

KANTOOR VAN DIE VISEKANSELIER / REKTOR	
Internê Verwysing Internal Reference:	
2021 -11- 26	
Afskrif: Copy:	VC   2021   311
OFFICE OF THE VICE-CHANCELLOR / PRINCIPAL	

INSTITUTIONAL REGULATORY CODE

<b>Policy Framework</b>		<b>Regulations/rules</b>	
<b>Policy</b>		<b>Constitution</b>	
<b>Procedure (Manual)</b>	x	<b>Local document</b>	
<b>Guidelines</b>		<b>Other (name)</b>	

**Title:** Procedure for reporting, referral and support of student survivors of gender-based violence

**Category:** Wellness Centre

**Approval Authority:** Council  
Senate  
**Mancom**  
Executive in charge

**Responsible Officer: Dean: Student Affairs**

**Designated Officer: Manager: Wellness Centre**

**First approved: N/A**

**Last amended: N/A**

**Effective implementation date: 16-11-2021**

**Review date: 16-11-2024**


**Reference number: 1/R/1/D/21/11/25/01**

**Replaced number: N/A**

**Section reference (please indicate below):**

Teaching & Learning		Registrar	x
Research, Innovation & Engagement		Vice-Chancellor's Office	
Resources and Operations			

**Approved by:**

Management Committee (Mancom)  Resolution: MANCOM 11/21/22  Approval date: 2021-11-16  Signature of approval: 	
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## **INSTITUTIONAL PROCEDURE TEMPLATE**

### **1. POLICY STATEMENT**

According to section 3.4.3 of the gender-based violence policy for the post school sector, if a survivor discloses an incident of gender-based violence as defined by the policy, institutions must provide comprehensive support and assistance and refer the survivor of gender-based violence appropriately for specialised support and assistance.

Furthermore, the Implementation Procedural Guidelines on Sexual and Gender Related Misconduct in Post Schooling Education and Training (PSET) Sector, published by the Department of Higher Education and Training via the Higher Health, acknowledges that without clear procedures for dealing with sexual and gender-related misconduct at an institutional level, institutions are in danger of not demonstrating the required duty of care to the student community and the staff they employ. This could have a severe impact on academic learning and work, with the potential for legal liability and grave reputational harm.

This procedure aims to direct the reporting, referral and support of survivors of sexual harassment, assault, rape and other related offences in a manner that upholds the fundamental rights embedded in the Constitution of the Republic of South Africa, 1996 and appropriate legislative prescripts at the Central University of Technology, Free State (CUT) amongst students.

This document further aims to ensure availability of integrated and comprehensive service to survivors of gender-based violence and ongoing training, support and supervision of staff members involved in the management of survivors of gender-based violence, to ensure a consistent high standard of care.

### **2. DEFINITIONS AND ABBREVIATIONS**

- 2.1 “Allegation” is an assertion that someone has done something illegal or harmful, which one intends to prove, on a balance of probabilities, through an investigation procedure and disciplinary hearing.
- 2.2 “Appellant” is a complainant and/or respondent who submits an appeal following the outcome of a disciplinary proceeding.
- 2.3 “Campus” means the physical space of the institution, and also includes the cyber space that has been utilised by the campus community since the onset of COVID-19 at online campuses.
- 2.4 “Campus community” includes all students (full time, part time, remote learners), support and academic staff, members of institutional governance bodies, external partners and consultants, external service providers, contractors and others who may be required for short-term or longer-term engagements with the campus community.

- 2.5 “Complainant” is a person that alleges that sexual and/or gender misconduct took place and was experienced by them, and is a victim of the alleged misconduct.
- 2.6 “Confidentiality” means ensuring that information is accessible only to those who are authorised to have access to it.
- 2.7 “Consent” means free and informed agreement as more fully described in clause 9 of the Higher Health Protocols for gender-based violence in post schooling sector
- 2.8 “Contact persons” are any number of designated campus individuals who, as a result of their position and appropriate training, serve to make the complainant aware of available options and alternatives, to aid the survivor in making an informed decision regarding a course of action, and to enable the complainant to follow through with that decision.
- 2.9 “DHET Framework” means the Department of Higher Education and Training Policy Framework to Address Gender-Based Violence in the Post-School Education and Training System.
- 2.10 “Employee” means any person, including students in employment, or any other person who works for an institution and is entitled to receive remuneration and any other benefits.
- 2.11 “Evidence” refers to the available body of information to support whether a belief or proposition on sexual and gender-related misconduct is valid, purely on a balance of probabilities.
- 2.12 “Institution” refers to a post-school education and training institution, in this case the Central University of Technology, Free State.
- 2.13 First point of contact: the first point of contact is defined as the person, in either professional capacity or position of responsibility/authority to whom the student survivor discloses details of the abuse.
- 2.14 “Formal reporting”: filing a grievance or formal charge with campus agencies designated to adjudicate complaints, for purposes of taking action.
- 2.15 “Informal reporting”: the process whereby a member of the CUT community notifies a contact person of an incident that occurred on or off campus. Informal reporting is designed to provide a vehicle through which a member of the CUT community can obtain information and relevant support.
- 2.16 “Investigator” is a person appointed by the institution to conduct a prompt, thorough, and equitable investigation into a complaint involving allegations of sexual and gender-related misconduct.

- 2.17 “Parties” are the complainant and the alleged perpetrator/respondent in any matter involving sexual and/or gender-related misconduct.
- 2.18 “Perpetrator” is a person found guilty of sexual and/or gender-related misconduct.
- 2.19 “Protective measure” is a measure that the institution puts in place to secure the safety of the complainant, or to guard against potential harm to the complainant or to the campus community more broadly, as more fully described in clause 19 of the Higher Health Protocols for gender-based violence in the post-school sector.
- 2.20 “Psychosocial support” means professional support for the psychological and social consequences of trauma.
- 2.21 “Rape” refers to non-consensual penetration/ Rape is defined in terms of Section 3 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 to mean an unlawful and intentional act of sexual penetration of any part of another person with any body part or object, without their consent.
- 2.22 “Respondent” is a member of the campus community, staff or registered CUT students against whom a complaint of sexual or gender-related misconduct has been made once formal proceedings have been initiated against them.
- 2.23 “Responsible Office” is either a specialised office, or an existing office at the institution, or a specially selected person or persons, responsible for the implementation of the institution’s response to sexual and gender-related misconduct.
- 2.24 “Sexual and gender related misconduct” refers to any conduct of a sexual or gender-related nature that constitutes an impairment of the dignity of a member of the campus community and includes, though not exclusively, sexual and gender harassment, sexual violence and assault, gender bullying, relationship violence, acts of bullying, discrimination, harassment or victimisation, as more fully described in clause 8 of the Higher Health Protocols for gender-based violence in post-school sector.
- 2.25 “Staff” means the collective group of employees of the institution, and can include students who are employed.
- 2.26 “Student” means a registered (full-time or part-time) student of the institution who has agreed to be bound by the rules and policies of the institution relating to students and includes visiting students.
- 2.27 “SAPS” means the South African Police Services.
- 2.28 “Whistleblowing” is the act of informing institutional authorities and/or Senior Management that another party/third party is in violation of these guidelines.

### **3. Roles and Responsibilities**

The section details the roles and responsibilities of students, health professionals, social workers, psychologists and medical staff, protection services and residence managers in reporting, referring and managing incidents of gender-based violence on and off campus for students.

#### **3.1 Individual students**

3.1.1 Students must familiarise themselves with the policies and procedures of reporting gender-based violence incidents at CUT.

3.1.2 Students who are survivors of gender-based violence, including rape should, where possible, inform CUT support services (Protection Services, Residences, Wellness Centre) immediately or at the earliest opportunity in order to receive support and assistance. Without such disclosure, CUT cannot provide appropriate support or make appropriate referrals.

3.1.3 Students must report their cases to the designated offices namely:

##### **3.1.3.1 Bloemfontein:**

i) Campus Protection Services: 051 507 3732 / 051 507 3767 /  
0723547767 (after hours)

ii) Wellness Centre at Room 203, Lapeng Building  
Tel.: 051 507 3154  
WhatsApp 060 639 0202)

e-mail: [wellness@cut.ac.za](mailto:wellness@cut.ac.za) and

iii) Medical Centre (opposite Library) - 051 507 3735 and

iv) Residence Managers/Wardens 051 507 3149 in the case of  
a residence student

##### **3.1.3.2 Welkom Campus:**

i) Campus Protection Services: 057 910 3555 /  
0828012085 (after hours)

ii) Wellness Centre: N116 Thutong Building  
Tel.: 057 910 3619  
WhatsApp 060 639 0202  
e-mail: [wellness@cut.ac.za](mailto:wellness@cut.ac.za)

iii) Medical Centre, M Block Opposite Library:  
Tel.: 057 910 3674

iv) Residence Manager/Warden

Tel.: 057 910 3555

3.1.4 In case where the student cannot access the responsible offices as detailed in section 3.1.2, such a student may request any trusted person to report the case on their behalf.

3.1.6 If a case took place outside campus or outside CUT working hours or after hours, a student may report the case at the nearest police station or any nearby Victim Empowerment Centre.

3.1.6.1 For **Bloemfontein** Campus, the nearest police station shall be Park Road Police Station (Tel.: 051 507 6000), and the Victim Empowerment Centre shall be Tshepong Victim Empowerment Centre located at National Hospital on 051 430 3311

3.1.6.2 For **Welkom Campus**: the nearest police station shall be Thabong Police Station (Tel.: [057 910 2397](tel:0579102397)) and the Victim Empowerment Centre shall be Thuthuzela Victim Empowerment Centre located at Bongani Hospital on 057 355 4106

3.1.7 A student must give consent, in case of a gender-based violence rape case to be referred to specialised services.

3.1.8 All CUT students are obliged to attend training and awareness campaigns on these implementation guidelines and other gender-related policies applicable to PSET institutions, particularly to CUT.

**3.2 Staff**

3.2.1 All staff identified as service providers or first line of contact should familiarise themselves with the gender-based violence policy of the institution, and the standard operating procedures/protocols in order to provide effective and efficient services to survivors of gender-based violence.

3.2.2 All professionals working with gender-based violence should be aware of legislative frameworks (e.g. Domestic Violence Act 116 of 1998 and standard operating procedures governing the management and support of survivors of gender-based violence, and the Gender-based Violence Policy Framework for Post-School Sector and related implementation protocols.

- 3.2.3 Staff should be able to offer an appropriate response to a student's declaration of gender-based violence/rape and be able to refer students to appropriate support, including encouraging the student to seek help from the relevant support services.
- 3.2.4 All staff should remain aware of the boundaries of their own roles. Staff should be ready to offer support to students, but are not expected to assume responsibilities outside of their primary role and capabilities.
- 3.2.5 All staff are obliged to attend training and awareness campaigns on these implementation guidelines and other gender-related policies applicable to PSET institutions and CUT.
- 3.2.6 All designated offices (residences, faculties and Protection Services) shall upon receiving the case refer the case to the Social Worker for further management according to established protocols.

**3.2.7 Wellness Centre (Social Worker)**

- 3.2.7.1 The Social Worker shall serve as a designated officer responsible for coordination of referrals of survivors of gender-based violence and or/rape to a local victim empower centre.

As soon as the student reports a gender-based violence/rape case to the first line, the social worker shall:

- 3.2.7.2 Conduct an initial interview to get a factual account of the abuse, including details of the survivor, perpetrator and a detailed account of the incident. The interview must be done in a safe space and conducted in a way that does not create secondary trauma or further victimisation for the client.
- 3.2.7.3 Establish whether the complainant needs urgent medical attention and referral to the Medical Centre for urgent medical attention within a specified time period (72 hours). Survivors must give consent to be referred to the Medical Centre, and the health professional must provide detailed information on what to expect at the medical examination.
- 3.2.7.4 If the student needs referral to Tshepong Victim Empowerment Centre of Thuthuzela, the Social Worker will immediately obtain consent to refer and provide a student with a referral letter to access such services. If the student prefers to make use of private facilities, the Social Worker will provide information on counselling and a list of available resources.
- 3.2.7.5 The Social Worker will monitor progress of the survivor and ensure that the student is receiving ongoing counselling and support as needed.
- 3.2.7.6 The gender-based violence survivor should be provided with information relating to counselling and a list of available resources.

3.2.7.7 Capacity training for all staff designated to deal with gender-based violence cases should be conducted.

### **3.3 Health care workers (nurses/doctors): PHC**

3.3.1 Before the medical examination, the health care worker must provide the complainant with sufficient information and disclose any risk pertaining to the medical examination and procedures.

3.3.2 The health care worker must obtain the informed consent of the complainant to conduct the medical examination.

3.3.3 Evidence may only be collected and released to the SAPS with the informed consent of the complainant.

3.3.4 If the complainant declines the medical examination, the collection of evidence or its release to the SAPS, the complainant's choice should be respected, and no undue pressure should be exerted upon her or him.

3.3.5 It should be ensured that survivors have access to medical services that cater for access to:

- antiretrovirals (ARVs) treatment to avoid the infection of Human Immunodeficiency Virus (HIV) because HIV is preventable;
- the morning after pill to avoid unwanted pregnancy from the rape;
- antibiotics for possible Sexually Transmitted Infections (STIs);
- blood tests to test for date rape drugs in the blood system; and
- internal medical examination to see and treat the extent of the survivor's injuries.

### **3.4 Protection Services**

3.4.1 The reporting security officer must establish whether the survivor wishes to report the matter to the police; and

3.4.2 ensure the survivor of gender-based violence is referred for immediate support in line with established protocols.

### **3.5 Residences**

3.5.1 The residence manager or warden must establish whether the survivor wishes to report the matter to the police; and

3.5.2 ensure the survivor of gender-based violence is referred for immediate support in line with established protocols.

### **3.6 Faculties**

3.6.1 The reporting faculty officer must establish whether the survivor wishes to report the matter to the police; and

3.6.2 ensure the survivor of gender-based violence is referred for immediate support in line with established protocols.



3.6.3 With the consent of the survivor, the case must be referred to the first line report, which is Protection Services or the Wellness Centre.

**4. RESPONSIBLE OFFICER(S)**

Dean of Student Affairs

**5. DESIGNATED OFFICER(S)**

5.1 Manager Wellness Centre

5.2 Social Worker

5.3 Medical Centre Staff

5.4 Faculties

5.5 Residence Manager

5.6 Protection Services

This procedure must be read in conjunction with the following documents:

- National Strategic Plan on Gender-based violence and Femicide (2020)
- Gender-based violence in the Post-School Education and Training System Policy
- Framework and the Implementation Procedural guidelines on Sexual and Gender Related Misconduct in Post Schooling Education and Training Central University of Technology Policy on Gender-based violence and Procedure