



POLICY AND PROCEDURES ON SAFETY OF ASSETS

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1. PURPOSE OF THE POLICY

- 1.1 To regulate the use of municipal assets and to ensure that they are used in a safe and efficient manner in order to minimize damage and abuse of assets.
- 1.2 To provide a procedure for accidents and modus operandi for conducting an enquiry into vehicle accidents involving municipal vehicles.
- 1.3 To provide a framework for remedial actions to be instituted by management.

2. APPLICATION OF THE POLICY

- 2.1 This policy will apply to all employees and Councillors issued with municipal assets

3. VEHICLE REGULATIONS & PROCEDURES

3.1 Driver's Licenses

- Every employee or Councillor, which in terms of the Remuneration of Officer Bearers Act may only be the Mayor and Speaker, required to drive will furnish the Municipality with a certified copy of his/her driver's license. Only the new credit card type driver's license will be acceptable.
- It is incumbent upon the employee to renew his/her driver's license on the expiry date indicated on his/her driver's license.
- Departmental Managers will ensure that new employees are competent before handing over a vehicle.
- Copies of driver's licenses will be kept on the employee's personal file.
- Prescriptive legislation requires drivers of certain category of vehicles to possess public drivers permit. All prescribed drivers must possess PDP. If it required one at a later stage, Council will provide means to obtain such. It is the responsibility of the departmental head to ensure that each prescribed driver drives an official vehicle with a valid PDP.
- It is incumbent upon the employee to inform his/ her superior of all endorsements or other restrictions placed on his/her driver's license.

3.2 Use of Municipal Vehicles

- Municipal vehicles will only be used for authorized and essential trips on Council business.
- The Mayor, Speaker or any employee of the municipality may not use a vehicle of the Municipality without the express prior approval of her/his immediate supervisor, departmental head or the Municipal Manager

- Management should have a weekly session to plan trips of Municipal vehicles. This becomes essential to ensure savings on fuel costs.
- The Chief Traffic Officer must ensure that a weekly roster is prepared in terms of the use of the traffic vehicles
- Employees driving a Municipal vehicle will ensure that the Logbook, provided for the vehicle, is properly completed after each trip. Logbooks will be returned to the applicable Departmental Manager once a month for inspection.
- Departmental Managers will ensure that a Vehicle Authorization form is completed by each driver for every trip outside the Municipal area.
- Council vehicles are **not to be taken home** except with the **written** permission of the relevant Departmental Manager. The standard authorization letter will be completed whenever a vehicle is to be taken home. In that case an employee will ensure that the vehicle is kept in a lock-up garage. Where such facility is not available, the vehicle will be parked at a police station or Municipal depots or workshops where there is security.
- **Only Municipal employees on official duty and work-related** passengers will be carried as passengers in Council vehicles.
- The Municipal Manager should appoint specific employees to look after Municipal vehicles and to keep these vehicles in a clean, safe and roadworthy state at all times.
- It is incumbent upon the Technical Director and Director Community Services or their appointees to inspect vehicles in the care of their departments on a monthly basis.
- All vehicles will be driven with due care at all times.
- **No** intoxicating liquor may be consumed whilst in charge or driving of a Municipal vehicle.
- The use of official vehicles, for unauthorized business may expose the driver to public liability in the event of any accident, particularly if the accident is found to be caused by the driver's negligence. If the use of a vehicle is not official or the driver stops on route or deviates from direct route to conduct personal affairs while on official business, he or she may be found to have departed from the scope of employment. In such case, Council would disclaim liability, and the driver would be financially responsible. Misuse means: unauthorized use, use for an improper purpose, gross negligence in the care and operation of an official vehicle, or not adhering to traffic safety regulations.
- Regular report need to be tabled to the Municipal Manager by a person appointed by the Municipal Manager on all vehicles part of the Sundays River Valley Municipal Fleet. The Municipal Manager will ensure that these reports are tabled in all ordinary Council Meetings

3.3 Prohibited use of vehicles

Nobody may

- a) authorise or permit a councillor or an employee who does not submit proof of a valid driver's license to drive a vehicle of the Municipality;

- b) authorise or permit a councillor or an employee who is apparently under the influence of a stupefying or intoxicating substance, including alcohol, to drive a vehicle or operate a machine of the Municipality;
- c) drive a vehicle or operate a machine of the Municipality whilst under the influence of an intoxicating or stupefying substance, including alcohol, or any drug that induces drowsiness;
- d) use, or allow a municipal vehicle to be used for any purpose other than undertaking an authorized journey;
- e) use, or allow a municipal vehicle to be used by any person that is not an employee, the Mayor or the Speaker of the Municipality without the express prior approval of the manager responsible for managing the Municipality's fleet;
- f) use, or allow a municipal vehicle to be used to transport persons other than employees, the Mayor or the Speaker of the Municipality without the express prior approval of the manager responsible for managing the Municipality's fleet;
- g) use, or allow a municipal vehicle to be used if that vehicle is not roadworthy or properly licensed and insured;
- h) use, or allow a municipal vehicle to be used for any purpose other than the purpose for which it was designed;
- i) use, or allow a municipal vehicle to be used to carry a heavier load than the load that it may safely carry according to the manufacturer's specifications;
- j) use, or allow a municipal vehicle to be used when that vehicle has some or other mechanical or electrical defect or fault that may affect the safety of its users or that of other road users or pedestrians; and
- k) use, or allow a municipal vehicle to be used to transport employees of the Municipality from their residences/work to work/residences except with the express prior written approval of the departmental head concerned.

3.4 Duties of authorised user of vehicles

The authorised user of a vehicle or machine-

- a) is responsible and accountable for the proper and safe use of the vehicle or machine she/he uses;
- b) must at all times comply with the prescribed traffic rules, including any speed limits, that may be imposed;
- c) must before her/his journey or work commences, ensure-
 - i. that the engine oil and water levels, including the water level of the window washer and battery is correct;
 - ii. that the tyres, including the emergency/spare wheel, are correctly inflated;
 - iii. that the tread on the tyres, including the spare/emergency wheel, is within legal limits;
 - iv. that its windshield is clean and free of cracks and its wipers working properly;
 - v. its exhaust pipe does not have holes in it and is complete;

- vi. that the jack and tools necessary for jacking the vehicle up and to loosen and tighten its wheel nuts are in the vehicle;
 - vii. that it has a valid and legible license; and
 - viii. That it has enough fuel for the journey to be undertaken.
- d) may use such vehicle or machine only in accordance with the manufacturer's specifications and the conditions of warranty, if any;
 - e) may not authorise, permit or instruct any other employee, a councillor or member of the public to use a vehicle or machine assigned to her/him;
 - f) whilst he/she is using a vehicle or machine undertake any other journey not stipulated in the trip authorisation except with the express prior approval of her/his immediate supervisor or, in the case of a councillor, the Municipal Manager;
 - g) transport any person who is not a councillor or an employee or any property that is not the Municipality's property or that of the user of the vehicle or machine or her/his passengers, if any;
 - h) diligently complete the logbook of the vehicle or machine after finishing the journey;
 - i) must switch off any lights and other electronic equipment, ensure that all windows and doors are properly closed and properly lock the vehicle or machine and when she/he leaves it; and
 - j) immediately upon her/his return report any damage or mechanical and electronic problems experienced with the vehicle or machine during the journey

3.5 Vehicle Accidents

The following procedure shall be followed in the event of a Municipal– owned motor vehicle being involved in an accident, no matter how trivial, and irrespective of whether or not any person or animal or property, other than the Council vehicles is involved:

- Call a police or a traffic officer and, if requested to do so supply name and address of the driver of the motor vehicle to any person having reasonable grounds for requiring this information.
- If a police or traffic officer is not available, report the accident to a police station as soon after the occurrence of the accident as practicable and obtain case number.
- In no circumstances shall liability be admitted or unguarded statements be made to any person or payment offered or made to a third party, neither may she/he make or receive any payment or offer of payment at any accident.
- Should any third party involved admit liability, endeavors should be made to obtain a statement in writing from him/her to this effect.
- Should a driver of a vehicle be suspected of being under the influence of intoxicating liquor or drugs, this fact must be brought to the notice of the police or traffic officer present at the scene of the accident with the least possible delay and assistance should be rendered to such police or traffic officer in ensuring that the suspected person is

examined by a doctor as soon as possible, or be subjected to a legally permissible alcohol test.

- Obtain as soon as possible, preferably at the scene of the accident, at least the following particulars, which are required for completing the accident report form:
 - i. Registration number, make and type of other vehicle
 - ii. Name(s) and address of driver(s) of the other vehicle
 - iii. Name(s) and address(as) or person(s) involved in the accident: The driver; third-parties or pedestrian(s)
 - iv. Name of address of the third party's insurance company
 - v. Name, occupation and address and age if available or estimated age of any pedestrian(s) involved in the accident and killed or injured.
 - vi. Descriptions of animals and fixed objects involved in the accident and the name and address of the owner.
 - vii. Name and address of witnesses including the occupants of the other vehicle(s) in their capacities as witnesses.
 - viii. Measurements for the preparation of a sketch of the scene of the accident (pace of the distance if there is no tape measure)
 - ix. Note the geographical landscape of the place of accident, type of road, accident related obstructive substances of object on or around the road, road make-up including any fencing and weather condition at the time of the accident.

3.6 Internal Accident Reporting

- The departmental head of the driver of the municipal vehicle who was involved in the accident shall, within twenty-four hours after the accident, ensure that the accident report form is completed by the claims official in the Finance Department and also ensure that statements by witnesses and other relevant supporting documents e.g. case reference numbers are forwarded to the claims official or his/her superior in the event of his/her absence.
- Any accident damage or third party claim received shall immediately be submitted to the claims official.
- Any damage made to the Municipal vehicle as a result of an accident involving another vehicle or animal(s) or any object, shall be reported to the claims official.
- The claims official or her/ his superior shall report the accident to the Municipality's insurer and follow the insurer's instructions on obtaining quotes or allowing insurance assessor access to the vehicle.
- In the event of institution of a legal action by the third party, the driver concerned shall upon receipt of summons, subpoena or notice to appear in court pass that information to the claims official or his/her superior so that the Municipality's insurers may be approached.

- Upon admission of complete liability in the accident report a driver of the Municipal vehicle involved in accident shall be given an option to personally bear all repair costs.

3.7 Appointment of investigation official and his/her duties

The Director Community Services shall designate a traffic officer to investigate all accidents Involving municipal vehicles. In the event where a traffic officer is involved in an accident an independent person must be appointed to investigate the accident

The Traffic Officer/Independent person:

- Shall investigate all vehicle accidents and gather all documentary, photographic and other evidence that may be relevant to the case.
- May conduct an inspection of the accident scene.
- may interview the driver, assessor, third party or any other person with information relevant to the incident
- may request witnesses to make written statements regarding the incident;
- must establish whether, on the face of it, the driver was on official business when the incident occurred
- shall objectively advise the Municipal Manager on the circumstances of any vehicle accident and, based on available evidence, whether any further action is recommended in each case.
- He shall after completing an investigation on each accident submit a report to the relevant Head of Department or HOD responsible for fleet, formatted as follows:
 - i. Introduction
 - ii. Statement of case
 - iii. Findings
 - iv. Recommendations
 - v. Signature
- The departmental head or manager responsible for managing the Municipality's fleet must, upon receipt of the report decide whether, on the basis of the report, disciplinary or any other appropriate action must be taken against the driver. This must be done in terms of the approved disciplinary procedures of the municipality.

3.8 Framework for remedial actions

- All remedial and corrective actions will be subject to and governed by the Municipality's disciplinary procedure including lessons drawn from criminal practices.
- The Municipality may deduct the amount of damage to a municipal vehicle which was sustained whilst an employee or councillor was in control of that vehicle from that employee's or councillor's salary, if -
 - The employee or Councillor was found guilty in terms of the disciplinary procedures; and

- the Municipality has followed a fair procedure and has given the employee or councillor a reasonable opportunity to show why the deduction must not be made; and
- the total amount of the deduction does not exceed the total amount of the damage.
- The total amount of any deduction may not exceed one-quarter of an employee's pay. The Municipal employee shall sign an acknowledgment of debt in which the time frame for the payment of the excess shall also be captured.

3.9 Personal use of Council vehicle

Use of an official vehicle for an employee's personal convenience or benefit constitutes misuse and is prohibited. Misuse includes the following practices:

- Trips that is related to the employees personal business
- While on specific work assignments or official travel, side trips for meals that involves significant extra time distance to satisfy a personal preference when other reasonable and adequate eating places are more convenient to employees residence, or direct route of travel.
- Local stops for personal shopping or other businesses, even if such stops are on a direct route of travel or official trip.
- Use of Council vehicles by non-employees is not permitted and amount to criminal offence.
- no passengers who are non-employees are allowed in official vehicles. The Municipal Manager reserves the right to grant permission to non-employees to be transported in official vehicles.

3.10 Tracking devices

All municipal vehicles will be fitted with tracking devices and each driver will be issued with a "tag" to be used when utilizing a municipal vehicle.

The "tag" will identify the driver of the vehicle on all fleet reports to be issued.

A person appointed by the Municipal Manager to oversee the fleet must draw weekly fleet movement reports which must be submitted to the various HOD's and the Municipal Manager. A monthly report must be submitted to Council.

4. USE OF OFFICE MACHINERY AND EQUIPMENT

4.1 Portable computer equipment or Tablets

- The Municipality may, in the sole discretion of the Municipal Manager and based on a written motivation from the Head of Department, acquire and issue to any employee a portable computer or tablet.
- The issuing receipt which the employee to whom a portable computer or tablet is issued shall include such detail with regard to the equipment issued as may be reasonably required to identify it, including detail with regard to the configuration of the equipment concerned.
- The employee to whom a portable computer or tablet has been issued shall present such equipment on demand to the manager responsible for information technology to verify its physical existence and that it is in proper working order.
- The Municipality recognizes that whilst theft of computer equipment is a high risk, theft, loss and damage to portable computer equipment and tablets are more likely to occur than desktop computer equipment. Therefore, any employee to whom a portable computer or tablet has been issued must be much more concerned with the safe storage of such equipment.
- The Municipal Manager shall, immediately upon the loss, suspected theft or damage of a portable computer or tablet or any component of such equipment being reported, request the IT Manager to investigate the circumstances of the reported loss, suspected theft or damage and to submit a written report to her/him.
- The Municipal Manager may, upon receipt of a report in terms of this paragraph, institute such action, including disciplinary action as may be appropriate.

4.2 Electronic mail facilities

- The Municipality provides electronic mail facilities to personnel and councillors in order –
 - to improve the Municipality’s efficiency;
 - to enhance the effectiveness of communication; and
 - to expedite the administration of the Municipality’s affairs.
- Electronic mail facilities are not provided for the convenience of, or use by, employees or councillors for their own private purposes.
- The Municipality realizes that electronic mail messages, including any attachments to such messages, received and sent using an electronic mail facility supplied by the Municipality are “indirect communications” and may therefore be intercepted in terms of section 6 of the Regulation of Interception of Communications and Provision of Communication-related Information Act 2002 (Act No. 70 of 2002).

- The Municipality may monitor computer activity and particularly electronic mail traffic in the Municipality for the purpose of establishing or keeping a record to establish the existence of facts, investigating or detecting unauthorized use of the Municipality's telecommunications system or in order to secure the effective operation of the Municipality's telecommunications system.
- Users of electronic mail facilities supplied by the Municipality shall –
 - ensure that his/her e-mail access is kept official and at all times devoid of profanity, obscene, racist, defamatory, abusive or threatening, discriminatory or otherwise biased remarks or content, lies to discredit the Municipality or any individual that acts as representative of the Municipality or government and propaganda to discredit any person or group of people or party in any way;
 - not distribute or forward any content that is sexual, pornographic, biased, offensive or violent to disgust or that can be viewed as inappropriate or illegal content;
 - not send out virus warnings if it was not cleared with the relevant support person or company, as it often is hoax viruses aimed at flooding e-mail systems and servers through sheer volumes;
 - inform the support personnel or company of any strange content or e-mails received from known and unknown sources, especially when the mail contains attachments that are executable files or part of applications or application extensions or screensavers. Such attachments may be disguised computer viruses and may wait to be executed to infect a system and redistribute it to other recipients. E-mails received from unknown sources or that is conspicuous by nature should be deleted immediately and also deleted from the recycle bin within the e-mail program; and
 - make sure of the security classification of documents sent via e-mail and ensure that the documents may be sent via e-mail. Where documents are sent with sensitive information the relevant support personnel should be contacted to ensure that the mail is sent encrypted and that sensitive information is received by the intended recipient only and can be read by that person only.
- It is unlawful -
 - to distribute e-mail messages that consist of files that are copyrighted via e-mail;
 - to transmit information that is derogatory to any person or messages which are sexually or racially harassing via e-mail to any person, either within the Municipality or outside;
 - to read any e-mail message intended for a specific person, unless specifically instructed or requested to do so. Where people allow others access to their e-mail messages it is not deemed illegal to read any message received.
 - to send e-mail that contain user accounts and passwords to persons not on the network or not members of the network, especially if those accounts and

passwords grant access to the network with administrator or equal rights and the intended party uses it illegally. When instructed to do so such information may be sent via e-mail but only on instruction by a member of senior management.

- The Municipal Manager shall take appropriate steps, which may include disciplinary steps and laying criminal charges against offenders.
- E-mail messages should be kept to a maximum size of about 5 megabyte or less in order to aid in the necessary bandwidth being conserved and utilized for important transfers.

4.3 Prohibited practices with regard to electronic equipment

No employee or councillor may –

- (a) play, view, copy, upload or download computer games on or to any computer in any workplace, whether or not the Municipality supplied such computer;
- (b) supply any electronic mail address of the Municipality to receive electronic mail of a private nature, nor transmit any electronic mail of a private nature using such an address or by means of any electronic mail facility supplied by the Municipality;
- (c) at any time, view, upload, download or access any offensive material, including but not limited to sexually or racially offensive material, on or from the Internet;
- (d) attempt to change or repair any computer hard- or software or any computer system or computer network infrastructure;
- (e) install a modem in any computer or, when a computer has a modem, connect such modem to a telephone line of the Municipality without the express prior permission of the Municipal Manager;
- (f) install, load, delete or change any computer programme installed on any computer in any workplace whether or not the Municipality supplied such a computer or programme;
- (g) use or access any records, files, folders or documents whether of a private or official nature, stored in any computer or network device other than a computer assigned or supplied to her/him without the express prior approval of –
 - (i) the person to whom such other computer has been assigned or supplied; or
 - (ii) the Municipal Manager;
- (i) change the user name, access code or password to any computer or a computer assigned or supplied to another employee without the express prior approval of –
 - (i) the person to whom such other computer has been assigned or supplied; or
 - (ii) the Municipal Manager;
- (j) move, rename or make any changes to a file, folder, record or document stored on any computer storage device, digital memory or a network device used for storing and exchanging files, folders, records and documents unless she/he -
 - (i) is the author of such file, folder, record or document;

- (ii) is the Municipal Manager or a departmental head; or
- (iii) acts with the permission or under the express instruction of any person in sub-paragraphs (i) or (ii);
- (k) add a private electronic mail address to any electronic mail account or change or remove an electronic mail address supplied by the Municipality to her/him;
- (l) access or attempt to access a document on any computer, computer system or network device to which she/he does not have the required security access; or
- (m) “lock” a document she/he is the sole author of or collaborated on, for editing or printing without the express consent of her/his departmental head or the Municipal Manager.

4.4 User name and password

- An employee or councillor who has been assigned a computer to perform her/his work –
 - a. shall choose a user name and password or other access code for that computer and shall in writing, in a sealed envelope, submit particulars thereof to the Municipal Manager;
 - b. shall ensure that her/his user name and password or other access code remains confidential and shall not disclose particulars thereof to any other person unless instructed to do so by the Municipal Manager or her/his departmental head
- Whenever an employee’s or councillor’s user name, access code or password changes, she/he must inform the Municipal Manager of any such change.
- Every employee and councillor has a duty to ensure that the integrity of information stored in or on a computer or network device is not compromised.
- The Municipal Manager may, after consultation with managers directly accountable to her/him and the Network/System Administrator, determine the security and access levels of different classes of files, folders, records and documents stored in a computer or network device, and may for this purpose design, approve and implement a document classification system.
- Any file, folder, record and document, including any electronic mail messages on computer hard drive, including a removable hard disk, stiffy disk, compact disk, digital video disk or flash memory found in a work place or issued by the Municipality shall be deemed to be the property of the Municipality.

4.5 Use of duplicating and telefacsimile transmission machines

No councillor or employee may-

- a) use any duplicating machine supplied by the Municipality to make copies of a private nature;

- b) Supply any telefacsimile number of the Municipality to receive telefacsimile transmissions of a private nature; or
- c) transmit any telefacsimile messages of a private nature using a telefacsimile machine supplied by the Municipality.

5. Procedure in case of loss, theft, destruction, or impairment of fixed assets

- (i) Every departmental head shall ensure that any incident of loss, suspected theft, destruction or material impairment of any fixed asset controlled or used by her/his department is promptly reported in writing to the Municipal Manager, the Chief Financial Officer, the Internal Auditor and in cases of suspected theft or malicious damage also to the South African Police Service.
- (ii) The Municipal Manager may, upon receipt of a report in terms of paragraph (i) appoint a person, which may be an official of the Municipality or another person –
 - a. to investigate the circumstances of the loss, suspected theft, destruction or impairment of the asset concerned;
 - b. to form and express an opinion with regard to the matter; and
 - c. to submit a written report and recommendations to her/him with regard to the matter, within a period determined by the Municipal Manager.
- (iii) The Municipal Manager shall take such action as she/he may deem appropriate, which may include disciplinary action, upon receipt of a report in terms of paragraph (i)

6. Implementation provisions

- in the event of misconception, misinterpretation and misunderstanding of this policy, or any clause contained in this policy, the Municipality reserves the right to give an objective interpretation subject to appeal to Management, which shall give a final judgment of the case.
- Any amendment or annulment of this policy shall be done upon submission of a comprehensive motivation by Management to the Municipal Council which have absolute powers of amending or annulling this policy.
- It shall be incumbent upon the Municipality to take proper action that does not deviate from the enshrined order of this policy where this policy falls short, or does not provide a mechanism or a framework for addressing any matter of issue pertaining to the mission of this policy, in order to give effect to the objectives of this policy in particular and to the interests of the Municipality to do so.