



Insurance Cover 2023 Guidelines

[FG008]

Department	: Finance
Policy owner	: Chief Financial Officer
Responsible for update	: Director: Risk Compliance & Relationship Management
Review cycle	: 1 year
Prior update	: March 2022
Current update	: March 2023
Approved by	: Risk Management Executive Committee

Insurance Cover Guidelines [FG008]

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Acronyms

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

1. Background

UCT is part of Tertiary Education Risk and Insurance South Africa (TERISA) which is made up of all public universities. TERISA was established in 1999 to cater for the insurance needs of Higher Education institutions. 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.

2. Objective

These Insurance Guidelines set out the principles, practices and procedures applicable to insurance across the University. The information contained in the Guidelines provide 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.

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.

3. Scope

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 are required to 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.

4. Principles underpinning UCT Insurance cover and claims

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

- Always safeguard the University's assets and property.
- All reasonable steps must be taken to prevent and minimize loss and damage to UCT asset and property; and
- Never, at any time admit liability to third parties or the police and never offer any form of compensation to a third party. Disciplinary action may be taken against staff or students if they are found to be negligent in their responsibility and use of the University's equipment or assets. Where negligence has been proven, the losses may be recovered from individuals.

5. Insurance policies in place at UCT

The University has 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 landslip, 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.
- **Cover for registered student's personal belongings** is only 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.
- **Engineering** includes the physical damage to insured property and spoilage of product, stock or other insured property.
- **Business interruption** being the loss of revenue as a result of 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 employee fidelity

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 as a result 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 works and liability

The cover applies to permanent and temporary construction work, and all materials, plant, equipment pertaining to the contract. Cover is limited to construction work declared to the Insurance Office and any project over R100 million limit requires a separate policy contract.

5.4 Cyber liability

The cover is directed to the exposure to cyber threats and detecting a data breach, network interruption and the liability following an incident. In a case of a potential or suspected cyber breach, a protocol provided by the Insurers needs to be followed to trigger insurance cover. Ransomware is not included in this cover.



UCT has no Cyber cover for 2023.

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 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 CCMA, Bargaining Council or by way of a letter from the employee or their attorneys.

5.8 International business travel

This 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.

There are however Territorial limits 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 21 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 as a result 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 for research participants in UCT Trials who may be injured or suffer side effects or death through their 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 6 months to the Insurers. Any injury to the participants not linked to the trial is not covered under this insurance policy.

5.14 Personal accident cover 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 cover is for damages for which UCT shall become legally liable to pay consequent upon accidental death of, or bodily injury to, or illness of any persons, or accidental loss, or physical damage to tangible property of others. For the policy to respond, it must be demonstrated that UCT and/or its employees were negligent in their actions. All possible claims must be reported to the Insurance Office within 30 calendar days.

5.17 Retirement fund trustees liability

Fidelity Insurance cover 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 datawithin 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 systemsAs 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.

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: ohs@uct.ac.za or

Speed dial: 8016

Refer [COID Act](#) 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: leslene.stott@uct.ac.za or

Tel: 021 650 1607

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 [UCTRF website](#).

- UCTRF Members are covered for 1X CoE Lump Sum Disability Cover through the separate UCT Group Policy. For further details refer to the [UCTRF website](#).
- 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 [UCTRF website](#).
- UCTRF Members have Funeral Cover through a separate UCT Group Policy unless they opt out of this cover. For further details refer to the [UCTRF website](#).

For more information regarding the funeral cover, please visit the [UCT HR website](#), or alternatively, email UCTFuneralCover@uct.ac.za.

For more information on the death and disability benefits, please contact the UCTRF Office by submitting a [UCT RF Query](#) or Telephone: 021 650 2934;

UCTRF Website: www.uctrf.co.za

5.22 Student personal accident

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

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 department as soon as reasonably possible of such Damage and provide particulars of any other insurances covering Damage as defined hereby insured.
- as soon as reasonably possible after the damage occurred, Insurance department 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 quantifying 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
- 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 [Insurance Documentation](#) and [High Risk Portable Devices](#) guidelines.

Insurance Office

fnd-ins-comm@uct.ac.za