

UCT Insurance Cover

2025 Guidelines

[FG008]

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Insurance Cover Guidelines [FG008]

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Acronyms

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ССМА	Commission for Conciliation, Mediation and Arbitration	
DOL	Department of Labour	
DPA	Deemed Pensionable Amount	
HIV	Human Immunodeficiency Virus	
IOD	Injury on Duty	
OHSE	Occupational Health & Safety Environment	
PRECCA	A Prevention and Combating of Corrupt Activities	
SASRIA	South African Special Risk Insurance Association	
TERISA	Tertiary Education Risk Insurance South Africa	
UCTRF	UCT Retirement Fund	

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1. Background

UCT is part of Tertiary Education Risk and Insurance South Africa (TERISA) scheme which is made up of all public universities. TERISA an insurance mutual was established in 1999 to cater for the insurance needs of higher education institutions. The scheme currently provides coverage for 26 universities and 1 college. Notably, TERISA is a self-insured program, meaning a significant portion of premiums are retained within the scheme rather than being paid to traditional insurance markets. This self-insurance model allows for greater control and potential cost savings. The TERISA Executive Committee is made up of representatives from universities who are responsible for managing and exercising general supervision over the affairs of TERISA and deciding on cover placement, and the risk and insurance solutions for universities. Each university is responsible for the level and extent of insurance cover it requires based on risk profile with most (not all) of the insurance cover sourced through TERISA.

The benefits to the TERISA insurance scheme are as follows:

- Sharing of insurance risks with other mutual participants, thereby creating the opportunity to negotiate unaffordable deductibles and premiums through contingency plans.
- Allowing the mutual to build up premium reserves and capacity for difficult or expensive risks to insure through the pooling and sharing of different risk profiles of universities.
- Insurable risks can be covered and tailored to the needs of the insured.
- The universities are not burdened with regulatory compliance, as regulatory compliance is a benefit provided by the insurer.

2. Objective

The objective of this document is to provide guidance to staff and students regarding UCT insurance matters that are relevant to their activities. It explains the process that must be followed to report an incident or make a claim. UCT's insurance cover extends to all property owned by or leased to the University which has been declared to the Insurance Office. Staff injuries on duty must be referred to the OHS Office.

These Insurance Guidelines set out the principles, practices, and procedures applicable to insurance across the University. The information contained in the Guidelines provides only a basic summary of the University's insurance protection and it is not intended to be a

complete and accurate representation of all the terms, conditions and exclusions contained in the insurance policies to which it relates.

3. Scope

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As part of its mission, UCT is committed to engage with the key issues of our natural and social worlds through outstanding teaching, research, and scholarship. The University seeks to advance the status and distinctiveness of scholarship in Africa through building strategic partnerships across the continent, the global south, and the rest of the world. In pursuant of these objectives, the University has several insurance policies in place to manage transferable risk relating to all aspects of the University.

The guidelines have institution-wide application to facilitate a consistent process. The faculties and departments must cooperate fully in providing information required for renewal of the University's insurance cover. Whilst UCT strives to be proactive by anticipating its likely insurance exposure and risk profile, the Insurance Office may not be aware of certain new exposures that may arise from time to time. All staff members are therefore encouraged to bring to notice any variation to existing risks to which UCT and its Insurers may be exposed to. The general principle with all insurance cover, is that if an asset, equipment, or risk is not declared to the Insurance Office, cover is not in place. Insurance cover also extends to UCT's property in the custody or control of employees, students and third parties contracted by the University. Where a company or organisation is loaned or is in custody of UCT property, this must be declared to the Insurance Office and the company or organisation in question must have enough insurance cover for all UCT equipment under their custody. Furthermore, where UCT equipment is loaned to a company or organisation, the Insurance Office must be informed before the equipment is loaned out.

Under no circumstances must UCT equipment be loaned to a third-party without getting approval in writing from the Insurance Office.

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4. General Principles underpinning UCT Insurance cover and claims.

The following general principles apply to all employees, students and third parties contracted by UCT:

- Responsibility for safeguarding the University's assets and property lies with all individuals who use, manage, or are entrusted with university equipment and resources. This includes ensuring that physical items, such as computers, lab equipment, vehicles, and documents, are securely stored, properly maintained, and not exposed to unnecessary risks. Employees and students should take proactive steps to ensure that all university assets are well cared for and protected from loss, theft, or damage always.
- To minimize the risk of loss or damage, reasonable steps must be taken to protect UCT's assets. This includes actions such as locking up valuable equipment when not in use, ensuring that areas with sensitive or high-value property are properly secured, and following safety guidelines for operating or handling specific assets. If an incident occurs, it is important that the individual responsible for the asset immediately reports it and takes reasonable measures to reduce the damage.
- In any incident involving third parties such as accidents, property damage, or injuries the individual should **never admit liability** or offer compensation directly. Admitting fault, making promises to pay for damages, or negotiating compensation without the involvement of the proper authorities or the insurer could result in legal and financial consequences for the University. All incidents should be promptly reported to the relevant Insurance Office or legal representatives, who will handle the situation in accordance with UCT policies and procedures. The proper process will ensure that the University's interests are protected, and any claims or liabilities are managed according to the law and the terms of the University's insurance coverage.

5. Insurance policies in place at UCT

The university has a comprehensive insurance cover which comprises a wide range of physical assets against unforeseen events such as fire, theft, or accidental damage. To ensure extensive protection, the university currently holds different insurance covers in place. These covers are carefully selected to address various potential risks, providing robust financial security and safeguarding the university's assets across various 6

departments and locations. The following insurance cover in place to manage transferable risk relevant to its activities:

5.1 Assets all risks policy.

This cover is for all properties, owned, hired by, or leased to UCT. This cover includes:

- **Property damages** such as subsidence and landslips, UCT residences, drones, live animals, tartans/AstroTurf, library books, works of art, third party property on loan, property of employees while on UCT premises, student's personal property while on excursion arranged by UCT, theft, money, accidental damage and any other defined event.
- The insurance cover for registered student's personal belongings is linked to perils such as fire or flooding in a residence. UCT will under no circumstances accept responsibility for loss or damage to students' possessions and does not offer or sponsor any sort of personal effects insurance plan for students. Students are urged to take out their own "householder" insurance, especially if they are bringing computers and/or other expensive electronic equipment with them.
- Staff transit insurance cover for transit and storage (if required) of household goods for new staff relocating. An inventory list must be completed (with the replacement value of the items) and submitted to the Human Resources Department. The cover will respond in case of damage or loss to staff goods subject to the Insurer's terms and conditions.
- Engineering includes physical damage to insured property and spoilage of product, stock, or other insured property.
- Business interruption being the loss of revenue due to fire and allied perils, theft, accidental damage, money and transit. The cover is applicable in South Africa, Namibia, Botswana, Zambia, Zimbabwe, Lesotho, Swaziland, Malawi or Mozambique.

5.2 Commercial crime (Fidelity)

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This policy covers UCT for where there is a loss of money and/or other property for which the University is responsible, stolen by an insured employee or direct financial loss sustained because of fraud or dishonesty of an insured employee. The cover includes computer fraud, fraudulent transfer instructions, electronic data loss and

computer virus. All claims must be reported as soon as you become aware of it.

5.3 Contract All Risk and Liability

The cover under a Contract All Risk (CAR) policy applies to both permanent and temporary construction work, ensuring comprehensive protection for all aspects of the construction project. This includes not only the physical structures being built but also the materials, plant, equipment, and machinery involved, whether owned or hired. The policy offers cover for a wide range of risks, including but not limited to accidental damage, theft, or destruction of the construction materials and equipment, as well as damage to the work site due to unforeseen events such as natural disasters, vandalism, or human error. The cover is specifically limited to construction work that has been declared to the Insurance Office. It is important to note that for any individual project exceeding R100 million, a separate and dedicated policy contract is required. This ensures that high-value projects receive the appropriate level of coverage and risk management. By maintaining separate policies for large-scale projects, the insurer can offer tailored terms that address the specific needs and risks associated with significant construction ventures.

5.4 Cyber liability

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This insurance cover is designed to address the university's exposure to cyber threats, offering protection against incidents such as data breaches, network interruptions, and the resulting liabilities. In the event of a suspected or potential cyber breach, the university must follow a specific protocol provided by the insurers to activate the insurance cover. This protocol outlines the necessary steps to ensure that the incident is properly reported and handled in a timely manner. The cover also extends to other cyber risks, ensuring that the university is protected against a wide range of potential cybersecurity threats and the financial consequences of such incidents.

5.5 Directors' and Officers' liability

This policy provides cover for lawfully elected and appointed Council or Council Committees, Vice- Chancellor (Principal), Deputy Vice-Chancellors (including Chief Operating Officer), Senate, or any other University Committee. The cover

also extends to UCT employees acting in a managerial or supervisory capacity. The policy extension covers outside directorship related to UCT work.

The D&O policy is designed to cover the insured persons for their legal defence and other costs, as well as their legal liability arising from claims against them in their official capacities for actual or alleged Wrongful Acts as defined under the policy. Wrongful Acts include, inter alia, breach of duty, error, misstatement or misleading statement, omission, libel, or slander committed or omitted by an insured person. The D&O also extends to cover Insured Persons for legal costs relating to their involvement in any regulatory investigations into the affairs of UCT, or any regulatory investigations into any insured person. These costs include the costs of any covered individual having to attend or produce any documents relating to such regulatory enquiry.

Finally, the policy will also cover UCT for any loss (as defined) when, and to the extent, the University is legally permitted to indemnify insured persons for any claims made against them.

5.6 Electronic equipment machinery breakdown

This insurance cover is for UCT electronic equipment and machinery breakdown due to unforeseen and sudden physical damage to property. The cover includes main frames, network infrastructure, routers, and related equipment.

5.7 Employment practices liability

This policy will respond to liability claims arising out of employment practice violations like unfair or wrongful dismissal, sexual harassment in the workplace and workplace harassment of any kind. The policy provides cover for legal fees, damages, awards, and settlements in cases where notices are received from the Commission for Conciliation, Mediation and Arbitration. (CCMA), Bargaining Council or by way of a letter from the employee or their attorneys.

5.8 International business travel

This policy cover provides travel insurance cover for all UCT staff, spouse/life partner and accompanying children, and registered students travelling on UCT business

outside the borders of South Africa.

Please note that this travel policy applies only to travel originating within the **Southern African borders**. If the travel begins outside of these borders, it will not be covered under this policy.

There is however no cover for kidnap and ransom on the policy and if travelling to one of these places, the insurers must be informed:

- Brazil, Colombia, Mexico, Nigeria, Philippines, Somalia and Venezuela; and
- Any other country where the British Foreign and Commonwealth Office and/or the South African Department of Foreign Affairs has issued a travel warning; and
- Any other country in which the United Nations Armed Forces are present and active.

If a UCT staff member is accompanied by family members, then the policy benefits will be shared amongst them. The age limit of 80 years applies, and all local travel (within South Africa) is excluded.

The following have been classified as high- risk areas:

Afghanistan, Brazil (Columbian Border), Burundi, Central African Republic, Congo, Ecuador (Columbian Border), Georgia, Iraq, Kashmir, Nigeria, Mexico, Pakistan, Panama (Columbian Border), Peru (Columbian Border), Philippines (Mindanao), Rwanda, Somalia, Venezuela (Columbian Border), Yemen, etc. Cover needs to be first confirmed with the Insurance Office prior to travel. The list is updated regularly based on travel advisories issued by the Insurers, so it is important for staff and students to engage the Insurance Office for an up-to-date list of high- risk countries prior to overseas travel.

5.9 UCT shuttle (bus fleet)

This is comprehensive vehicle cover for the UCT shuttle fleet which is used for the transportation of UCT employees and students. The comprehensive cover for loss or damage, liability to third parties, repair and replacement and theft. It also extends to legal liability to third parties should the UCT bus be involved in an accident.

5.10 Marine small craft

The policy is for accidental loss of or damage to the vessels, legal liability to third parties for personal injury and/or loss of or damage to property, passenger legal liability and water-ski liability within the inland and coastal waters of the Republic of South Africa. Outboard motors must be securely locked to the vessel by an anti-theft device. Theft of equipment without forcible entry is not insured. There is no liability to third parties arising from any accident while the vessel is towed by or is attached to a motor vehicle or has broken away.

5.11 Motor and motor liability

This provides comprehensive motor and liability cover which includes own damage, third party damage, fire, theft, and hi-jack for all vehicles owned, hired, leased by UCT. The department must complete and return the *claim form* together with all relevant documentation to the UCT Insurance Office within 14 days of the date of incident. If not, the insurers have the right to repudiate the claim. All repudiated claims will be at the cost of the relevant Department or Faculty. The Insurance Office does not take any responsibility for any repudiated claims.

If required, an independent assessor will be appointed by the insurer, who will in turn be responsible for authorising all repairs/replacements. All documents will be forwarded by the UCT Insurance Office to the insurers for their consideration. The cover has emergency response assistance.



The emergency number is 0860 199 191 should a student or staff member. using a UCT vehicle, require emergency assistance. Personal vehicles used for UCT related activities are not included in the cover.

5.12 Needlestick cover for HIV.

The cover is for Health Sciences students who may become infected with HIV because of bodily injury arising out of and during their learning activities. In the event of an exposure event, following procedure applies: the insured person must immediately call the Global Choices Call Centre. The Call Centre should be contacted within 24 hours of the exposure but may be treated up to 72 hours after exposure. If Global Choices Call Centre is not contacted within 48 hours from the exposure event, the assist program is not covered. The staff working at the medical call centre will provide the patient with step-by-step guidance as to what the patient needs to do.

The Call Centre Number is 0861 105 803.

A person does not become infected with HIV within the meaning of this policy unless within a period of 24 hours following the accidental injury, the insured person (student) makes an official report of the injury to the responsible person at UCT who in turn has 72 hours to provide Insurers with written evidence and within a period of 72 hours following the accident concerned, the person undergoes a test which demonstrates that the person does not have HIV and within a period of 3 months has tests to prove that such person is HIV positive.

5.13 No fault compensation for clinical trials and/or human volunteer studies

The cover is intended to protect UCT if they are held legally liable by research participants, if they are accidentally injured, experience side effects, or suffer death as a result of direct participation in a trial. It is important that all trials have study specific insurance confirmation from the Insurance Office and the trials must be ratified by the UCT Ethics committee. All studies must be declared individually to the Insurance Office and a study specific insurance confirmation will be provided. UCT is mandated to provide a consolidated list of all its studies every six months to the Insurers. *cover is applicable within the borders of South Africa. Any studies outside South Africa must be declared i.e. reported to the Insurance Office*. Any injury to the participants not linked to the trial is not covered under this insurance policy.

5.14 Personal accident covers for trial participants.

This cover is for personal accident cover for trial participants, caregivers, and drivers in respect of accidental bodily injury to trial participants whilst being transported from their homes to a UCT trial location. The cover is specifically for trial participants and caregivers (in the case of minors).

5.15 Professional indemnity

Professional indemnity liability insurance that provides cover for staff carrying out their lawful duties. The cover extends to any actual or alleged breach of professional duty by reason of a negligent act, error or omission and medical malpractice (*subject to restrictions in the policy*). Medical malpractice is one of

the most crucial extensions cover which is defined as "shall mean any negligent act, error or omission in the Professional activities and duties of a Medical Practitioner in the execution and conduct of by the Insured in the conduct of the Business resulting in Injury to a Patient".

Considering the nature and activities of the University our cover extends to Executives, members of Council, members of committees, including Ethics and Disciplinary committees, students, visiting academics, visiting students and specifically identified scholars who by invitation of the University attend courses, all whilst engaged in the activities of the University, as well as any self- employed person and person/s on secondment to the University.

5.16 Public liability

This liability cover protects UCT against damages for which the university becomes legally liable to pay due to incidents involving accidental death, bodily injury, or illness of any individuals, as well as accidental loss or physical damage to the tangible property of others. This cover ensures that the university is financially safeguarded in the event that it is held responsible for such occurrences. To activate the policy, it must be demonstrated that UCT and/or its employees were negligent in their actions or omissions, leading to the incident.

The policy is designed to cover a wide range of potential situations, from accidents on university property to events involving third parties that result in harm or damage. It provides a financial safety net, covering legal costs, compensation, and any associated expenses the university may incur because of being held liable for such incidents.

For the policy to respond effectively, all potential claims must be reported to the Insurance Office within 30 calendar days of the event. Timely reporting is essential to ensure proper investigation and claims management, allowing UCT to mitigate any potential financial impact. The cover is crucial in managing the risks associated with the university's operations, particularly in relation to its staff, students, visitors, and third-party contractors.

5.17 Retirement fund trustees' liability

Fidelity Insurance covers the Retirement Fund against:

- Wrongful Act attempted or committed by an Officer anywhere in the world, but not in the United States of America or Canada or in respect of any judgement or settlement made within countries which operate under the laws of the United States of America or Canada or to any order made anywhere in the world to enforce such judgement, award or settlement in whole or in part.
- Computer crime resulting directly from the fraudulent or dishonest:
 - > Entry of data into, or
 - > Change of data

within a computer system utilised by the Insured, provided that such entry or change causes damage.

- Theft, dishonesty, fraud as a result of such money being stolen or illegal and fraud or deliberate dishonesty of an Officer.
- Impersonation Fraud resulting directly from an Officer or Employee, if applicable, having, in good faith:
 - > Transferred money from the Insured's accounts, or
 - Amended the banking details of a member in the Insured's payment systems As a result of a fraudulent instruction in writing or by email to an Officer or Employee if applicable, by a person purporting to be that person.

5.18 SASRIA/RIOT WRAP

SASRIA provides cover for special risks other insurance companies do not cover, for example, riots, strikes, terrorism, civil commotion and public disorder to corporate, commercial and individual policyholders. Specified exclusions include consequential loss, radio contamination/nuclear weapons materials, miscellaneous damage, chemical and biological terrorism.

5.19 Staff transit insurance

This is cover for transit and storage (if required) of household goods of new staff relocating. An inventory list must be completed (with the replacement value of the items) and submitted to the Human Resources Department. The cover will respond in case of damage or loss to staff goods subject to the Insurer's terms and conditions.

2025 INSURANCE COVER [EG008]

5.20 Staff compensation for occupational injuries and disease

5.20.1 Injury on duty

Compensation Fund cover for medical treatments arising from work-related accidental injury. Contact the Occupational Health & Safety Division for a copy of the UCT IOD Procedure and Flowchart.

Email: incident.reporting.group@uct.ac.za Tel: 021 650 3552 / 021 650 3873.

Refer <u>COID Act</u> to view the procedure.

5.20.2 Occupational diseases

Department of Labour specifies which illnesses are covered as occupational diseases. Report occupational diseases and get the relevant forms from the Occ. Health Unit.

Email: incident.reporting.group@uct.ac.za

Tel: 021 650 3552 / 021 650 3873.

Refer COID Act to view the disease claim instructions.

5.20.3 Occupational injury or disease while travelling overseas for work purposes

The conditions of cover while travelling overseas are specified in the Overseas Travel Insurance form. The Overseas Travel Insurance form must be submitted before undertaking international travel.

5.21 Staff risk cover through the UCT Retirement Fund

All staff who are members of the University of Cape Town Retirement Fund (UCTRF) (i.e., staff on permanent conditions of employment including T2 staff) are eligible for risk cover. The risk cover is as follows:

- UCTRF Members may elect UCTRF death cover of between 1X and 5X CoE. For further details refer to the UCTRF website.
- UCTRF Members are covered for 1X CoE Separate Death Cover through a separate UCT Group Policy. Members may elect to increase their Separate Death Cover up to 5X CoE (i.e., an additional 4x CoE). In addition, early retirees may

elect to retain their Separate Death Cover until the end of the year in which they turn 65. For further details refer to the <u>UCTRF website</u>.

- UCTRF Members are covered for 1X CoE Lump Sum Disability Cover through the separate UCT Group Policy. For further details refer to the <u>UCTRF website</u>.
- UCTRF Members are also covered for a Disability Income Benefit which replaces a portion of monthly salary in the event of disability. The cover is provided through a separate UCT Group Policy. For further details refer to the <u>UCTRF website</u>.
- UCTRF Members have Funeral Cover through a separate UCT Group Policy unless they opt out of this cover. For further details refer to the <u>UCTRF website</u>.

For more information regarding the funeral cover, please visit the <u>UCT HR</u> <u>website</u>, or alternatively, email <u>UCTFuneralCover@uct.ac.za</u>.

For more information on the death and disability benefits, please contact the UCTRF Office by submitting a <u>UCT RF Query</u> **or** Telephone: 021 650 2934;

UCTRF Website: www.uctrf.co.za

5.22 Student personal accident

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This policy applies only in respect of accidental bodily injury to UCT students whilst engaged in activities pertaining to their relevant field of study, the cover is 24 hours apart from Students and Non-students involved in UCT Sports. The cover is not for any activity not linked to students' studies including volunteering and other club activities. Student Injuries at home or private residences are not covered under any circumstances. For all UCT excursions, the faculty is responsible for exploring and performing the risk assessment prior to the excursion with a record kept. The Occupational Health and Safety Department will support, and guide where required.

6. Claims processing.

IN THE EVENT OF AN INCIDENT/CLAIM, THE INSURED WITHIN UCT SHOULD BE AWARE OF THE TERMS AND CONDITIONS OUTLINED BELOW. ANY CLAIM WILL NOT BE ENTERTAINED IF THE FOLLOWINGS ARE NOT ADHERED TO

On the happening or discovery of any Damage which may result in a claim under this Policy, the Insured Within UCT shall:

Notify the Insurance Office as soon as reasonably possible of such Damage and provide particulars of any other insurances covering Damage as defined hereby insured.

- All claims must be reported to the Insurance Office within 30 days of the incident occurring. Any claims reported after this 30-day period will not be accepted for processing.
- As soon as reasonably possible after the damage occurred, Insurance Office will submit to the Insurer/broker full details of any claim.
- Immediately after the event inform the police of any loss involving theft and, if required by the Insurer, of loss of property and take all practicable steps to discover the guilty party and to recover the stolen or lost property.

In cases where significant or larger losses are incurred, the insurance company may appoint a loss adjuster who will assist the department in guantifying the loss/damage. All deductibles (excess payment) for each incident are payable by the Faculty/Department in which the loss is incurred and will be automatically deducted from the refund transferred to the Faculty/Department.

In the cases of:

- theft, the Faculty/Department where the loss occurred may replace the asset with a new asset to ensure business continuity, pending the finalisation of the claim; and
- fire losses in respect of dormitories/student residences, canteens, computer /server • rooms, record storage facilities, museums/ exhibition facilities, libraries and laboratories attract a different excess amount.

The Faculty/Department will be refunded for any approved values over and above the excess value, nett of VAT if applicable, should the claim be honoured by the Insurer. If any claim be in any respect fraudulent, or if any fraudulent means or devices were used by UCT or anyone acting on their behalf with the knowledge or connivance (willingness to allow or be secretly involved in any immoral or illegal act) of the Insured to obtain any benefit under insurance, or if any loss or damage be occasioned by the wilful act or with the connivance

of UCT, all benefits in respect of a claim shall be forfeited. All claims supporting documents must be submitted within 21 days of the loss for the Insurer's consideration unless the claim is the subject of pending legal action.

Where a staff or student has submitted a fraudulent claim, this will be dealt with in line with UCT disciplinary policies. UCT, as a publicly funded institution, supports and fosters a culture of zero tolerance towards fraud and corruption in all its activities. The UCT Council approved Fraud and Corruption Prevention Policy supports good and responsible governance of all UCT funding in accordance with the Higher Education Act, 1997, as amended, as well as related regulations such as the PRECCA Act, 2004.

7. Related legislation, policies, guidelines and practices

This includes but is not limited to:

- Policy on conflict of interests
- Fraud and corruption prevention policy and response plan [GEN005]
- Insurance documentation [FG001]
- High risk portable devices [FG005]
- UCT Whistle Blowing Guidelines
- All Finance policies, guidelines and practice notes
- All HR policies and conditions of service including disciplinary procedures
- University Student Discipline Tribunal procedures and guidelines
- All ICTS policies and guidelines
- All Research Integrity policies

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- Occupational Health and Safety Act (No. 85 of 1993)
- Prevention and Combating of Corrupt Activities (Act 12 of 2004)

8. Contact

The Insurance Office must be contacted when more information or clarity is required. In the event of a dispute, only the policy wordings will be binding, and all claims will be settled in accordance with the relevant policy wordings. The procedure for submitting an insurance claim and the applicable deductions (insurance excess) are updated annually and they are available in the <u>Insurance Documentation</u> and <u>High Risk Portable Devices</u> guidelines.

Insurance Office

fnd-ins-comm@uct.ac.za

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