

# Health and Safety Committee - Membership and Terms of Reference

## Section 1 - Establishment

### Background

(1) In accordance with the [Work Health and Safety Consultation at CSU](#) of Charles Sturt University (the University), two Health and Safety Committees have been established to represent staff across the University. These two committees will operate to represent staff as per the following:

- a. One committee, known as the Northern Health and Safety Committee, will be established to represent staff working at:
  - i. Bathurst;
  - ii. Dubbo;
  - iii. Manly;
  - iv. Orange;
  - v. Sydney Olympic Park;
  - vi. North Parramatta; and
  - vii. Port Macquarie;
- b. One committee, known as the Southern Health and Safety Committee, will be established to represent staff working at:
  - i. Wagga Wagga;
  - ii. Albury-Wodonga;
  - iii. Canberra; and
  - iv. Wangaratta.

(2) The Northern and Southern committees will represent University staff on matters relating to workplace health and safety (WHS) and in accordance with the [Model Code of Practice - Work Health and Safety Consultation, Co-operation and Co-ordination](#). The above two committees are hereinafter referred to as "the Committee".

### Other campuses

(3) The University's Goulburn Campus will maintain its current arrangements for Health and Safety Committee consultation, that is, consultation will occur via the NSW Police Academy Committee, which is convened by NSW Police. Staff of the University have membership on this committee and are therefore represented.

### Purpose

- (4) The purpose of the Health and Safety Committees is to:
- a. facilitate co-operation between the University and its employees in instigating, developing and carrying out measures designed to ensure, as far as reasonably practicable, a safe and healthy working environment for

University employees, students and visitors to the University premises, including its remote locations ([Work Health and Safety Act 2011 No 10 \(NSW\)](#), clause 77);

- b. assist in developing standards, rules and procedures relating to health and safety that are to be followed or complied with at the workplace ([Work Health and Safety Act 2011 No 10 \(NSW\)](#), clause 77);
- c. ensure that all employees have, through elected representatives, the right to consult with and receive information from senior management representatives on all matters relating to Workplace Health and Safety as per the University's [Work Health and Safety Consultation at CSU](#); and
- d. perform any other functions prescribed by the [Work Health and Safety Regulation 2017 \(NSW\)](#) or agreed between the University and the committee ([Work Health and Safety Act 2011 No 10 \(NSW\)](#), clause 77).

## Section 2 - Glossary

(5) For the purpose of this document:

- a. Committee - means Health and Safety Committee.

## Section 3 - Membership

### Employee Representatives

(6) Each Health and Safety Committee shall consist of elected employee (worker) representatives from each Designated Work Group and employer (referred to as the Person Conducting a Business or Undertaking in the [Work Health and Safety Act 2011 No 10 \(NSW\)](#)) representatives appointed by the Executive Director, Human Resources.

(7) At least half of the members of the committee must be workers who are not nominated by the University.

(8) If the required number of employee representatives is not gained through an election, the committee may co-opt additional representatives by invitation.

### Health and Safety Representative Members

(9) In accordance with Section 76 of the [Work Health and Safety Act 2011 No 10 \(NSW\)](#), a Health and Safety Representative (HSR) may also have membership on the Health and Safety Committee. HSR members will be considered Employee Representatives.

(10) If there is a Health and Safety Representative at a workplace, that representative, if they consent, is a member of the committee.

(11) If there are two or more Health and Safety Representatives at a workplace, those representatives may choose one or more of their number (who consent) to be members of the committee.

### Election of non-HSR Employee Representatives (if required)

(12) Each employee representative should be a staff member principally working within the stipulated region.

(13) Each nominee must be nominated by two other staff members.

(14) In the event that more employee representatives are nominated than positions available, the employee representatives shall be determined by majority vote through a ballot of all staff employed in the Designated Work Group. (The majority vote will be determined by 50% plus one of the total number of people voting.)

(15) As far as is possible, the elected members shall represent an equal distribution of sections, establishments and

Equal Employment Opportunity groups. Any member of professional/general or academic staff, employed on a fixed-term or continuing basis, is eligible to become a member of the committee.

(16) A representative may serve any number of consecutive terms on the committee, provided they are successful in gaining re-election every three years.

(17) An employee representative may be removed from the committee under clauses 41-42 of this document.

(18) If an employee representative leaves, retires or is transferred prior to their term in office being completed, the committee may exercise the right to co-opt an employee representative by invitation to fill the position until the next election.

(19) Employee representatives shall be provided with sufficient time and resources to undertake matters related to workplace health and safety.

(20) Elections for committee positions shall be held every three years.

## **Employer Representatives**

(21) The committee shall also comprise employer representatives, as nominated by the Executive Director, Human Resources.

(22) Where an employer representative is unavailable to attend meetings due to leave, secondment, etc., the person acting in their role will be deemed to be appointed to the committee for that period.

# **Section 4 - Functions and Responsibilities**

## **Member Responsibilities**

### **Presiding Officer**

(23) The Presiding Officer of the committee shall be elected from amongst the employee representatives of the committee. If there is more than one nomination for the position, a ballot of the remaining committee members shall occur. The method of ballot is to be determined at the time by the committee membership.

(24) The duties of the Presiding Officer shall include, but may not be limited to the following:

- a. the Presiding Officer of the committee meeting has charge of the conduct of that meeting;
- b. the Presiding Officer shall preside at all meetings of the committee at which the Presiding Officer is present and able to so act; and
- c. subject to the relevant Terms of Reference, [Work Health and Safety Act 2011 No 10 \(NSW\)](#) and other relevant rules and guidelines, the Presiding Officer shall determine the procedures to be adopted and the application of those procedures at that meeting.

(25) The Presiding Officer of each committee is responsible for:

- a. providing leadership to the committee;
- b. taking responsibility for the committee's development;
- c. ensuring the committee receives proper information;
- d. planning and conducting committee meetings effectively;
- e. following up on actions or resolutions of the committee;
- f. getting all members involved in the committee's work;

- g. ensuring the committee focuses on its key tasks;
- h. engaging the committee in assessing and improving its performance;
- i. overseeing the induction and development of new committee members;
- j. reporting on all material matters arising from the deliberations of the committee and consulting with the Minute Secretary (or nominee) on the preparation of the agenda and minutes;
- k. providing a report, orally or in writing, to the Health and Safety Committee at its next scheduled meeting on the activities of the committee, and any issues about which the committee should be aware, during the intervening period (NOTE: this responsibility applies to the Presiding Officer of each committee or a nominee); and
- l. representing the committee on the University-wide University Safety and Health Management Committee, established to coordinate work health and safety matters across the University.

(26) In the event of the Presiding Officer being absent, the Deputy Presiding Officer, or another employee representative as elected at the meeting, will preside over the meeting.

### **Duties of Other Committee Members**

(27) The duties of the committee members shall include, but may not be limited to:

- a. assisting the Presiding Officer by actively sharing in the workload, to achieve the responsibilities, aims and objectives of the committee; and
- b. contributing, in a positive nature, to committee meetings and activities.

### **Minute Secretary**

(28) The University will make a Minute Secretary available to the committee.

(29) The Minute Secretary shall carry out duties at the direction of the Presiding Officer. Duties of the Minute Secretary shall also include, but may not be limited to:

- a. collating meeting agenda's for the approval of the Presiding Officer (NOTE: the Presiding Officer is responsible for preparing/developing the agenda);
- b. calling for agenda items, in conjunction with the Presiding Officer;
- c. circulating material and documents to all members of the committee;
- d. recording of minutes at each of the committee's meetings;
- e. ensuring the safe keeping of all records of the committee; and
- f. assisting the Presiding Officer with preparation of correspondence as required and requested, and distributing the approved agenda and minutes.

## **Section 5 - Meetings**

### **Quorum**

(30) A quorum will consist of more than half of the membership and must include a majority of employee representatives.

### **Meetings**

(31) Meetings shall be held four times per year and at least once every three months, except under special circumstances and at times as decided by the Presiding Officer to deal with extraordinary matters.

(32) Members will be allowed reasonable time off during working hours to attend and prepare for meetings.

(33) Meeting venues, including rooms and/or video conference details will be informed via the agenda for the meeting or, alternatively, via email or some other appropriate method of correspondence to the committee members.

(34) At the final meeting in any given year, the committee members are to agree on meeting dates for the following year's meetings. The Minute Secretary is to advise all committee members of the agreed dates for the meetings to be held in the following year.

## **Agendas and Minutes**

(35) Members must be given at least one week's notice of a meeting and a request for items for the agenda.

(36) Copies of the minutes of each Committee meeting are to be circulated to all committee members as well as to the Manager, Work Health and Safety (for placement on the [Health, Safety and Wellbeing website](#)).

## **Right of Audience and Debate at Meetings**

(37) A right of audience and debate is granted to certain persons, who may be required to attend all or part of those meetings, to receive notices of and other communications relating to those meetings. Those granted right of audience and debate are entitled to receive any papers relevant to the meeting (or part of the meeting) they are attending and to be heard at any meeting, or part of a meeting, relevant to them. These persons shall not be entitled to vote.

(38) The following persons will be granted an ongoing right of audience and debate for attending full meetings:

- a. Manager, Work Health and Safety;
- b. Work Health and Safety Coordinator;
- c. Committee Minute Secretary; and
- d. student representatives, who have been nominated by the Student Representative Committee to represent student health and safety interests.

## **Attendance of Non Members at Meeting**

(39) Attendance of non-members at committee meetings shall be approved by the Presiding Officer. The role of the non-member will be as an observer until requested, by the committee, to participate.

(40) The non-member will not have voting rights. The duration of the attendance of the non-member at the meeting shall be at the discretion of the Presiding Officer.

## **Non-Attendance at Meetings**

(41) Any elected employee representative member of the committee who absents themselves from three consecutive committee meetings or who fails to send an apology for non-attendance may be asked to resign or may, by majority vote of the committee, be removed.

(42) Should an employer representative absent themselves from two consecutive committee meetings or fail to send an apology for non-attendance, then the Executive Director, Human Resources shall be advised that the committee cannot effectively function.

## **Resignations**

(43) An employee representative may, by notice in writing to the Presiding Officer and Minute Secretary of the committee, resign their membership with immediate effect or with effect from a specified date occurring after the service of the notice.

## **Information for Committees**

(44) The committee is entitled to receive information pertinent to its operation.

(45) The committee, through the Presiding Officer, shall have access to any information relevant to accidents, incidents and occupational illnesses/diseases that is evident or known at the workplace.

(46) Despite clause 45, the University must not allow the committee to have access to any personal or medical information concerning an employee without the employee's consent unless the information is in a form that:

- a. does not identify the employee and;
- b. could not reasonably be expected to lead to the identification of the employee.

## **Procedure for Changing the Terms of Reference**

(47) Changes to the Health and Safety Committee Membership and Terms of Reference document may be recommended to the University Safety and Health Management Committee by the committee or the University.

(48) Changes may only take effect following the approval of the University Safety and Health Management Committee.

## **Sub-Committees**

(49) Sub-Committees may be formed with the approval of the Executive Director, Human Resources.

(50) Sub-committees will operate within the framework of the committee to aid with the role and function of the committee.

(51) Sub-committees, where formed, will operate as part of managing specific workplace health and safety issues and will disband following the resolution of that issue.

(52) Reports from any sub-committee will be tabled through an agenda item, as and when required.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	20th April 2017
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