

INSURANCE COVER 2020 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 Risk Insurance South Africa
UCTRF	UCT Retirement Fund





1. BACKGROUND

UCT is part of 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 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 have to 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, Irma Stern museum, works of art, third party property on loan, property of employees while on UCT premises, students personal property while in residences and 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.

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. This policy also extends to include Kidnap and Ransom.

The extension to cyber cover provides for activities for full time staff travelling on UCT business, students travelling at the specific request of UCT and for UCT initiatives only, as well as Consultant and advisory services mandated by UCT to negotiate. **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.





5.5 DIRECTORS AND OFFICERS LIABILITY

This 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.

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. 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.

5.9 JAMMIE SHUTTLE FLEET

This is comprehensive vehicle cover for the Jammie shuttle fleet which is use for the transportation of UCT employees and students. The cover also extends to legal liability to third parties.

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. Personal vehicles used for UCT related activities are not included in the cover. 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.

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 in the course of 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 PASSENGER LIABILITY 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). Taking into account 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.

5.17 RETIREMENT FUND TRUSTEES LIABILITY

Fidelity Insurance - theft, dishonesty, fraud and computer crime Trustees and Officers' errors and omissions (negligence), and UCT Retirement Fund reimbursements.

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 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 DISEASES

5.20.1 INJURY ON DUTY

Compensation Fund cover for medical treatments arising from work-related accidental injury. Contact the Safety Office 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

DOL specifies which illnesses are covered as occupational diseases. Report occupational diseases and get the relevant forms from the **OHS Unit**: Tel.: 021 650 3873 or email suzanne.key@uct.ac.za

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 form [\[INS02\] Travel Insurance](#). The [\[INS02\]](#) form must be submitted before undertaking international travel.

5.21 STAFF RISK COVER THROUGH THE UCT RETIREMENT FUND

Details of risk cover for Permanent and T2 contract staff provided through the UCTRF can be found under 'benefits' on the UCTRF website: <https://uctrf.co.za>

The default risk cover is as follows:

- Death cover of 6 X Annual DPA through the UCTRF Group Life Scheme (T2 staff members whose contract started before 1 July 2017 are not eligible for this cover);
- Death and lump sum disability cover of 1 X DPA (or 3 x DPA if you are a T2 staff member whose contract started before 1 July 2017) through the separate UCT Group Life Assurance Scheme. This includes permanent disability cover;
- Funeral cover (this is an optional benefit); and
- Disability Income Benefit which is only paid once a member has been disabled for a period of three (3) continuous months. If, after the expiry of this three (3) month period, the Insurer considers that the member is still unable to perform their work with their Employer in their current occupation, the member will be entitled to a monthly income continuation benefit.

For more information on the UCTRF risk benefits please contact the UCTRF Office at: Email: uctrf-enquiries@uct.ac.za; Telephone: 021 650 2934; 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. Cover is only limited to business hours plus commuting. The cover is not for any activity not linked to students' studies including volunteering, clubs, societies and sporting activities. Sport injuries are covered under the UCT scheme which is administered by Student Wellness Service.

6. CLAIMS PROCESSING

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 is 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 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.

The Faculty/Department will be refunded for any approved values over and above the excess value, net 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 no limited to:

- [Policy on Conflict of Interests](#)
- Fraud and Corruption Prevention Policy [[GEN005](#)]
- Insurance Documentation [[FG001](#)] and [[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 [[FG001](#)] *FND Insurance Documentation Guidelines*, and [[FG005](#)] *High Risk Portable Devices*.

Insurance Office
fnd-ins-comm@uct.ac.za

