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| MEMORANDUM FROM THE PARLIAMENTARY OFFICE |

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

**QUESTION 4384**

**DATE OF PUBLICATION OF INTERNAL QUESTION PAPER: 18/11/2022**

**INTERNAL QUESTION PAPER NO 49 OF 2022**

**Ms C V King (DA) to ask the Minister of Higher Education, Science and Innovation:**

(a) Which institutions of higher learning had ombudsman and (b) what are the details of investigative reports were presented to the various university councils between 1 January 2019 and 31 December 2021? **NW5510E**

**REPLY:**

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| **No.** | **Institution/University** | **Ombuds Office** | **Response** | **Report of Ombuds office** |
| 1 | Cape Peninsula University of Technology | No Ombuds |  |  |
| 2 | University of Cape Town | Has Ombuds office | The reports of the Ombud to Council have ordinarily been high-level reports on trends without detail that would compromise the confidentiality undertakings of the Ombud’s office. The terms of reference explicitly provide that the Office of the Ombud ‘shall not investigate, arbitrate, adjudicate or in any other way participate in any internal or external formal process or action… The mandate is that the ‘Office of the Ombud provides a neutral, informal, confidential and independent environment where members of the university community may raise complaints or concerns and may seek information and guidance about any alleged acts, omissions, rules or other matters relating to the functioning of the University. The Ombud’s report of 2019 (for the period 1 July 2018 to 30 June 2019) deviated from the above terms of reference in that it included a compilation of untested and unproven allegations made by the Ombud in her personal capacity against the Vice Chancellor, the Executive in general and Deans. Council considered the matter on a confidential basis. | The Ombud’s report of 2019 (for the period 1 July 2018 to 30 June 2019) was submitted. |
| 3 | Central University of Technology | No Ombuds |  |  |
| 4 | Durban University of Technology | No Ombuds |  |  |
| 5 | University of Fort Hare | No Ombuds |  |  |
| 6 | University of the Free State. | No Ombuds |  |  |
| 7 | University of Johannesburg. | UJ currently does not have an Ombud | No forensic investigation reports served at the Council for the period January 2019 to December 2021. However, updates on significant litigation cases serve at the Audit and Risk Committee of Council and Council frequently |  |
| 8 | University of KwaZulu-Natal | Position has been vacant since March 2022 | No investigative reports were presented to Council for the years in question. |  |
| 9 | University of Limpopo | No Ombuds |  |  |
| 10 | Mangosuthu University of Technology | No Ombuds |  |  |
| 11 | University of Mpumalanga | No Ombuds |  |  |
| 12 | Nelson Mandela University | External Ombuds | Nelson Mandela University had Ombuds during the period under review (i.e. 01 January 2019 – 31 December 2021). The Ombud is external to the University meaning not an employee of the University | The following report was reported to the University Council under the period under review: (i) Investigation into irregular conduct in the University Catering Services in 2019. |
| 13 | North-West University | No Ombuds |  |  |
| 14 | University of Pretoria | No Ombuds |  |  |
| 15 | Rhodes University | Has Ombuds office |  | The ombud has from 2021 submitted reports to the Audit and Risk Committee. |
| 16 | Sefako Makgatho University | No Ombuds |  |  |
| 17 | Sol Plaatje University | No Ombuds |  |  |
| 18 | University of South Africa | Has Ombuds office | UNISA indicated that they are still working on a response which will follow once received. |  |
| 19 | Stellenbosch University | Has Ombuds office | Ombuds Office engages with  1. Student matters: Issues and problems relating to academic matters, readmission, communication, bursaries, fees, supervisors, residences, disciplinary proceedings, and others.  2.Staff matters: Issues and problems relating to human resources, bullying, communication, benefits, leave, pension, salary, appointments, promotions, and others. | Not clear if the university has received a report from the Ombuds Office. |
| 20 | Tshwane University of Technology | Has students Ombuds office | The Tshwane University of Technology has an established office of the Student Ombudsman, participating in various internal structures of the University where matters that have a direct bearing to the welfare of students are being discussed, like the Student Services Council (SSC) and the Task Team for Student Academic Matters (TTSAM).  The scope and mandate of the Student Ombudsman is governed by the Policy on the Ombudsman for Student Academic Complaints. The Student Ombudsman only mediates and adjudicates on complaints that are of an academic nature. The Student Ombudsman strictly adheres to a set procedure that the students must follow in lodging complaints, set as follows:  1. The student has to first attempt to resolve the complaint with the Lecturer concerned.  2. If after lodging the complaint with the Lecturer, the student is still aggrieved, they are at liberty to escalate the matter to the Lecturer’s Line Manager, the Head of the Department.  3. In the event that the student still does not find any joy after the two steps above, they can then refer the matter to the Executive Dean of the concerned Faculty or the Campus Rector in the case of the Distant Campuses.  4. In the event that the three steps above still don’t yield any fruit for the student, the can then refer the matter to the Student Ombudsman, who will then initiate the investigative process. | The Student Ombudsman compiles reports on an annual basis and these reports serve at the institution’s SENATE, where all Deans of the seven faculties of the institution sit. Of particular importance in the report are the recommendations, which help the institution in averting possible reputational risk to the institution. Student Ombudsman Annual Reports are available for perusal should the need arise. |
| 21 | Vaal University of Technology | VUT established the office of the Ombud late last year |  | No reports by 31 December. |
| 22 | University of Venda | No Ombuds |  |  |
| 23 | Walter Sisulu University | No Ombuds |  |  |
| 24 | University of the Western Cape | No Ombuds |  |  |
| 25 | University of the Witwatersrand | No Ombuds | The University of the Witwatersrand does not have an Ombudsman; instead, we host an Integrity Hotline which allows for matters of concern related to fraud/whistleblowing to be reported. The Council Audit and Risk Committee are informed of any developments. No investigative reports were presented to Council during the period Jan 2019- 31 Dec 2021. |  |
| 26 | University of Zululand | No Ombuds |  |  |