

3.2 Screening

- 3.2.1** A criminal background check is a security screening process aimed at ensuring a certain level of protection for the workforce, assets, and information. Eskom is implementing a screening process across the business, including permanent and contract employees.
- 3.2.2** The extent to which the company or contractor (company employees) will have access to sensitive information or critical plant areas at the installation in question is determined by the scope of work to be performed in terms of the contract awarded. The contractor's criminal check will, therefore, be implemented prior to authorising an individual's entrance to an Eskom site to determine the individual's background status.
- 3.2.3** It is the responsibility of contractor companies and representatives to ensure that the backgrounds of contractors are criminally checked or screened. Criminal background check results from the SAPS or Automated Fingerprint Identification System Switch (AfiSwitch) accredited service providers must be submitted to Security for verification no later than 30 days prior to the issuance of access permits to national key points and Eskom sites.
- 3.2.4** Contractors who have previously been found guilty or paid admission of guilt fines for Schedule 3 (paragraph a to g) offences in the Criminal Procedure Act and the National Road Traffic Act 93 of 1996 will be exempted and allowed access to Eskom sites, while contractors found guilty of the remaining schedule offences will be denied access, refer to the attached schedule (*Appendix: A*).
- 3.2.5** All contractors working under existing contracts and new contracts shall comply with applicable laws and regulations regarding security and background checks when working in Eskom facilities. Should the contractual term exceed one year, the screening process for all contractor personnel shall be repeated every 12 months.
- 3.2.6** The screening results shall remain valid for a duration of 12 months.
- 3.2.7** The screening results presented for access authorisation should not be older than three months.
- 3.2.8** The contractor provides, at the contractor's costs, a criminal record clearance and work permit, submitted to Security before access is granted into a national key point and all other Eskom sites.
- 3.2.9** If the criminal record certificate is cancelled, withdrawn, invalidated, or amended, or expires, or a criminal conviction is noted against any contract employee, the contract manager may instruct the contractor to ensure that such employee leaves the site, and giving this instruction is not a compensation event.
- 3.2.10** If the principal contractor appoints a subcontractor, the principal contractor should ensure that its subcontractors or any of those subcontractors provide criminal record clearance certificates to it for each employee of the subcontractor before access is granted to any Eskom sites.
- 3.2.11** The screening requirement shall be part of the procurement or tender process, and relevant screening results documentation is required prior to contract awarding.
- 3.2.12** Each contractor requesting access must undergo an individual evaluation, with the results of the assessment documented.

The contractor may pursue expungement with the SAPS to have criminal records expunged, and Eskom may assess the outcomes before reaching a decision. Expungement is a legally sanctioned process whereby a criminal record is lawfully expunged from an individual's records on the National Criminal Register.

CONTROLLED DISCLOSURE