



Postal Services

Guidelines for Protecting the Integrity of Mail

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Gibraltar Regulatory Authority

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Contents

Introduction.....	1
Mail Integrity Objectives.....	1
Recruitment.....	2
Disciplinary Procedures.....	2
Agents & Sub-contractors.....	3
Security of Mail.....	3
Information & Reporting Requirements.....	4

Introduction

In accordance with the requirements of the Post Office Act (the "Act") the Gibraltar Regulatory Authority (the "Authority") imposed essential requirements and conditions as set out in Notice No. 12/13 on all postal service providers in Gibraltar who have either obtained a general authorisation under section 4H of the Act, or been granted an individual licence under section 4G of the Act.

The essential requirements and conditions referred to above are based upon the requirement for all postal service providers to adopt sufficient measures in order to ensure the:

- confidentiality of correspondence in connection with the sending, conveyance and delivery of postal items and
- security of the network as regards the transport of dangerous goods.

The Authority considers the above to relate to protecting the integrity of mail and the primary risk involved comes from people who have access to that mail, whether authorised or not. In this regard and in cases other than *force majeure*, there is always a risk that people may damage mail, delay it, interfere with it or in certain cases even steal it.

The Authority would like to distinguish between the criminal offences of stealing and interfering with mail, established under Part V of the Act and the need for postal service providers to have appropriate preventative policies in place governing their mail operations to ensure as far as practicably possible that mail sent by a customer will reach its intended recipient.

Mail Integrity Objectives

Although it is impossible for any measures to guarantee that such inappropriate access will never occur, the Authority sets out these Guidelines in order to achieve the following mail integrity objectives:

- Minimising exposure of postal items conveyed to the risk of loss, theft, damage or interference;
- Management of access and prevention of unauthorised access to mail;
- Minimise the risk of offences under the Act of interfering with the mail occurring in relation to mail carried by regulated postal service providers;
- Maintain and improve regulated postal service providers' performance in these areas.

The Guidelines being proposed herein are not in any way linked to the size of the Service Provider and would therefore apply both to the designated Universal Service Provider (the "USP", subject to an individual licence) as well as those providing services outside the scope of the universal service (i.e. those operating under a General Authorisation).

The Authority is of the view that any Postal Service Provider will be in a position to tailor policies and procedures to their own circumstances, taking into account the size and structure of their organisation and as such the Authority does not wish to impose minimum standards where these are not necessary.

The principal areas covered in these guidelines are:

- Recruitment
- Disciplinary Procedures
- Agents and Sub-contractors
- Security of mail
- Information and Reporting Requirements

Recruitment

A Postal Service Provider cannot avoid addressing the fact that their own employees or people who have rightful access to postal items may pose a risk to the integrity of mail. In an attempt to mitigate this risk, good recruitment procedures should be in place to ensure the integrity and honesty of potential individuals seeking employment.

Therefore the Postal Service Provider should establish, maintain and adhere to a recruitment policy designed to facilitate achievement of the mail integrity objectives and ensure responsibility is allocated to specific personnel for the implementation and compliance of that recruitment policy.

The recruitment policy should include the following:

- Any information about the prospective employee that the Postal Service Provider requires, including the steps to be taken to satisfy itself of the true identity;
- Vetting procedures that require prospective employees to declare any criminal convictions and/or cautions relating to dishonest conduct (*in particular theft, obtaining property by deception or fraud*) and information on how and such convictions will be taken into consideration in relation to employment;
- Confirmation of the prospective employee's work history.

Disciplinary Procedures

All relevant employees must be informed of the provisions of Part V of the Act and be made aware of the seriousness of the offences detailed in those sections. However, the Authority recognizes that although the Act addresses the more serious offences of interfering with mail, it does not cater for the less serious breaches involving mail handling. Therefore, Postal Service Providers should have clear disciplinary policies & procedures in place in order to help achieve the mail integrity objectives. Employees should be aware of what is expected of them in this regard.

Not all the employees within the organization are going to be involved in the handling of mail items or have access to these items. However, where applicable any policies

adopted should apply to permanent, temporary, casual or part-time employees (*including those under contract for service*) who are or may be involved in conveying, receiving, collecting, sorting, delivering or handling postal items or those who are reasonably likely to have access to postal items in the course of their work.

The Authority recommends that Postal Service Providers have procedures in place that address the following:

- Make employees aware of the standards of conduct that are expected from them;
- Ensure that employees are aware that the breach of the standards of conduct may sometimes constitute a criminal offence;
- Have a written disciplinary policy in place which highlights action to be taken if employees fail to adhere to this standard;
- Records to be established and maintained with regards to any remedial action taken under the discipline policy and
- Identify and take action in respect of offences under the Act in relation to postal items conveyed by the licensee.

Agents and Sub-contractors

Agents and sub-contractors, sub post offices, mail conveyance entities and third parties are often used by Postal Service Providers and as such the Authority wishes to highlight the importance of ensuring that their presence does not jeopardise the integrity of mail.

Postal Service Providers should satisfy themselves that any agent or sub-contractor involved in the conveyance or handling of mail have appropriate policies and procedures in place so that the integrity of mail is maintained.

Security of Mail

Following the last paragraph, all Postal Service Providers registered in Gibraltar should apply adequate policies and procedures as may be reasonably be necessary in order to facilitate achievement of the mail integrity objectives, in particular in relation to the security of relevant premises, the use of vehicles and equipment in the collection, conveyance or delivery of postal items.

This Authority will seek to ensure that adequate Mail Integrity procedures are in place for all Postal Service Providers operating within (holding an Individual Licence) or outside (holding a General Authorisation) the scope of the Universal Service and each of these procedures would be considered individually based on both the size and operations carried out by the service provider in question.

Postal Service Providers should also consider how to identify the root cause of any breaches in physical security with the aim of establishing whether such breaches were caused by inadequate measures or because employees did not comply with security procedures.

The Authority encourages all Postal Service Providers to adopt the following measures in places where mail will be handled:

- Appropriate use of Closed Circuit Television (CCTV);
- The effective use of electronic defences such as Methods of Access Control including key cards, passwords/codes or Alarms;
- Measures taken to prevent exposure of postal items during transit;
- All vehicles involved in mail handling should be locked when left unattended;
- All postal items should be handled with care to prevent damage or breakage;
- Measures taken to be in a position to identify the transmission of postal items which are either prohibited or classed as dangerous goods;

Such places may include the sorting office, warehouse, bonded stores or vehicles.

Information and Reporting Requirements

Information and reporting requirements are essential for Postal Service Providers in order to be able to monitor what is happening within their organisation and ultimately address any areas of risk. The Authority encourages any case of loss, theft, damage to and/or interference with mail to be recorded in reasonable detail. This should provide a wider picture as to areas of concern and allow for preventative action to be taken in relation to mail integrity. This would also prove beneficial in respect of any potential complaints received in the future.

Information that should be recorded in respect of serious incidents regarding mail integrity should include (as far as reasonably practicable) the following:

- The date, time and place of incident;
- The number of *(or where the precise number is not known, a reasonable estimate of the number of)* items involved;
- The employee(s) involved in the handling of the, including any factual circumstances in which the incident occurred;
- Any other information which the postal operator thinks is relevant;
- Customers should be informed when mail is stolen, lost or wilfully delayed so that they may take action accordingly.

If a Postal Service Provider decides to take action or prosecution in relation to any incident, it should notify the Authority immediately and provide such information as the Authority requires with regards to the incident in question.