that the Authority benchmarks the complaints system of the two organisations that participated in the study. Moreover, the Authority needs to establish the structure of the complaints office as to whether it will be centralised or decentralised.

9.5 Key stakeholders

The research has identified stakeholders that can be pivotal in the functioning of the office. It is recommended that these stakeholders be made aware of the establishment of the complaints office and, from there, establish what role they can play in the functioning of the office, for example, having the Bargaining Council on board is fundamental to the success of the office as many complaints stem from non-payments of salaries and wages.

9.6 Establishment of an ombudsman for the private security industry

South Africa’s private security industry continues to grow at an exponential rate. However, the industry does not have an ombudsman. *“An ombudsman **provides an independent, impartial, fair, timely and efficient dispute resolution process that is free to consumers.** It is independent of, and external to, the companies that are being complained about. It is a cost-effective, practical way to resolve complaints without having to go to court”* (National Treasury, 2017: p2).

Having an independent office of the ombudsman in the future can be beneficial for the industry because not everyone can afford to have disputes resolved at a court setting. In addition, an ombudsman can protect security service providers from consumers who are malicious towards service providers. The PSiR Act, 2001 does not in any manner protect service providers from the actions of consumers. Having an Ombuds Office for the industry will ensure that service providers are afforded the very same protection as consumers which will not only increase public trust in the Authority but also build organisational pride in belonging.

10. CONCLUSION

The private security industry’s continuous growth can be attributed to the public’s need to feel secure and their trust in the private security industry in ensuring their safety. The Authority’s responsibility is to warrant the provision of quality service to consumers through the newly established complaints office. This study sought to determine the benefits of having this office, and how it would function by looking at different aspects of the office establishment.

From the findings of the study many complaints were identified with non-compliance being the biggest concern. There were issues of identity theft and unaccounted deductions made on wages and salaries. Those that were compliant received the short end of the stick as many opportunities to get contracts passed them by because of being compliant.

The study also established that section 4(r) of the PSiR Act, 2001 gives the office immense powers which can be interpreted in many ways. As a newly established office, regulations on the functioning of the powers, and the extent of the span of control. The establishment of the complaints office has shed light on how service providers also fall victim to malicious acts of consumers.

It is necessary and recommended that regulations be formulated to guide the functioning of this office. Moreover, a definition of quality of service and the standards for such quality of service need to be established.

Training was identified as a need for staff not only in the complaints unit, but the entire Authority. The stakeholders that were identified in the study are crucial to the success of this office with some of them already having relations with PSiRA. The list of stakeholders identified in the study is not exhaustive. However, those that have been identified thus far can be approached, especially the Bargaining Council, as many of the other complaints stemmed from non-payment of salaries and wages.

11. REFERENCES

Articles and reports

Caluza, L., 2021. Establishing Boundaries: Examining the Services Rendered by Private Security Companies in Public Spaces. South Africa: PSiRA

Kretzmann, J. P., 2010. Asset-based strategies for building resilient communities. In Reich, J. W., Zautra, A and Hall, J, S (Eds), *Handbook of adult resilience*. New York: Guilford Press.

Netshivhuyu, D., 2018, The Private Eye Under The Microscope Towards the Effective Regulations of the Private Investigation Industry within the South African Private Security Industry. South Africa: PSiRA

PSiRA Annual Report, 2020/2021.

PSiRA., n.d. Desktop research on the Complaints Management Process (unpublished document)

Tongco, M.D.C., 2007. Purposive sampling as a tool for informant selection. *Ethnobotany Research and applications*, 5, pp.147-158.

National Treasury South Africa, A Known and Trusted Ombud service for all, 2017, p2

Legislation

Consumer Protection Act No. 68 of 2008.

Private Security Industry Regulations Act No. 56 of 2001.



PSiRA

Private Security Industry Regulatory Authority

420 Witch-Hazel Avenue
Eco Glades 2 Office Park
Highveld Ext 70
Centurion
0158

Tel: 086 10 **PSIRA** (77472)

Email : info@psira.co.za

Website: www.psira.co.za

 082 803 4329

 Private Security Industry Regulatory Authority

 Psiralive