



St Joseph's Theological Institute - Cedara

(Association Incorporated Under Section 21)

Registered with the Department of Education as a Private Higher Education Institution under the Higher Education Act, 1997. Registration Certificate number 03HS03



Private Bag 6004,
Hilton, 3245
Republic of South Africa



Telephone: +27(33) 343 5930
Facsimile: +27(86) 514 5092
E-Mail: sdavid@sjti.ac.za

Web page: www.sjti.ac.za

Protocol with respect to allegations of misconduct

1. As indicated in the Institute's *General Prospectus* and as routinely announced to Staff and Students at the beginning of each semester, the Institute subscribes to the SACBC protocol *Integrity in Ministry*. Therefore the following procedures shall be observed when an allegation is made against any of the Institute's employees and/or students:
 - a. The complaint *in writing* shall be referred to the Academic Dean who is in charge of both Staff and Student matters (including matters of discipline).
 - b. A dossier shall be compiled. This should comprise:
 - i. Details of the complaint (in writing as per a. above), and
 - ii. A clear indication *in writing* of whether the accuser intends to file a formal complaint.**NB:** In the absence of *such written notification* it is to be understood that **no allegation has been made**.
 - c. In the case of a formal complaint in writing the accused shall be interviewed by the Academic Dean, or at the discretion of the Academic Dean, by the President.
 - i. Such an interview shall be notarized by a notary appointed by the Academic Dean.
 - ii. Although such an appointment is done on an *ad hoc* basis, it shall be done with prudence.
 - iii. The notary shall note the contents of the interview in an objective and unbiased manner.
 - iv. Both accused and accuser shall have the right to bring in witnesses.
 - d. The accused shall be informed of his/her right to a support person.
 - e. The written statement of the accused should be obtained and filed in the dossier.
 - f. Should the accuser not file a formal complaint to be dealt with by a competent professional conduct committee, the accused may, in the interest of clearing his/her good name (cf. *CIC #220*), take up the matter with the relevant Church authority and ultimately even with a professional conduct committee.
 - g. Should the accused be a member of staff, s/he will need to be placed on leave similar to administrative leave allocated to other Church personnel in similar instances. Students being accused will be treated in the same way but confided to the care of their Superiors.
 - i. Such a step in no way indicates that the Institute deems the allegation to be true, and
 - ii. shall in no way prejudice the grievance procedures of the Institute.
 - h. This dossier should then be forward to the President of the Institute.
2. Upon receiving such a dossier, the President shall inform the competent Church authorities in charge of both the accused and the accuser. Such communication shall be done in writing.
3. Should either the accused or the accuser be a lay person who is not a member of any Religious Congregation/Order or a Diocese, the Grand Chancellor of the Institute shall be deemed to be the Church authority.
4. Should any offence constitute a criminal offence according to State law (e.g. the abuse of a minor), the Institute is bound by the law of the State to report the matter to the South African Police Services.
5. All complaints shall be treated *seriously* and with the *strictest confidence*.

Sylvester David OMI
PRESIDENT

21st January 2009, revised on 4th July 2011.

Directors: Rev. Sylvester David; Rev. Luke Mlilo; Rev. Paul Decock; Sr. Anacleta Motsie