

UNIVERSITY OF THE  
FREE STATE  
UNIVERSITEIT VAN DIE  
VRYSTAAT  
YUNIVESITHI YA  
FREISTATA



# UFS Crime and Incident Investigation Procedure

**DISCLAIMER:**

All staff and students of the UFS are responsible for ensuring that they read and understand this Procedure. In addition, compliance with this Procedure and its contents is expected of all UFS staff and students. Failure to comply with this Procedure may lead to disciplinary action.

<b>PROCEDURE STATEMENT</b>	
<b>1. Preamble/ background</b>	<p>1.1 The Crime and Incident Investigation Procedure of the University of the Free State (UFS), hereinafter referred to as “the Procedure”, is subjacent to the vision of the UFS to be a researched, student- centered and regionally engaged university that contributes to development and social justice through the production of globally competitive graduates and knowledge.</p> <p>This Procedure acknowledges that providing a safe and secure environment is not always possible, and that crime and other incidents will occur and must be investigated in collaboration with other role players.</p> <p>1.2 The University of the Free State is committed to ensure that reported cases or incidents are investigated in accordance with the relevant legislations and the university policies without fear, favour and/or prejudice. The University management acknowledges that the UFS has a responsibility to thoroughly, objectively and promptly investigate reported incidents so that the necessary corrective actions can be taken.</p> <p>It is therefore expected that all UFS staff, students, contractors, service providers and tenants cooperate with the investigation processes initiated by the Investigating Officers from any of the UFS departments that conduct investigations in accordance with the mandates of their respective departments. This is a requirement as enshrined in the respective Codes of Conduct for Staff and Students.</p> <p>1.3 Cooperating with investigation processes shall include but not be limited to:</p> <ul style="list-style-type: none"><li>a) making oneself available for meetings with the Investigating Officers when requested to do so,</li><li>b) making oneself available to testify as a witness either during an internal hearing or in a court of law,</li><li>c) promptly responding to information requested by the Investigating Officer, and</li><li>d) noting that failure to cooperate or to obstruct an investigation will constitute misconduct for which corrective actions will be initiated.</li></ul> <p>1.4 All investigations will be conducted in an ethical and unbiased manner, taking cognizance of the safeguarding and advancement of the fundamental rights and freedoms of all staff and students, especially the constitutionally guaranteed rights of every person to inherent human dignity, equality and non-discrimination.</p> <p>1.5 The management of the University of the Free State is committed to ensure that all investigations are conducted in a professional,</p>

	<p>ethical and impartial manner, and that the principle of innocence until proven guilty shall always be observed when investigations are conducted.</p> <p>1.6 The UFS management is also committed to ensure that the fundamental rights and freedoms of all staff and students, especially the constitutionally guaranteed rights of every person to inherent human dignity, equality and non-discrimination are always respected.</p>
<p><b>2. Purpose</b></p>	<p>2.1 The Procedure aims to affect an institutional framework for the investigation of crimes, incidents and omissions that can constitute an offence by a professional body on the property of the UFS. The purpose of this Procedure is also to ensure that the principle of “<i>one university, and three campuses</i>” is observed by ensuring that there is consistency and standardised processes regarding how the UFS manages investigations of incidents on all its campuses and satellite sites.</p> <p>2.2 The Procedure also aims to ensure that incidents where the assets of the University of the Free State are affected whilst not on UFS controlled premises, and activities that can bring the name of the UFS into disrepute and unprofessional conduct are also reported and investigated.</p> <p>2.3 Failure to comply with this Procedure will constitute misconduct and will be dealt with in accordance with the Employee Relations Management Policy or the UFS Rules on Student Discipline.</p>
<p><b>3. Scope</b></p>	<p>3.1 This Procedure is applicable to all UFS students, staff members, visitors, contractors and their employees, tenants, independent service providers, and their employees on all the three campuses of the UFS, as well as all its satellite sites, or any other premises under the control of the UFS. The scope of the Procedure shall cover all acts of crime or omissions, contravention of the UFS policies, any conduct that may bring the name of the UFS into disrepute, any unprofessional conduct, as well as any acts of negligence that may expose the UFS assets to risk.</p> <p>3.2 As far as the staff members are concerned, the scope of this Procedure is applicable to all permanent employees, employees on short and fixed contracts, as well as those on a shared staff establishment. With regard to students, the Procedure is applicable to all students who are registered to study at any of the three campuses of the UFS (Bloemfontein, Qwaqwa and South Campuses), as well as those based at any premises and/or satellite sites that are under the jurisdiction of the UFS.</p> <p>3.3 Abuse of the investigation processes by those entrusted with the investigation mandate will constitute serious misconduct for which corrective actions will be taken. Management also acknowledges that in some cases it will be necessary to place a staff member or a student on precautionary suspension while the allegations against them are being investigated. However, placement of a student or staff member on a precautionary</p>

	<p>suspension shall be exercised in accordance with the relevant policies of the UFS applicable to staff and students, and will also be informed by a preliminary investigation report from the relevant department, depending on the nature of the allegations</p>
<p><b>4. Definitions and abbreviations</b></p>	<p>4.1 In this Procedure, unless the context otherwise requires, the following highlighted terms shall have the meanings assigned to them below and cognate expressions shall have corresponding meanings.</p> <p><b>Campus</b> The geographical area where the UFS conducts its operational activities, respectively known as the Bloemfontein Campus, the South Campus and the Qwaqwa Campus.</p> <p><b>Crime</b> Any act or omission that constitutes an offence and is punishable in terms of the common law and/or legislation.</p> <p><b>Constitution</b> The Constitution of the Republic of South Africa, Act 108 of 1996.</p> <p><b>Incident</b> Any current or past event or occurrence that is happening or that took place relating to a crime, omission, activities that can constitute misconduct or that warrant further investigation.</p> <p><b>Infrastructure</b> Physical structures including gates, fences, buildings, libraries, roads, sports fields, lighting and alarm fixtures, IT systems, turnstiles, cameras, various constructions, vehicles and equipment on any UFS campus, satellite site or any other premises of the UFS.</p> <p><b>Investigation</b> An investigation is a fact-finding process to prove or disprove reported allegations or acts of crime or omission, misconduct, or contravention of a policy, procedure or standard.</p> <p><b>Investigating Officer</b> An employee of the UFS Protection Services Department appointed to investigate any reported incident.</p> <p><b>Misconduct</b> Any act and/or omission in contravention of any UFS rule, regulation, guideline or policy by a student or staff member, whether written or otherwise, known or reasonably ought to have been known by such student or staff member, which may result in disciplinary measures taken by the UFS against such student or staff member.</p> <p><b>Other premises</b> Any other property and/or premises that the UFS may occupy or have a legal entitlement to, including under this definition, from time to time, either temporarily or permanently, due to the nature of the business conducted therein or as necessary to promote the goals of the UFS.</p>

	<p><b>Other sites</b> Any other satellite sites or premises of the UFS, including but not limited to Boyden Observatory, Naval Hill Planetarium, Paradys Research Farm, Lengau Agricultural Centre (Sydenham), Pannar Research Farm (Bainsvlei), the community-based education centre in Trompsburg and Sharon Court in Kimberley, as well as all other farms and premises that the UFS owns or may acquire in the future.</p> <p><b>Procedure</b> This Crime and Incident Investigation Procedure as amended, varied or replaced from time to time.</p> <p><b>Property</b> Any movable and/or immovable property in respect of which the UFS holds or exercises a legal title, ownership of, or any other enforceable right over. Those described above shall include, but are by no means limited to property, which may be tangible or intangible, including motor vehicles, any equipment and furniture, infrastructure and buildings as well as any fittings and fixtures attached to it, any statues, art and any other non-defined assets.</p> <p><b>Security</b> The security of UFS property, infrastructure at UFS campuses, satellite sites and other premises of the UFS, and the security of persons and the property of all students, staff and visitors to campuses, satellite sites and other premises of the UFS.</p> <p><b>Staff member</b> Any person, irrespective of their position, who is under the employment, either temporarily or permanently, of the UFS.</p> <p><b>Student(s)</b> Any individual or person duly registered as a student at the UFS.</p> <p><b>Suspension</b> The restriction of a staff member or students' access to campus and participation in campus related activities, in order to prevent the commission of further transgressions, to prevent the destruction of evidence, the intimidation of witnesses and interference with the investigation.</p> <p><b>Visitor(s)</b> Any persons (excluding UFS students and staff members) who arrive at any of the UFS campuses, other sites or other premises for whatever reason at any time of the day or night, for any reason, including but not limited to: academic and professional visitors, service providers, conference-goers, parents and family members of students, visiting schools and sports teams, contractors (and their employees), tenants (and their employees), service providers (and their employees) and any person transiting the campuses, as well as other sites and other premises of the UFS.</p>
<p><b>5. Guiding principles</b></p>	<p>This Procedure is guided by the following principles and values:</p>

	<p>5.1 Acknowledging and respecting the fundamental rights and freedoms of all staff and students, especially the constitutionally guaranteed rights of every person to inherent human dignity, equality and non-discrimination.</p> <p>5.2 The dignity of the person being investigated shall always be respected, and investigations shall be conducted in a professional, objective and impartial manner.</p> <p>5.3 Strict confidentiality shall be maintained throughout the investigation process, and any confidential information obtained through the investigation shall be shared strictly on a need-to-know basis.</p> <p>5.4 Investigation processes shall not be used to settle personal and political scores, or to advance any other motives but only in furtherance of the interest of the UFS.</p> <p>5.5 The creation of a coordinated approach to the investigation of crimes and other incidents at the UFS, taking cognizance of the investigation mandates of Employee Relations Management related to staff disciplinary matters, Internal Audit related to audits conducted, and Student Discipline and Mediation pertaining to academic writing misconduct.</p> <p>5.6 The establishment of sustainable partnerships with relevant role players within the university and state investigation agencies.</p> <p>5.7 The creation of an understanding of the concept and requirements for criminal investigations on all campuses, satellite sites and other premises of the UFS.</p> <p>5.8 The reporting of incidents to the relevant authorities as required by legislation, by the affected and/or responsible individual.</p> <p>5.9 The Procedure was compiled considering the strategic goals of the UFS as stipulated in the UFS Strategic Plan 2018–2022, as well as the Integrated Transformation Plan (ITP).</p> <p>5.10 The UFS management is committed to establishing and maintaining relationships with other investigation agencies to ensure effective collaboration regarding investigation of cases involving UFS staff, students and assets.</p> <p>5.11 The UFS management acknowledges that investigation of some cases may require the use of unconventional investigative techniques, and highly specialist skills. Although management supports this in principle, however, these techniques will be seen as a last resort, and will be done in collaboration with the Vice Rector: Operations or any person delegated by the Vice Rector: Operations.</p> <p>5.12 The planning, financing and implementation of the Procedure and related activities will be based on and informed by the annual crime statistics of the UFS, a security risk assessment, national</p>
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	<p>legislations and guidelines, best practices, sound management processes, considering issues of inclusiveness, transparency and affordability.</p> <p>5.13 The Protection Services Department shall develop and implement Guidelines for Investigations and Service Level Agreements with the relevant disciplinary and audit bodies (Student Discipline and Mediation, Employee Relations Management and Internal Audit) to deal with all investigations at the UFS.</p> <p>5.14 The Protection Services Department will ensure an accessible service and environment to be all-inclusive of the access needs of students with disabilities. Universal access considerations will be taken into account with the implementation of the Procedure, including access to information, communication, services, as well as personal assistance in partnership with the Centre for Universal Access and Disability Support.</p> <p>5.15 This Procedure does not prevent staff members, students and any other private person, from directly reporting criminal cases to the South African Police Service (SAPS) where private property is concerned, or where a crime was committed against a staff member, student or private person.</p>
<p><b>6. Procedure</b></p>	<p>6.1 The UFS is aware of the fact that security is the responsibility of all students, staff and visitors, but recognises that the Protection Services Department is the primarily responsible entity for ensuring the security of students, staff and visitors on all UFS campuses, satellite sites and other premises, inclusive of the investigation of crimes and incidents (taking cognizance of the mandates of other investigative bodies at the UFS).</p> <p>6.2 It is expected of every UFS staff member, student, tenant, contractor, and employee of a service provider to formally report any crime, misconduct, contravention of any UFS policy or any incident that has the potential to bring the name of the university into disrepute, or to cause loss. This Procedure, however, does not prevent or infringe on the right of a staff member or student from reporting unlawful or irregular activities related to fraud and corruption, in terms of the Policy of the University of the Free State on the UFS Whistleblowing Hotline.</p> <p>6.3 The execution of the investigation function in respect of all crimes and issues not falling within the mandate of Human Resources and Internal Audit at the UFS will be the responsibility of the Investigating Officers within the Protection Services Department. Investigations will only be initiated when an incident or crime is formally reported to Protection Services and the reporting individual requires the matter to be formally investigated.</p> <p>6.4 Where the property of the UFS is affected, it is the responsibility of the staff member to report such an incident to Protection</p>

	<p>Services within 24 hours of being aware of the occurrence of the incident. In case of theft of UFS property, the staff member shall also be responsible to report the matter to the South African Police Services, as well as to the relevant insurance company through normal UFS insurance claiming procedures.</p> <p>6.5 All investigation activities will be conducted without fear, favour or prejudice in terms of the relevant legislation, the UFS Security Policy, other applicable policies and the Protection Services Guidelines for Investigations and noting that the integrity of the criminal justice investigations will be protected at all costs as to ensure justice for the victims of crime.</p> <p>6.6 The complainants in all reported cases shall be updated about the progress or lack thereof in respect of their reported case, and investigation reports shall be compiled in respect of the matters that were investigated.</p> <p>6.7 When so required, an investigation will be conducted in liaison with law enforcement and other entities.</p> <p>6.8 There will be proper record-keeping of all reported incidents and crime and the effective investigation thereof to ensure that the perpetrators are brought to justice either through criminal or disciplinary proceedings.</p> <p>6.9 There must be monitoring of all reported incidents by submitting weekly crime overviews as well as monthly, quarterly and annual reports to focus on crimes and incidents reported and investigated.</p> <p>6.10 Interdepartmental Service Level Agreements shall be entered into by the UFS departments which are depending upon each other for effective execution of their investigative mandates.</p> <p>6.11 Monthly, quarterly and annual status reports in respect of all incidents/crimes of a serious nature shall be presented to the UFS Executive Management Committee, as well as to the University Management Committee. However, the Senior Director: Protection Services will ensure that the Vice Rector: Operations, Rector and Vice Chancellor as well as the Director: Communications and Marketing are informed immediately about serious cases involving students and staff members.</p> <p>6.12 A source remuneration fund will be established, that can be used to remunerate confidential informers for information supplied in respect of crime-related investigations and threat detection activities and shall be strictly managed in accordance with best practices, as well as the UFS finance protocols.</p> <p>6.13 Investigative activities must be conducted to the highest standards and with the utmost integrity, and the requirements of the Protection of Personal Information Act must always be observed.</p>
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	<p>6.14 The relevant offices must be informed immediately whenever any of the incidents stated below have happened to any UFS staff member, student, visitor, contractor, tenant or employee of a contracted service provider:</p> <p>6.14.1 Loss of life or potential loss of life (e.g. murder, suicide, attempted suicide, attempted murder, death threats, motor vehicle accidents, etc.);</p> <p>6.14.2 Sexual offences and gender-based violence;</p> <p>6.14.3 Incidents of corruption, fraud and money laundering;</p> <p>6.14.4 Arson and serious cases of malicious damage to property; and</p> <p>6.14.5 Missing students or staff members.</p>
<p><b>7. Responsibility</b></p>	<p>7.1 Staff, students, regular visitors and service providers:</p> <p>UFS staff, students, regular visitors and service providers (and their staff) will have the responsibility to:</p> <p>7.1.1 Familiarise themselves and comply with the UFS policies, procedures and/or protocols dealing with security-related matters.</p> <p>7.1.2 Immediately report any incidents or crime to the Protection Services 24/7 Duty Room, noting that unlawful or irregular conduct related to fraud and corruption can also be reported in terms of the Policy of the University of the Free State on the UFS Whistleblowing Hotline.</p> <p>7.1.3 Provide a statement about the incident or crime and cooperate with the UFS investigating officers in identifying the responsible offenders.</p> <p>7.1.4 Report the theft of UFS property to the SAPS for investigation and insurance purposes and providing the details to Protection Services.</p> <p>7.1.5 Refrain from tampering with the scene of a crime or incident.</p> <p>7.1.6 Fully cooperate with the investigation processes in the interest of the UFS and/or in the interest of justice, which includes being subjected to searches in line with the relevant legislation and testifying in criminal or disciplinary proceedings.</p> <p>7.1.7 Comply with the relevant UFS Code of Conduct, noting that they can be held liable for negligence and non-compliance with this Procedure.</p> <p>7.1.8 Report any criminal investigations which comes to their attention involving staff members or students to Protection Services for further handling in terms of the UFS disciplinary codes.</p> <p>7.2 The responsibilities of all the Protection Services role players are clearly defined in the UFS Protection Services Guidelines for Investigations.</p>

<p><b>8. Accountability and Authority:</b></p>	
<p><b>8.1 Implementation:</b></p>	<p>8.1.1 The Procedure will be implemented as per the Implementation Plan.</p>

<b>8.2 Compliance:</b>	8.2.1 All employees, students, line managers, supervisors, tenants, service providers, contractors, and employees must comply with this Procedure.
<b>8.3 Monitoring and evaluation:</b>	8.3.1 Vice-Rector: Operations.
<b>8.4 Development/review:</b>	8.4.1 The Protection Services Department developed the Procedure, and the Senior Director: Protection Services shall be responsible for reviewing the procedure and ensuring that guidelines and protocols to support the implementation of the procedure are developed and implemented.
<b>8.5 Approval authority:</b>	8.5.1 University Management Committee
<b>8.6 Interpretation and advice:</b>	8.6.1 Senior Director: Protection Services 8.6.2 Section Head: Threat Detection, Investigations and Liaison

### 9. Who should know this policy?

All the people stated below must know and comply with this Procedure:

- 9.1 All UFS employees.
- 9.2 All UFS students.
- 9.3 Line managers.
- 9.4 Supervisors.
- 9.5 Tenants.
- 9.6 Service providers.
- 9.7 Contractors.

<b>10.procedure implementation plan</b>	10.1 The Procedure must be communicated and explained to students by the relevant role players within Student Affairs and to staff via the existing communication channels for implementation and compliance.
<b>11. Resources required</b>	11.1 The existing resources in Protection Services will be used to implement the Procedure. Constant reskilling and training of members will be required to ensure the delivery of a professional service. 11.2 Communication and Marketing will be required to communicate the procedure to all staff and students and ensure that it is brought to the attention of all role players at least on an annual basis, at the beginning of the academic year.

### 12. Answers to FAQs

	<b>12.1 Why must I report incidents of crime?</b>
	<ul style="list-style-type: none"> <li>a) The reporting of incidents is necessary to generate an accurate picture of the occurrence of crime and to develop a precise record of events and allocate resources correctly.</li> <li>b) If an incident is not reported and not reflected, for all practical purposes, it did not occur.</li> </ul>

- c) All incidents of crime on any UFS campuses and incidents off-campus specifically related to students and UFS property must be reported.
- d) Reporting is also necessary to ensure that matters are investigated to uncover the truth and to ensure that corrective actions are taken.
- e) The tendency exists to not report specific issues as victims/complainants are of the opinion that nothing will come from an investigation. Despite this, there is still a need to report incidents to enhance proactive crime prevention activities.
- f) The same applies to UFS property that goes missing, gets stolen or is damaged off-campus. These incidents also need to be reported to the SAPS and Protection Services to allow the UFS to ensure proper investigations are conducted and to enable the UFS to assist the SAPS with the investigation.

**12.2 Where must I report incidents/crime?**

- a) All incidents can be reported at the 24/7 Protection Services Duty Room, noting that unlawful or irregular activities related to fraud and corruption can also be reported to the Whistleblowing Hotline.
- b) This includes any incident of crime, accidents, or other incidents inclusive of disciplinary transgressions.
- c) If the incident does not fall within the mandate of Protection Services, there will be liaison with the relevant department for further handling.
- d) It needs to be mentioned that Employee Relations Management in Human Resources primarily deals with disciplinary matters involving staff and is governed by the Employee Relations Management Policy. Academic writing misconduct is dealt with by the relevant lecturers and is directly referred to the Student Discipline and Mediation Unit who will further deal with the matter.

**12.3 What will happen after I have reported a crime and/or incident to the relevant offices?**

- a) You will be provided with a reference number that you will be able to use to follow up on the status of your case.
- b) Your case will be investigated, and you will be given feedback after the investigation has been finalised.

**12.4 Am I forced to report an incident?**

- a) Yes, because failure to report an incident or crime constitutes misconduct in terms of this Procedure.
- b) It is important to report an incident and/or crime to ensure that culprits are identified to enhance safety.
- c) The reporting of theft of UFS property which is under your care/control is important as ultimately you are responsible for the safekeeping of the items, be it on- or off-campus. This is also needed for insurance purposes.

<b>EFFECTIVENESS OF THE POLICY</b>	
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<b>Performance Indicator(s):</b>	To be completed on review by the person responsible for implementation, monitoring and evaluation.
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