

**Standard Operating
Manual for Private
Security Companies in
Sierra Leone**

PREFACE

The right to security is fundamental to any state. The GOSL security forces (i.e. RSLAF/SLP) are wholly concerned with the security of the state and its territorial integrity. Private Security Companies (PSCs) provide safety and security to the people and the property they safeguard.

The idea of private security was almost remote in Sierra Leone before the decade-long civil war, which witnessed widespread and wanton destruction of lives and property. At the end of this war, there was an increased demand to provide security and protection for those lives and property that survived.

It was in this vein that Government welcomed and encouraged the establishment and operation of private security companies, which would complement the efforts of primary forces in providing the much needed security.

The response to the demand for security was almost spontaneous and was to see a remarkable growth in the industry within a relatively short period. With this growth came the need to have a national regulatory framework that would ensure efficiency, uniformity, and compliance.

In view of this, Government enacted the National Security and Central Intelligence Act in 2002 (NSCIA-2002), which provided for the establishment of the Office of National Security, with responsibility to regulate and monitor the activities of private security companies.

The Standard Operating Manual is an attempt to provide answers to the numerous questions being asked and the concerns expressed about an existing national framework for the regulation of private security companies.

Essentially though, the Manual is designed to equip private security companies with useful, relevant, and informed knowledge, skills, and capacity to undertake the important task of effective and efficient operation and management within the framework of National Security.

In its present form, this Manual is an outcome of a three-day material development workshop (12th – 14^h December 2005) attended by representatives of private security companies and other stakeholders under the auspices of the Office of National Security. It was compiled by the Office of National Security.

STANDARD OPERATING PROCEDURES (SOP)

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1.1 THE NEED FOR REGULATION

Every Security Service provider has duties towards the public and the private security industry itself. These service providers should therefore ensure at all times that they act in a manner which does not threaten or harm public/national-international interest or promote instability and indiscipline in the industry.

The Government of Sierra Leone through the National Security Council (NSC), having realized that most of the registered private security companies were falling short of such duties, mandated the Office of National Security (ONS) to properly regulate and monitor their activities.

The initiative was also based on the understanding that a well-regulated private security industry would provide the private sector, local or foreign, with a secure environment to conduct business, provide the state with a useful tool to enhance its revenue base and further provide employment for many Sierra Leoneans.

1.2 REGULATION OF PRIVATE SECURITY COMPANIES

1.2.1 THE NATIONAL SECURITY AND CENTRAL INTELLIGENCE ACT (NSCIA) 2002

The National Security and Central Intelligence Act of 2002, provided for the establishment of ONS, with the responsibility of regulating and monitoring the activities of private security companies operating within the borders of Sierra Leone, Part V, Section 19 of the Act provides as follows:

1. Subject to this Act, no person shall operate a private security company unless such person holds a license issued by ONS.
2. Any person who wishes to operate a private security company shall apply to the ONS for that purpose.
3. An application for a license under this section shall be in such form as the ONS may prescribe and shall be accompanied by:-
 - a. A certificate or other evidence that the applicant has registered a company for the purposes of his/her application.
 - b. The financial resources and other equipment including any arms and ammunition, whether or not licensed under the Arms and Ammunition

Act, 1995, intended to be used for the business operations of the company.

- c. The particulars of the applicant and other promoters, director, and other officers of the company, and
 - d. Such other information as the ONS may require.
4. Upon the receipt of an application under sub-section (2), the ONS shall within sixty days of such receipt, decide whether to grant or refuse to grant license.
 5. In taking a decision under sub-section (4), the ONS shall take into account:-
 - a. The adequacy of the resources and the validity of the mode of acquisition of the equipment including any arms and ammunition to be used in the business of the operations of the company.
 - b. The character and fitness of the applicant and other promoters, directors, or officers of the company to operate the license, and
 - c. The public interest.
 6. Subject to this Act, where the ONS is satisfied with an application, it shall grant the license to the applicant subject to such terms and conditions as it may specify the breach of which terms and conditions shall entitle the ONS to revoke the license.
 7. Where the ONS decides to refuse an application, it shall issue a written statement to the applicant stating the reasons for its decision: Provided that where the applicant is aggrieved by the decision refusing to grant the license, he may appeal to the Council whose decision shall be final.
 8. Any person operating a private security company immediately before the commencement of this Act shall apply for a license within three months of such commencement and shall cease operations if he has not secured a license within six months of such commencement.
 9. For the purposes of this section, "Private Security Company" means a company providing security service, including armed escort services, whether public or private.

1.2.2 REGULATIONS BY THE OFFICE OF NATIONAL SECURITY (ONS)

Within the limits of its mandate as provided for in Article 19(6) of NSCI Act-2002, the Office of National Security has set out certain terms and conditions by which Private Security Companies are to be regulated.

1. Any person or group of persons wishing to operate a Private Security Company must obtain the following under-mentioned documents, the copies of which must be presented to the Office of National Security.
 - a. Memorandum and Articles of Association
 - b. Certificate of Incorporation
 - c. Business Registration Certificate
 - d. Business License
 - e. Labour Clearance
 - f. Police (SB and CID) Clearances
 - g. Income Tax (NRA) Clearance
 - h. Work Permit (in case of foreign employees)
 - i. Conditions of Service and Operational Procedures currently being used
 - j. List of personnel and their designations

In addition, such person or group of persons must apply for an operating license from the Office of National Security and for that purpose, shall be required to complete an Application Form. Except otherwise stated, all licenses must be renewed annually and copies of all renewals should be sent to the Office of National Security.

1.3 REGULATORY MEASURES

As a strategy, the Office of National Security proposed the inclusion of all affected parties in the Private Security business – security employers, employees, users of security service and stakeholders to discuss and agree on regulatory measures and to set guidelines to ensure compliance. As a result, a workshop of such affected parties was held at the State House from 12th – 14th December 2005, and what follows below is the effective outcome of that exercise.

2.0 OBLIGATIONS AND RESPONSIBILITIES OF PRIVATE SECURITY COMPANIES

2.1 CODES OF CONDUCT

- i. No person shall operate a private security company in Sierra Leone unless the private security company has been registered and licensed

exclusively for the purpose stated in Part V, Section 19, Sub-Section (iii) of the National Security and Central Intelligence Act 2002. This purpose should be clearly stated in the company's Memorandum of Understanding and Articles of Association.

- ii. Private Security Companies must ensure that their Directors and Personnel are subjected to screening by the Special Branch (SB) or Criminal Investigations Department (CID) before commencing operation.
- iii. Upon recruitment, Private Security Companies must ensure that their Directors and Personnel are subjected to screening by the Special Branch (SB) or Criminal Investigations Department (CID) before commencing operation.
- iv. Private Security Companies must not enlist children as guards under the age of 18.
- v. Private Security Companies must not discriminate against women in the recruitment of personnel.
- vi. Private Security Companies should provide cameras to supervisors in order to ensure transparency of reports on guards whilst on duty.

2.2 RESRAINT/PENALTY

Any person or group of persons who operate a Private Security Company without:

- i. Proper Registration documentation
- ii. Clearances from SB & CID, Ministry of Labour and NRA (Income Tax),
and
- iii. Operating License from the Office of National Security (as provided for in the NS CIA – 2002), commits an offence and shall be liable to an injunction in the court of law.

Part V, Section 19, Sub-section (iv) of the National Security and Central Intelligence Act – 2002, states:

“Subject to this Act, where the ONS is satisfied with the application, it shall grant the license to the applicant subject to such terms and conditions as it

may specify the breach of which terms and conditions shall entitle the ONS to revoke the license.”

3.0 ACTING WITHIN THE LAW: THE USE OF BATONS AND HANDCUFFS

Private Security Companies **should not** use firearms but can in the course of their operations, use batons, truncheons and handcuffs. Handcuffs must be used for arrest-able offences and their use must be limited to the level of the crime committed. Batons/truncheons must be used only as a means of weakening the criminal.

Private security guards as well as supervisory officers can arrest a suspect or criminal but since they have no power of arrest, such suspect or criminal has to be handed over to the police immediately for investigation.

4.0 USE OF COMMUNICATION SETS

Private Security Companies desiring to use communication equipment, channels and frequencies, shall have to apply to SIERRATEL for the purpose. They are also required to obtain clearance for that purpose from the Sierra Leone Police (SLP), the Office of National Security (ONS), and any other institution that may have responsibility for the issuance of the clearance.

The use of such equipment, channels, and frequencies should not be inimical to, or in conflict with, the security of the state or the public.

5.0 PROFESSIONALISM

Private Security Companies must develop the capacity of their security operatives so as to obtain the required standards of professionalism. Such capacity building could be done through:

- i. Basic training in security, International Humanitarian Law (IHL), human and civil rights, Gender-based Violence (GBV), HIV/AIDS control and prevention, communication and information, etc.
- ii. Field Experience

6.0 UNIFORMS

Private Security Companies must ensure that their employees wear uniforms on duty at all times. Such uniform must bear the logo of the company.

They must also ensure that their colours and styles do not conflict with other private security companies operating in the country or with those of the primary security forces (Sierra Leone Police (SLP), Republic of Sierra Leone Armed Forces (RSLAF), Fire Force and Prisons.

7.0 RANKS AND BADGES / LOGO / CREST / IDENTIFICATION CARDS

Private security personnel should not use bottoms used by the above named forces. Every PSC personnel should be identifiable, at close quarters or at a distance. They are therefore required to carry a non-transferable identification card that can be shown upon demand whenever they are carrying out their activities in discharge of their responsibilities.

In ranking (s) and the use of badges/logo, the following common system has been recommended.

1. General Manager – 3 bars and the company's logo
2. Manager – 2 bars and the logo
3. Senior Chief Security Officer/Instructor – 1 bar and the logo
4. Chief Security Officer – Logo only
5. Senior Supervisors – 4 bars only
6. Supervisors – 3 bars only
7. Senior Security Officer (SSO) / Guard – 2 bars only
8. Security Officer (SO) – 1 bar

8.0 GENDER EQUITY

Personnel should be given equal opportunities irrespective of their gender in terms of recruitment, during and after probationary period, promotion, wages, allowances, salaries, retirement benefits, and any other opportunity that is available during the active service. A negative threshold set for anything should not be set for a particular gender. Specifically, there should be more than 30% of female personnel in every PSC and an equitable number consequently occupying managerial levels.

9.0 NAME AND ADDRESS

A Private Security Company should adopt a distinct name that must not be misleading and not in conflict with another registered company within Sierra Leone.

The location and contact address of the Private Security Company must be communicated to the Office of National Security and all other stakeholders. Where there is a change of address, such change must be communicated accordingly and immediately.

10.0 COUNSELING

Counseling is a basic responsibility of Private Security Companies towards their guards and constitutes an essential element of maintaining an effective and efficient guard force.

To this end, private Security Companies are required to provide counseling to their workforce with a view to developing their skills, improving their well-being, solving their problems, and enhancing their overall performance.

Counseling, like training, must be a continuous process. In-house counseling is important, but it is essential for PSCs to employ the services of other experts to provide these for their guards.

11.0 CONDITIONS OF SERVICE

The following are the minimum terms and conditions that must be offered to all employees of Private Security Companies:

11.1 Engagement of service:

Any person whose service is engaged by a Private Security Company must be issued a Letter of Appointment, stating the period of employment or probation, whether on contract or permanent employment, and the salary scale (wage) at the time of engagement.

11.2 Personnel File:

It is very important for every security company to keep and maintain a personnel file on every security officer. The following items for instance are to be kept in the personnel file:

- a. **Profile Form:** The profile form should contain the following information:

- i. Name, Address, and Telephone Number
 - ii. Next of Kin's Name, Address, and Telephone Number
 - iii. Age
- b. **Medical Certificate:** The certificate is to state that the Security Officer is medically fit to carry out security duties.
- c. **Curriculum Vitae**
- d. **Guarantor's Form**
- e. **Leave Record Form**
- f. **2 x Passport Size Photographs**
- g. **Uniform and Equipment Issue and Withdrawal Form**

11.3 Guarantor:

Private Security Companies should ensure that all personnel prior to being employed name a credible person who will act as their guarantor and will confirm that they know and trust the person applying for the job. The guarantor must understand that he will be held responsible for any criminal activity that person may commit.

11.4 Hours of work:

The normal working hours per week shall be 12 hours per day, five days per week making a total of 60 hours. This means all security officers will have 2 rest days per week. Companies can adopt a 6 days per week shift system consisting of 8 hours per day with the Security Officer receiving 1 day per week. Any period worked in excess of the agreed normal working hours shall be counted as overtime.

11.5 Probationary Period:

All Security Officers shall upon engagement, serve a probationary period of six months. If during this period a worker has not shown him/her sufficiently suitable for security work, the company may either terminate the employment without notice or have probationary period extended for another three month period. On no account shall the total probationary period exceed nine months. The employer may if they wish to cancel the probationary period at any time if they feel the employee is not suitable for the position he/she is being employed for.

11.6 Annual Leave:

All workers shall be entitled to be paid Annual Leave in respect of each

completed year of service. The granting of the leave shall be subject to the exigencies of the company's operation which may defer the leave if it feels the circumstances warrant such action. Leave may not be deferred for more than 2 years. If the employee is traveling on leave to the regions or out of the country he/she may be granted two days traveling time each day in addition to his annual leave.

The following rates apply for Security Officers:

From 1 – 3 years	28 days
From 3 – 5 years	30 days
From 6 – 10 years	32 days
Over 10 years	38 days

11.7 Leave on Urgent Private Affairs (UPA):

Leave on UPA shall be granted with pay to an employee up to 15 days a year when the said worker has no leave entitlement remaining. UPA leave shall be deducted from the employee's next Annual Leave entitlement.

Only employees who have completed 12 months service with the company shall be entitled to UPA leave.

11.8 Leave Plan:

All Private Security Companies should prepare a yearly plan ensuring all their eligible employees receive their leave entitlement each year. At the beginning of each year, they should plan to make sure that each month at least 1 out of 12 of their eligible workforce proceeds on leave.

11.9 Refusal to take Leave:

If a person refuses to take his/her leave for whatever reason, he/she should complete a certificate stating that he/she has given the opportunity to take his leave but refuses to do so.

11.10 Leave Pay and Allowance:

Full pay and leave allowance is to be given to the employee prior to departing on his/her leave.

11.11 Personal Leave Form:

A Personal Leave Form should be held in the Security Officer's Personnel File showing his/her entitlement, leave taken and allowances paid. Each

occurrence should be signed by the security officer and a company representative.

11.12 Sick Leave:

If a worker falls sick and his/her sickness is supported by a Certificate Form from a professionally recognized Medical Establishment, he/she may be granted paid sick leave in any one calendar year as follows:

1 – 5 years service	35 days on full pay and/
followed by	35 days on half pay

Over 5 years service	42 days on full pay and/
followed by	42 days on half pay

Over 10 years service	47 days on full pay and/
followed by	47 days on half pay

Notification of illness shall be given to the employer within 48 hours.

Instant dismissal and prosecution may be taken against any employee who provides a false Sick Certificate to an employer. An employee who fakes illness and claims full or half pay may have disciplinary action taken against him/her if he/she is witnessed doing activities not consistent with his/her illness, i.e. somebody suffering from chronic back pain who is found playing football on the beach.

11.13 Wage/Salary and Allowances:

All employees are to be paid a basic salary to the minimum standard or above as directed by the Ministry of Labour and agreed by Stakeholders:

Minimum Basic = **Le 90,000.00**

Minimum Gross = **Le 150,000.00**

It is a criminal offence for employers to pay Security Officers below the minimum standard of pay. Allowances are to be paid to all Security Officers below the minimum standard of pay. Allowances are to be paid to

all Security Officers in accordance with labour laws; rent allowance and transport allowance etc. Where necessary transport must be provided from pick up and drop off points.

Clients Fees: To maintain standards of service and protect the industry, Private Security Companies should charge their clients a minimum of **Le 200,000.00** (Two Hundred Thousand Leones) per Security Guard per month.

11.14 Transfers, Permanent, Temporary, Emergency:

An employee is subject to be transferred to any part of Sierra Leone where his/her establishment may have operations, and when such transfers are planned or contemplated, the employer shall give at least six weeks notice to the employee concerned except in cases of emergency. Examples of cases of emergency:

- a) Riots and unrest in an area where the company has numerous locations and additional manpower cannot be obtained locally.
- b) A new contract that has commenced without notice and additional manpower cannot be obtained locally.
- c) When a senior employee is required to fill a vacancy that cannot be filled locally
- d) When an employee is transferred to a different part of Sierra Leone, he/she is to be given the appropriate allowances as directed by the Minister of Labour.

11.15 Discipline:

Where the services of an employee have not proved satisfactory or where an employee commits a minor offence which does not merit dismissal the following procedures shall apply:

- a) For the first, second, or third offences a written warning shall be given in respect of each offence and before each warning the worker shall be given the chance to defend himself/herself.
- b) After three such warnings, a fourth offence of continued unsatisfactory service within 12 months from the date of the first offence shall give the company the right to terminate the services of the worker concerned. Written warnings are only valid for 12 months.

- c) An employee maybe suspended from work with half pay pending the result of criminal or disciplinary proceedings. If the suspension is not followed by dismissal, the employee shall continue in his/her employment and shall be paid the balance of his/her salary for the period of the suspension.
- d) For purposes of discipline, minor offences include tardiness (lateness), absenteeism, undue argument with authority, soliciting favour from a client or rendering services to client other than those for which guard is assigned, attempted theft of the security company's or client's property, posing for snap shot for the press without permission, idling away time whilst on duty and encouraging visitors.
- e) Offences for which the worker is liable to dismissal without notice:
 - i. Gross misconduct or serious negligence. For Security Officers, this includes abandoning an assigned location, abandoning uniforms at a duty station, incitement and sleeping on duty. It would also include Supervisors who allows Security Officers under their command to sleep.
 - ii. Misuse of Time Sheets. This also includes Security Officer entering false time for a colleague who is late or absent from duty.
 - iii. Consumption of alcohol or being under the influence of alcohol whilst on duty except on occasions approved by the Management of the Company.
 - iv. Possession of Consumption of or being under the influence of illegal drugs whilst on duty. E.g. Marijuana, Cocaine, Heroine.
 - v. Proven theft of the Security Company's property or property belonging to a client of the Security Company.
 - vi. Conduct calculated seriously to injure the Security Company's business i.e. attempting to have a client of the Security Company go to another Security Company.
 - vii. Gross insubordination to Senior Personnel, Management, or to a client of the Security Company.
 - viii. Fighting during working hours.

- ix. Committing crimes like sexual abuse, rape, and other acts of Gender-based Violence.
- x. Financial impropriety such as embezzlement, swindling of money, fraudulent conversion, and fraud or forgery.

11.16 Termination of Service:

Where employment is terminated by the company other than in cases stated above, the company shall give one month salary in lieu of notice. A Security Officer who intends to resign shall give similar notice as specified above or pay in lieu thereof.

11.17 Break of Service:

If a Security Officer is laid off and re-engaged by the same employer within 90 days, his/her services shall be considered continuous for the purpose of long service award provided he/she has not been paid for termination benefits.

11.18 Terminal Benefits:

Any Security Officer who has served the company continuously for a period of not less than one year and whose services are terminated for reasons other than gross misconduct, or any worker who retires or dies shall be entitled to the following benefits:

From 1 – 5 years 30 days pay for each completed year of service
From 5 – 10 years 37 days pay for each completed year of service
Over 10 years 42 days pay for each completed year of service

11.19 Promotion:

Existing staff shall normally be given first consideration in the matter of promotion and when such vacancies occur the employer shall take into consideration merit, technical ability, and length of service. The final decision on who is to be promoted shall rest with the employer.

11.20 Patrols:

1. It is Standard Operating Practice for Security Companies to carry out night patrols. Patrols are to be well planned, organized, and implemented.

Patrols have three objectives.

- a) To enable the client to be confident that patrols are being carried out and to make them feel more secured.
 - b) To deter thieves.
 - c) To keep Security Officers alert throughout the night.
2. Each day a patrol shall give:
 - a) Intelligence information i.e. recent robberies in certain area.
 - b) Reports of guards on duty the previous night.
 - c) Complaints or requests from customers.
 3. Patrols should never be routine and predictable. Visit certain locations two or three times per night.
 4. For the purposes of patrol, ensure that patrol vehicle is provided and well prepared i.e.
 - a) Ensure that the vehicle is mechanically prepared for the patrol i.e. oil, water, spare wheel, and jack.
 - b) Ensure that there is enough fuel in the vehicle for the duration of the patrol.
 - c) Ensure that there is adequate manpower in the Patrol Team i.e. Driver, Patrol Team Leader, Extra Guards, OSD (Optional but desirable).
 - d) Ensure that the Patrol Team has adequate communication, i.e. radio, mobile phones.
 - e) Where vehicle is not provided for patrol, the company must ensure that an appropriate allowance is provided instead.
 5. The company should ensure that the Control Room keeps in contact with the Patrol Team throughout the night.

11.21 Rotation of Guards:

To avoid over familiarity with location, undue influence of clients, or any conduct likely to compromise efficiency and integrity, Private Security Companies are required to rotate their guards as often as possible.

11.22 Report to Police:

All Private Security Companies are charged with the national responsibility of reporting all security incidences within and outside their AOR to the Police.

LIABILITY CLAUSE

If loss or damage to a client's self or property occurs and is caused by negligence or dereliction of duty by Agents of the Private Security Company, the Company should be found liable. Said Company should then compensate the Client for losses incurred. Negligence or dereliction of duty would include Agents of the Company disregarding or violating either standing orders (by either the client or the Company) or the contractual agreement. Negligence or dereliction of duty would also include a general lack of oversight or demonstrated organizational negligence.

The company should be found liable only if it can be shown that an organizational failure (rather than an individual failure) was the cause of said loss or damage.

An example of negligence would be:

1. A Private Security Company is bound by contract to protect a compound, which requires three guards on site at all times. A fuel theft occurs, and it is found that only one guard was on duty. If the organization was informed that there were less guards than required by the contract on site, then the company would be held liable for the loss or damages incurred due to that negligence.

In other words, the guard properly reported the under-staffing in accordance with the Company's procedure and contract with the client, and the Company did not ensure proper manning in accordance with their commitment.

Options to ensure coverage of liability, the choice of which should be enumerated in the contract:

1. General liability insurance should be adequate to cover anticipated possible loss. (Industry standard is a minimum \$2,000,000 policy for man guarding.)
2. Insurance to cover specific events. (Automobile Insurance, Cash in Transit Insurance, etc.)
3. Bonds can be obtained, and must also be adequate in amount to cover anticipated loss.
4. Companies can choose to self-insure, but must have an appropriate amount of net assets to cover the anticipated loss. (Very few companies can do this.)