

# WHS COMMITTEE TERMS OF REFERENCE

Version No	3.0
Issued	8 <sup>th</sup> August 2013
Next Review	August 2016
GDS	12.63.1.1

## 1. TITLE

The name of the Committee shall be 'The Flinders Ranges Council Work Health and Safety Committee'.

## 2. PURPOSE

To provide a consultative forum that can effectively address the Health and Safety matters arising within The Flinders Ranges Council, with particular reference to the requirements of the *Work Health and Safety Act 2012*.

## 3. MEMBERSHIP

3.1 Membership of the Committee may be composed of representatives from Management, Council and workers. At least half of the members of the Committee must be workers who are not nominated by the Chief Executive Officer.

3.2 The Committee shall consist, as a minimum, of:

A. Three (3) Management representatives, who shall be nominated by the Chief Executive Officer. The composition of management representation shall be:

- Chief Executive Officer
- Executive Assistant
- Works Manager

B. Three (3) Worker representatives shall be nominated and elected from the following workgroup areas:

- Works Department
- Administration Staff.

Worker representatives can either be a Health & Safety Representative or a Committee Representative.

The Work Health & Safety Coordinator (WHSC) may also hold the position of Administration Staff Health & Safety representative if so nominated and elected by a majority of the Administration Staff workgroup and as such shall have voting rights.

If the WHSC is not an elected representative of a workgroup, then they shall attend meeting as an advisor to the Committee members and have no voting rights.

3.3 The management representatives on the Committee assist with the Committee's ability to action and progress any decisions made, so it is important for at least one nominated Line Manager to be present at all Committee meetings.

3.4 Workers elect their representatives and any worker can nominate and be elected as a Committee member. Committee members do not have to be Health and Safety Representatives; however, it is desirable to have at least one HSR who is elected on to the Committee.

3.5 An elected Health and Safety representative is entitled to take such time off work without loss of pay as is authorised by Regulations for the purposes of taking part in an accredited course of training relating to health and safety conducted by a Registered Training Organisation that enables them to effectively represent workers and assist the Committee with improving workplace health and safety.

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A Committee member who is a HSR must request their choice of training dates with the Chief Executive Officer or Line Manager. Where available, the approved training course must be undertaken within 3 months of that request.

- 3.6 Observers from any workgroup, management or Council may attend any meeting but will have no voting rights. Observers may provide information and advice to the meeting in accordance with these Terms of Reference and at the discretion of the Committee Chairperson.
- 3.7 To avoid a conflict of interest, any person(s) employed in a Line Management position (Supervisors, Line Managers etc) are not regarded as workers, in relation to determining the membership of the Committee, unless a majority of non-managerial workers decide that it is reasonable to treat a particular Line Manager or Supervisor as an worker.
- 3.8 Each member of the Committee shall have the right to representation by a proxy who, in the case of workplace representation, shall also be elected by the designated workplace members. Where possible, such proxies are to be identified at the same time as the full members are nominated to the Committee. Proxies may attend meetings but have voting rights only when the elected representative is absent for the entire meeting.
- 3.9 Each member present, in person or acting as proxy, shall be entitled to one vote.
- 3.10 A quorum of members must be present before a meeting can proceed.
  - i. A quorum shall consist of at least half of the members plus one with a minimum of 2 workers.
  - ii. The Chairperson will be considered as a member in a quorum count.
- 3.11 Membership on the Committee shall be for a period of three (3) years. Retiring members may be re-nominated.
- 3.12 The office of Committee member shall become vacant if they:
  - Are no longer employed at Council; or
  - Are no longer an elected member of Council; or
  - Resign from the Committee; or
  - Fail to attend 3 consecutive meetings without providing apologies to the Chairperson; or
  - Breach confidentiality on topics discussed at Committee.
- 3.13 In the event of a vacancy occurring on the Committee, the vacancy will be filled by nomination of a replacement from the area for which the vacating person represented.
- 3.14 Management shall notify SafeWorkSA of any change to the structure of the Committee and of any change in membership that occurs.

The following information is to be provided:

- The total number of Committee members (including the chairperson)
- Name of the Committee (the name given to the Committee by the workplace)
- Contact person (this is usually the chairperson)
- Number of employee representatives (non-managerial representatives)

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Documentation is to be sent to SafeWork SA within 14 days of the Committee being established, or changes in membership occurring, and a photocopy of the original is to be kept.

## 4. AIMS/OBJECTIVES

- Facilitate co-operation between the Chief Executive Officer and workers in instigating, developing, carrying out measures designed to ensure the workers' health and safety at work.
- Consider all matters relevant to ensure the health, safety, welfare and rehabilitation of workers.
- Assist in the resolution of issues relating to health and safety that arise in the workplace.
- Assist in the development & review of health and safety standards, rules, procedures and policies that are to be followed at the workplace for consideration, approval and endorsement by the Chief Executive Officer.
- Encourage worker participation in planning and implementation of work health safety and rehabilitation policies.
- Ensure structures are in place for worker consultation and that all parties are consulted on any proposed changes to work health and safety practices, procedures or policies.
- Assist in the distribution and promotion of work health and safety practices, procedures and policies to workers within the workplace and ensure adherence to Council policies and procedures and appropriate Acts, Regulations and Legislation.
- Ensure analysis of accident reports, monitoring of health and safety at worksites and that appropriate recommendations are made to management.
- Monitor worker's compensation claims and the rehabilitation program.
- Monitor progress of injured workers and their rehabilitation.
- Make recommendations to the Chief Executive Officer and/or Management for the alleviation of matters adversely affecting work health, safety and rehabilitation practices.
- Promote training of workers in work health and safety.
- Monitor progress of Committee initiated objectives.
- Call special meetings to consider specific matters.

## 5. DUTIES OF MEMBERS

### 5.1 **Chairperson**

- The Chairperson may be either a management or employee representative.
- The Chairperson of the Committee shall be elected from within the members at the first meeting of each financial year, and is responsible for:
  - Ensuring the agenda and minutes are provided in a timely manner.
  - Inviting specialists to attend meetings when required by the Committee; guiding the meeting according to the agenda and time available; and
  - Ensuring all discussion items end with a decision, action or definite outcome.
- In all matters of urgency the Chairperson shall consult members and act on behalf of the Committee. The situation may occur where time constraints prevent the calling of a special meeting. All such actions are to be reported to the next Committee meeting for ratification.

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- The Chairperson shall ensure that the Committee acts in accordance with the *Work Health and Safety Act 2012*.

## 5.2 **Minute Taker - Secretary**

The Minute Taker - Secretary will:

- Ensure that all correspondence received or sent by the Committee is retained in accordance with the current version of the General Disposal Schedule for Local Government Records in South Australia (GDS 20);
- Prepare an agenda, in consultation with the Committee Chairperson and WHSC, ensuring all documents requiring discussion or comment are attached to the agenda.
- Distribute the Agenda five (5) days prior to the meeting.
- Take notes of proceedings, prepare minutes and provide copies of the minutes within five (5) working days of the meeting to Management, Committee members, the workplace and key stakeholders.
- Minutes shall be checked by the Committee members as a true and accurate record at the commencement of the next meeting.

## 5.3 **Work Health and Safety Coordinator (WHSC)**

The WHSC will:

- Ensure that minutes of all meetings and records of other business transacted by the Committee are maintained in accordance with the State Records Act 1997 and the current version of GDS 20.
- Keep a record of all Committee personnel.
- Maintain current material pertaining to the Work Health and Safety Act and Regulations, Workers Rehabilitation and Compensation Act and Regulations and any other relevant material.

## 6. **MEETINGS**

6.1 Meetings shall be held at least once every three months.

6.2 Special or extra ordinary meetings may be called at any reasonable time at the request of:

- At least half the members of the Committee;
- An elected HSR; or
- The employer

6.3 Decisions will be made by either reaching a consensus or a voting majority. The names of the members moving and seconding any motion and the outcome of the vote shall be recorded in the Minutes.

## 7. **NOTICE OF MEETINGS**

7.1 At least five (5) calendar days notice of the date, time and place for the holding of normal meetings shall be given to members, unless unavoidable urgent business necessitates less notice.

7.2 An agenda will be provided with the Notice of Meeting.

## 8. **ADJOURNMENT OF MEETINGS**

8.1 In the event that all business contained on the agenda cannot be dealt with judiciously within the time allocated for the meeting an adjournment shall occur.

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8.2 The Chairperson, with the consent of any meeting at which a quorum is present, shall if so directed by the meeting, adjourn the meeting.

8.3 In the event of a quorum not being present, the meeting shall be adjourned to a later date not more than 14 days from the date of adjournment.

## 9. OBSERVERS

9.1 The LGA Workers Compensation and Mutual Liability Scheme's Regional Risk Coordinator (RRC), has a standing invitation to attend all meetings to provide information and advice, and will receive all agenda papers in the same manner as Committee members. The Regional Risk Coordinator shall have no voting rights but can participate in debate on any Committee matter.

9.2 Approval for individuals, including union representatives, to observe whole or part of a meeting may be granted by the Committee.

9.3 Observers other than the RRC, must have attained approval to attend, from the Chairperson, prior to commencement of the meeting.

9.4 The Chairperson **must** put the request of an observer to speak on a specific item to the decision of the Committee.

9.5 An observer has NO right to debate or vote on any Committee matter.

## 10. GUESTS

10.1 Guests with relevant expertise may be invited to attend specific meetings.

10.2 Guests have NO right to debate or vote on any Committee matter.

## 11. REPORTING

Agendas and minutes will be provided to all levels of management and to health and safety representatives and posted on general notice boards in the council office and depot. They will be an agenda item for the Senior Leadership Team, Administration and Toolbox meetings with feedback to the Committee encouraged.

## 12. REFERENCES

Work Health and Safety Act 2012  
Work Health and Safety Regulations 2012  
General Disposal Schedule 20 for Local Government  
State Records Act 1997

## 13. RELATED DOCUMENTS

Communication and Consultation Procedure

## 14. REVIEW

The WHS Committee Terms of Reference shall be reviewed by the WHS Committee, in consultation with workers or their representatives, every three (3) years or more frequently if legislation or Council needs change or more frequently if circumstances warrant.



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SIGNED

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Chief Executive Officer

.....  
Chairperson, WHS Committee

Date: 8 / 8 / 2013

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## 15. REVIEW HISTORY

Document History:	Version No:	Issue Date:	Description of Change:
	1.0	May 2005	New Document
	2.0	May 2007	Reviewed
	3.0	8 <sup>th</sup> August 2013	Terminology changes to reflect 2012 WHS Act and Regulations. Reformatted into One System format.