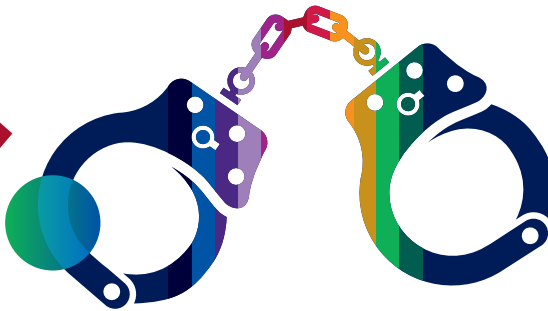




CRIME AND INCIDENT INVESTIGATION PROCEDURE

2023



Inspiring excellence, transforming lives through quality, impact, and care.

www.ufs.ac.za/911

VISION **130**
Renew and Reimagine
for 2034



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



UFS
PROTECTION SERVICES



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INTRODUCTION

n line with Goal 3 of its **Strategic Plan 2023–2028:**

Renewal and Reimagination for Greater

Impact, the University of the Free

State (UFS) sets out to advance a transformational institutional culture that demonstrates its values. Besides creating an environment that is welcoming to all, the UFS is committed to creating circumstances conducive to high-quality learning, teaching and scholarship, and doing this in ways that emphasise the university community's well-being, taking into account its safety.

University **values**, as outlined in **Vision 130** (among others) call for **excellence** in all aspects of university life, including the actions and conduct of Protection Services staff demonstrating an excellent standard of conduct and integrity. Furthermore, the university recognises its responsibilities towards its staff, students, stakeholders and society as a whole, and strives to be a steward of good governance that is **accountable**, responsible and dutiful.



Additionally, the UFS strives to create an environment that is conducive not only to high-quality teaching, learning and scholarship, but also to the well-being and happiness of the university community. This implies a commitment to **caring** for one another.

Despite this, the Crime and Incident Investigation Procedure recognises that a safe and secure environment may not always be possible due to crime-related incidents.

Whenever an incident occurs, the university needs to take appropriate action and is committed to investigate these cases promptly:

- in collaboration with relevant roleplayers;
- in accordance with applicable policies and legislation; and
- without fear, prejudice or favour.



All investigations will be conducted in a professional, ethical, unbiased, and impartial manner, recognising the rights and freedoms of staff and students.

All investigations will adhere to the principle of “innocent until proven guilty”.

Staff and students (according to the respective Codes of Conduct) are expected to adhere to the investigation process, including:

- Being available to meet with Investigating Officers;
- Being available to testify as a witness; and
- Promptly providing information requested by Investigating Officers.

Not cooperating with an investigation and/or obstructing it will result in misconduct, necessitating corrective actions.



PURPOSE AND SCOPE OF THE CRIME AND INCIDENT INVESTIGATION PROCEDURE

The purpose:

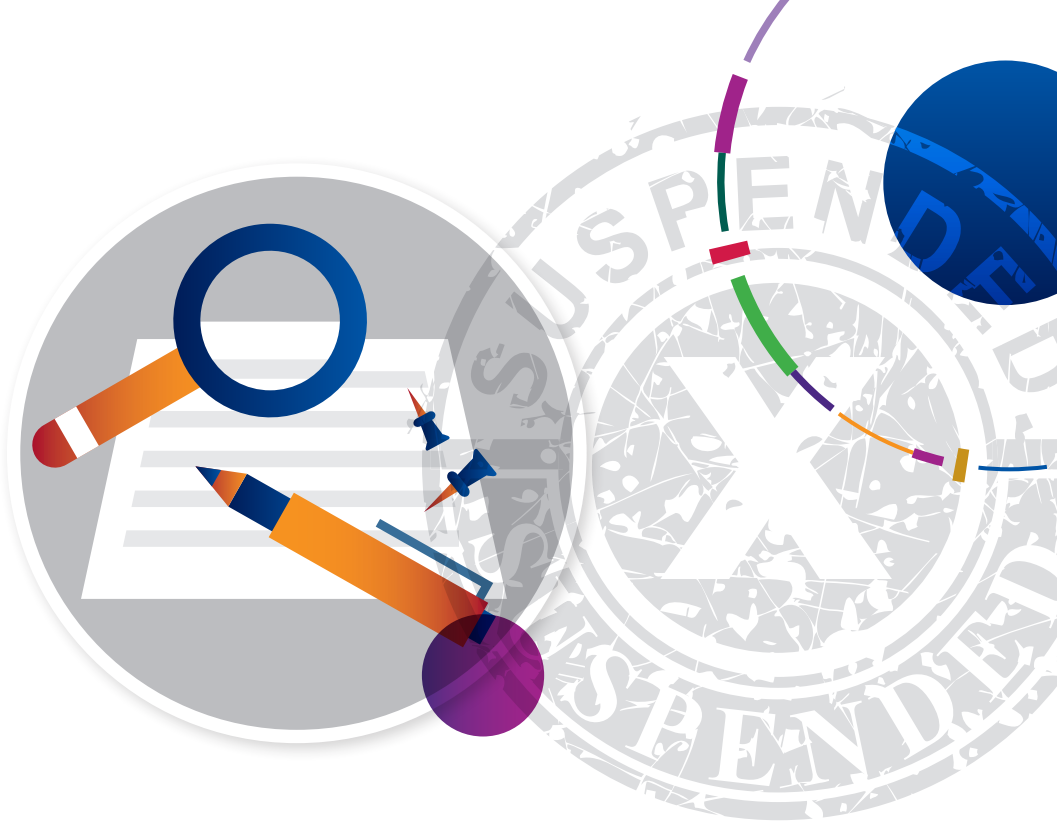
The purpose of the Crime and Incident Investigation Procedure is to establish an institutional framework by which crimes, incidents, and omissions will be investigated.

Based on the one university and three campuses principle, the Procedure is designed to ensure consistency and standardised processes during incident investigations on all UFS campuses and satellite sites.

In accordance with the Procedure, incidents that occur on sites that are not UFS property and during activities that are not UFS activities but which will negatively affect the university's reputation, will also be reported and investigated. These include:

- crimes and omissions (a failure to fulfill a moral or legal obligation);
- contravention of UFS policies;
- unprofessional conduct; and
- acts of negligence that place UFS assets at risk.





Misconduct is seen as serious when:

- There is non-compliance with the Procedure. This will be dealt with according to the **Employee Relations Management Policy** or the **UFS Rules on Student Discipline;** and
- There is abuse of any investigation processes by those entrusted with the investigation. Corrective actions will be taken.

In some cases, staff members and students can be placed under precautionary suspension while allegations against them are being investigated. **Depending on the nature of the allegation, this decision will be guided by:**

- the applicable UFS policies; and
- a preliminary investigation report from the relevant department, depending on the nature of the allegation.

The scope:

The following parties are subject to the Crime and Incident Investigation Procedure:

- UFS students, comprising,
 - all students who are registered to study at any of the three campuses of the UFS (Bloemfontein, Qwaqwa and South Campuses)
 - all students based at any premises and/or satellite sites that are under the jurisdiction of the UFS
- UFS staff members, comprising,
 - all permanent employees
 - employees on short- and fixed-term contracts
 - employees on a shared staff establishment
- visitors
- contractors and their employees
- tenants
- independent service providers and their employees.



Locations refer to all premises under the control of the UFS and are all covered by the Procedure. These include:

- the three campuses
 - Bloemfontein Campus
 - South Campus
 - Qwaqwa Campus
- the satellite sites
 - Boyden Observatory
 - Naval Hill Planetarium
 - Paradys Research Farm
 - Lengau Agricultural Centre
 - Pannar Research Farm (Bainsvlei)
 - The community-based education centre in Trompsburg
 - All other farms and premises that the UFS owns or may acquire in the future
- any other premises that are under UFS jurisdiction

The following acts will be investigated under the Procedure:

- All criminal acts or omissions;
- Any contraventions of UFS policies;
- Any conduct that may bring the name of the UFS into disrepute;
- Any unprofessional conduct; and
- Any acts of negligence that may expose the UFS assets to risk.

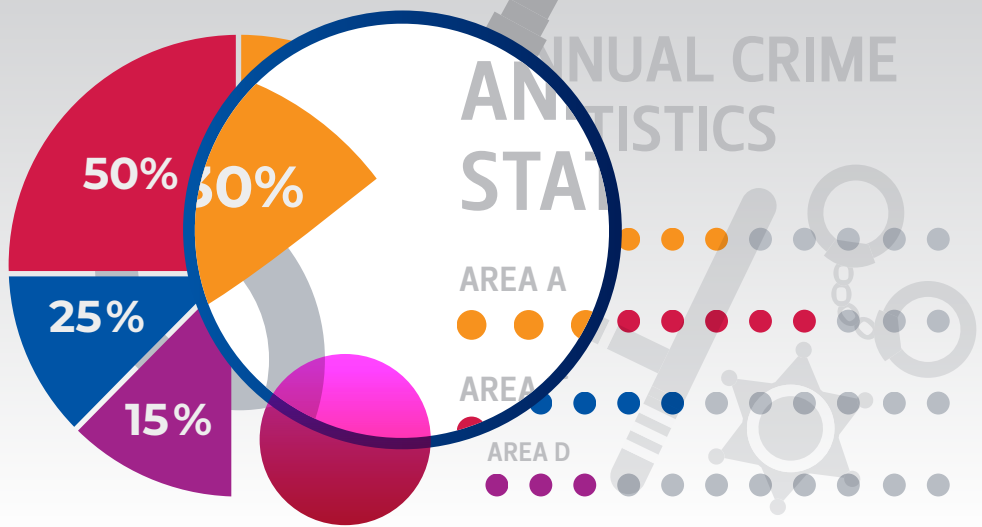
CRIME SCENE - DO NOT CROSS

GUIDING PRINCIPLES

These principles and values guide the Procedure during any investigation:

- **Acknowledging and respecting the rights and freedoms** of staff and students.
- **Respecting the dignity** of persons being investigated.
- Conducting all investigations in a **professional** and in an **objective and impartial** manner.
- Maintaining **strict confidentiality** throughout all investigations, and only sharing information on a need-to-know basis.
- Following investigation processes exclusively in **serving the interest of the UFS** – not to settle personal or political scores.
- Following a **coordinated approach** during investigations, these investigation mandates will be taken into account:
 - **Employee Relations Management** related to staff disciplinary matters,
 - **Internal Audit** related to audits conducted, and
 - **Student Discipline and Mediation** pertaining to academic writing misconduct.





- The university and state investigation agencies **develop sustainable partnerships** making it possible to cooperate during the investigation of cases involving UFS staff, students, and assets.
- Create an **understanding of the requirements for a criminal investigation** at any of the UFS premises.
- Affected and/or responsible individuals **reporting incidents to relevant authorities.**
- The Procedure was compiled considering **the strategic goals** (in the UFS Strategic Plan).
- As a last resort in investigating certain cases, **unconventional investigative techniques and highly specialist skills** will be applied.
- The Procedure will be **planned** for, **financed** and **implemented** based on:
 - the annual crime statistics of the UFS
 - a security risk assessment
 - national legislation and guidelines
 - best practices
 - sound management processes
 - inclusiveness, transparency and affordability

- To deal with investigations, Protection Services in conjunction with the relevant disciplinary and audit bodies, will **develop and implement *Guidelines for Investigations and Service Level Agreements***.
- Services rendered based on the Procedure will be **inclusive of the needs of students with disabilities** in partnership with the Centre for Universal Access and Disability Support. These include:
 - Access to information
 - Communication
 - Services
 - Personal assistance
- No staff member, student or any other person will be prevented from **directly reporting criminal cases to the South African Police Service (SAPS)** (concerning private property or where a crime was committed against a staff member, student, or private person).



THE PROCEDURE

The following actions are required for effective outcomes:

- Although staff and students must take responsibility for their own security, Protection Services is the primary responsible entity for **ensuring the security of students, staff and visitors** at all UFS premises.
- Every UFS staff member and student, tenant, contractor, and employee of a service provider must **formally report**
 - any crime,
 - misconduct,
 - violation of any UFS policy, or
 - any incident that can cause the university any loss or damage of its reputation

(Staff members and students also have the right to report any fraud related incidents on the UFS Whistleblowing Hotline.)

- The Investigating Officers within Protection Services are responsible for investigating crimes and incidents not falling within the mandate of Human Resources and Internal Audit. To **initiate an investigation**, incidents or crimes must be formally reported to Protection Services and the reporting individual must request an investigation.
- Where UFS property is affected, staff members need to **report** such incidents to Protection Services **within 24 hours**. Theft of UFS property must also be **reported to the SAPS** as well as to the **insurance office at the Department of Finance**.



- To **ensure justice for the victims** during all investigations:
 - The integrity of the criminal justice investigations will be protected
 - Investigation will be conducted without fear, favour or prejudice
 - Investigations will be conducted in terms of the
 - relevant legislation
 - the UFS Security Policy
 - other applicable policies
 - the Protection Services Guidelines for Investigations
- **Updates will be provided** to complainants on all reported cases.
- During investigations, **law enforcement** and/or other entities will be **consulted** when necessary.
- There will be **proper record-keeping** of all reported incidents and crimes to ensure that the perpetrators are brought to justice.
- **Reported incidents will be monitored** through weekly crime overviews and regular reports.



- **Interdepartmental Service Level Agreements** will be entered into with the departments that are dependent upon each other for effective execution of their investigative mandates.

- The UFS Management will receive **regular updates on serious incidents/crimes**.
- Investigative activities will always **adhere to**:

- The highest standards
- Integrity
- Requirements of the **Protection of Personal Information Act**

- Protection Services need to be **informed immediately** when any UFS staff member, student, visitor, contractor, tenant or employee of a contracted service provider, has been affected by:
 - Loss of life or potential loss of life (e.g. murder, suicide, attempted suicide, attempted murder, death threats, motor vehicle accidents, etc.);
 - Sexual offences and gender-based violence;
 - Incidents of corruption, fraud and money laundering;
 - Arson and serious cases of malicious damage to property; and
 - Missing students or staff members.



RESPONSIBILITIES IN TERMS OF THE PROCEDURE

UFS staff members, students, regular visitors, and service providers (and their staff) are responsible to:

- **Familiarise** themselves and **comply** with UFS security guidelines, standards, and procedures and/or protocols;
- **Immediately report** any incidents/crime to the Protection Services 24/7 Duty Room (noting that fraud/corruption related incidents can be reported on the UFS Whistleblowing Hotline);
- **Identify the responsible offender**, provide a statement about the incident, and cooperate with the investigation officer;
- **Report theft** to the SAPS (also for insurance purposes) and Protection Services (allowing the UFS to ensure proper investigations are conducted and to assist the SAPS with the investigation);
- **Not tamper** with the scene of a crime/incident;
- **Fully cooperate** with investigation processes.
This includes:
 - Searches
 - Testifying in criminal/disciplinary proceedings;
- **Comply** with the UFS Code of Conduct; and
- **Report** any criminal investigation regarding staff members or students to Protection Services, for further disciplinary action.

The **UFS Protection Services Guidelines for Investigations** defines the responsibilities of all Protection Services role players.

REPORTING CRIMES/INCIDENTS

Why is it necessary to report a crime-related incident?

- All crime-related incidents at any UFS premises as well as off-campus – related to UFS students and property – must be reported.
- Creating an accurate picture of the crime, recording the events in detail, and allocating the necessary resources will be made easier by doing so.
- If an incident was **not reported**, for all practical purposes, it **did not occur**.
- Reporting an incident will lead to an investigation that can uncover the truth and make sure that corrective measures are taken. It will also result in proactive crime-prevention activities.
- UFS property that goes missing, is stolen, or is damaged off-campus should also be reported (to SAPS and Protection Services). This will allow for a proper investigation.



Where to report incidents/crime?

- Incidents related to disciplinary transgressions, accidents, or crime should be reported to the 24/7 Duty Room of Protection Services. Fraud/corruption can also be reported via the Whistleblowing Hotline.
- If an incident does not fall under the jurisdiction of Protection Services, the relevant department will be contacted to handle the matter.
- Disciplinary matters involving staff members will primarily be dealt with by Employee Relations Management within the Human Resources division.
- Lecturers will deal with academic writing misconduct matters by referring the matters to the **Directorate of Student Discipline and Mediation Unit (DSDM)**.

What happens after I report a crime?

- For purposes of following up on the status of your case, you will receive a reference number. Your case will be investigated, and you will receive feedback once the investigation is finalised.

Am I forced to report an incident?

- Yes. Failure to report an incident/crime constitutes misconduct in terms of the Procedure.
- Reporting a crime will help to ensure that the culprit(s) is identified and thus will contribute to creating a safer environment for all.
- Reporting theft of UFS property under your control/care is important.



COMPLIANCE AND AWARENESS

The Procedure will be communicated and explained to students and staff members on the existing communication channels.

All UFS employees, students, line managers, supervisors, tenants, service providers, contractors, and employees must take note of and comply with the Procedure.

CONTACT DETAILS

Protection Services 24/7 Duty Room

BLOEMFONTEIN CAMPUS	QWAQWA CAMPUS	SOUTH CAMPUS
051 401 2911 051 401 2634	058 718 5460 058 718 5175	051 505 1217

South African Police Service: 10111 and 112 (from a cellular telephone)

PARK ROAD SAPS	PHUTHADITJHABA SAPS	KAGISANONG SAPS
051 507 6027 051 507 6000	058 718 0895 058 718 0896	051 409 5608