

1. Overview

The Health and Safety Committee (“HSC”) is the principal means for management and workers to meet regularly to discuss WHS matters at a strategic level. The HSC is primarily involved in matters that affect the organisation, (e.g. WHS policies and procedures, strategic plan etc.).

The HSC will represent all of the organisation’s workers.

2. Core functions

The core functions of the HSC include:

- 2.1. Facilitating co-operation between the organisation and workers in instigating, developing and carrying out measures designed to ensure the health and safety of workers;
- 2.2. Assisting in developing standards, rules and procedures relating to health and safety that are to be followed or complied with at the workplace; and
- 2.3. Any other functions agreed by the management team and members of the HSC.

3. Definitions

Health and Safety Committee (HSC)	A HSC brings together workers and management to assist in the development and review of health and safety policies and procedures for the workplace. [as defined by Approved Code of Practice: Work Health and Safety Consultation, Co-operation and Co-ordination, December 2011, p.14]
Health and Safety Representative (HSR)	in relation to a worker, means the HSR elected for the work group of which the worker is a member. [as defined by the Work Health and Safety Act 2012, Section 4]
Manager or Supervisor	means positions within the organisation that are held accountable for their own work, but also for the output and performance of others (i.e. their direct reports). [derived from Peoplefit Australasia Pty Ltd (2006)]
PCBU	Person Conducting a Business or Undertaking [as defined in the Work Health and Safety Act 2012(5)]
Worker	A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as— (a) an employee; or (b) a contractor or subcontractor; or (c) an employee of a contractor or subcontractor; or (d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or (e) an outworker; or (f) an apprentice or trainee; or (g) a student gaining work experience; or (h) a volunteer; or (i) a person of a prescribed class. [as defined by the Work Health and Safety Act 2012: Section 7]

4. HSC Role and Functions

4.1. Matters within HSC's responsibility

The role and function of the HSC is to:

- 4.1.1. Provide feedback during the development of the WHS plan and assisting in the review of the plan;
- 4.1.2. Provide feedback during the development, monitoring and review of WHS objectives, targets and performance indicators;
- 4.1.3. Review and consider new or revised WHS policies and procedures and other WHS documentation and make recommendations with regards to their implementation;
- 4.1.4. Consider any proposal from key stakeholders regarding changes to WHS policies and procedures and make recommendations in relation to developing, reviewing, enhancing or improving WHS policies and procedures;
- 4.1.5. Consider and make recommendations regarding the promotion of WHS and the role of the HSC and HSRs across the organisation;
- 4.1.6. Consider and make recommendations in relation to informing and involving all workers in WHS;
- 4.1.7. Monitor the organisation's WHS performance by reviewing inspection and audit reports;
- 4.1.8. Consider and make recommendations in relation to resolving WHS issues;
- 4.1.9. Monitor the effectiveness of the Return to Work System by reviewing claims and return to work data;
- 4.1.10. Maintain an interest in, and commitment to, worker safety;
- 4.1.11. Monitor and review the Hazard Register & Corrective Action Register, Plant and Hazardous Chemicals Registers, and refer all matters that require management direction or enforcement to the management team;
- 4.1.12. Review incident/injury statistics and trends and recommend actions as required;
- 4.1.13. Review audit findings, providing feedback as required to management and assisting in monitoring the effectiveness of corrective and preventative actions;
- 4.1.14. Provide information and feedback to the Emergency Planning Committee ("EPC") and management team regarding workplace emergency response and first aid activities and seek direction from the EPC on emergency response issues;
- 4.1.15. Review the Training Needs Analysis ("TNA") and monitor the training plan to check that training is being conducted in line with planned requirements;
- 4.1.16. Review and evaluate feedback from training sessions and provide feedback on opportunities for improvement;
- 4.1.17. Analyse reports of hazards and near misses so that recommendations can be made to management;
- 4.1.18. Review significant/high-risk risk assessments;
- 4.1.19. Consider reports that HSRs may wish to submit; and
- 4.1.20. Review/analyse the organisation's Hazard Profile for relevance, level of risk, and effectiveness of controls for high risk activities.

4.2. Matters not within the responsibility of the HSC

- 4.2.1. The HSC cannot implement decisions - it can only recommend courses of action. The final decision regarding the implementation of action rests with the management team.
- 4.2.2. The HSC is not responsible for:
 - a) Handling industrial disputes;
 - b) Enterprise Bargaining negotiations or disputes; or
 - c) Grievances not affecting the health and safety of workers while at work.
- 4.2.3. Health and safety dispute resolution is not an appropriate function for the HSC.
 - a) Regulation 22 of the Work Health and Safety Regulations 2012 (SA) outlines the default issue resolution procedure.
 - b) If an issue is resolved and a written agreement is prepared, the HSC may request a copy of this written agreement.

5. Consideration of matters relating to health and safety

The HSC will adhere to the following when considering matters relating to health and safety:

- 5.1. All matters brought to the attention of the HSC must be given due consideration;
- 5.2. Personal and medical information that does or could identify an individual worker shall be kept confidential and shall not be made accessible, or provided, to a HSC or a HSR without that worker's written consent;
- 5.3. The HSC may make recommendations regarding matters brought to its attention;
- 5.4. The HSC, in considering health and safety matters, will strive to reach consensus;
- 5.5. Where consensus cannot be reached, the matter will be put to a vote, (refer to section 9.6).
- 5.6. It is the responsibility of the management representatives on the HSC to follow through on any recommendations and to report back in a timely manner;
- 5.7. The relevant manager will respond in a timely manner to items from the HSC regarding unresolved matters; and
- 5.8. Where the matter is of a particular technical nature or outside the expertise or experience of the members, the HSC may seek the advice and assistance from external organisations with specific expertise including consultants and if appropriate, Safework SA.

6. Membership

6.1. Membership Requirements

Membership of the HSC is to be comprised of management and employee representatives from across the organisation. HSC membership shall be as follows:

[NOTE: Council or Prescribed Body number to document its HSC Structure. This structure is provided as an example only. It is a requirement of the Work Health and Safety Act that (a) at least half of the HSC must be workers who are not nominated by the organisation, (b) if there is a HSR at a workplace, they are a member of the HSC, (if they consent), and (c) if there are two or more HSRs at a workplace, they may choose one or more of their number (who consent) to be members of the HSC.]

6.2. Term of membership

Membership of the HSC will be for a term of three (3) years. Retiring members may re-nominate upon expiration of their term.

- 6.3. Management representatives
Management representatives will be selected by Executive Manager
- 6.4. Election of employee representatives
6.4.1. The election of employee representatives will be conducted by the Deputy CEO
- 6.5. Proxy members
6.5.1. The proxy for each worker representative will be their nominated deputy; and
6.5.2. The Executive Manager may identify proxies for management representatives.
- 6.6. Disqualification of members
The office of HSC member shall become vacant if a member:
6.6.1. Is no longer employed by the organisation;
6.6.2. Is absent without leave of the HSC for more than three (3) consecutive meetings, or more than four (4) meetings in a year;
6.6.3. Changes the area they represent; or
6.6.4. Is no longer able to represent the group that elected them on an on-going basis.
- 6.7. Office Bearers
6.7.1. A Chairperson and Deputy Chairperson will be elected from the HSC membership for a term of twelve (12) months; and
6.7.2. Should the Chairperson and Deputy Chairperson both be absent from a meeting the members of the HSC shall elect a chairperson who shall carry out the duties of the Chairperson for that meeting.

7. Roles and Responsibilities

- 7.1. Chairperson
The Chairperson is responsible for:
7.1.1. Chairing meetings in a professional and unbiased manner;
7.1.2. Encouraging participation of all members during meetings;
7.1.3. Ensuring that the minutes are true and correct record of meetings;
7.1.4. Ensuring that all members are aware of decisions made and responsibilities for action;
7.1.5. Convening extraordinary meetings as necessary;
7.1.6. Closing the meeting and making known the date, time and place of the next meeting;
7.1.7. Being responsible for any formal communication or correspondence; and
7.1.8. Providing formal reports to the management team on behalf of the HSC, as required.
- 7.2. Deputy Chairperson
The Deputy Chairperson is responsible for presiding over meetings and performing the duties of the Chairperson in their absence.
- 7.3. Management representatives
It is the responsibility of the management representatives to:
7.3.1. Attend meetings;

- 7.3.2. Represent the organisation's management on matters and issues being considered by the HSC; and
- 7.3.3. Communicate HSC recommendations to the management team and report back their response.
- 7.4. All HSC members
 - It is the responsibility of all members of the HSC to:
 - 7.4.1. Attend meetings;
 - 7.4.2. Read previous minutes and any other documentation in advance of the meeting and notify the Chairperson of any required amendments;
 - 7.4.3. Be informed as to the matters to be considered;
 - 7.4.4. Actively participate in discussions;
 - 7.4.5. Communicate with the work area they represent regarding HSC activities (before and after meetings);
 - 7.4.6. Retain records in line with the current version of General Disposal Schedule 20 for Local Government Records;
 - 7.4.7. Encourage workers raise or report WHS matters appropriately;
 - 7.4.8. Respect the views and opinions of other HSC members; and
 - 7.4.9. Contribute to the effectiveness of the HSC through personal commitment to improving the organisation's WHS management system and promoting & encouraging compliance with it.

8. HSC Administrative Support

- 8.1. WHS Coordinator
 - 8.1.1 WHS Coordinator will attend meetings in an advisory capacity and will not have voting rights.
- 8.2. WHS Coordinator is responsible to:
 - 8.2.1. Assist with the preparation of the agenda for the meeting in consultation with the Chairperson
 - 8.2.2 Ensuring agendas are distributed to members five (5) business days prior to meetings
 - 8.2.2. Inform the Chairperson of any changes to the agenda, apologies received and new items of business;
 - 8.2.3. Provide advice on WHS technical, legal and policy matters;
 - 8.2.4. Provide reports on current WHS activities when applicable;
 - 8.2.5. Provide reports on the performance of the WHS Management System when applicable;
 - 8.2.6. Provide reports on the performance of the Return to Work System when applicable; and
 - 8.2.7. Ensure appropriate facilities are provided to conduct the business of the HSC.
 - 8.2.8. Provide administrative support to the HSC;
 - 8.2.9. Finalise the agenda and notify the HSC members that the agenda and any attachment(s) are available;

- 8.2.10. Record the minutes of the meeting in the agreed format;
- 8.2.11. Finalise the minutes within five (5) working days of the meeting and notify the HSC that the minutes of the meeting are available

9. HSC Meetings

9.1. Meeting Frequency

- 9.1.1. Meetings will be held at least every three (3) months at a time and venue agreed to by the HSC.
- 9.1.2. Extraordinary meetings shall be held on the request of the Chairperson or at least half of the members of the HSC.

9.2. Duration of meetings

- 9.2.1. Reasonable time will be allowed during each meeting to ensure discussion of all business.
- 9.2.2. The organisation will ensure that work arrangements are such that all worker members of the HSC are able to attend during paid time.

9.3. Notice of meetings

- 9.3.1. The forthcoming meeting dates will be provided to members when dates are decided
- 9.3.2. Agendas will identify the date, time and place of meeting.
- 9.3.3. Agendas will be circulated to members five (5) business days prior to the day of the meeting.

9.4. Quorum

- 9.4.1. A quorum will consist of not less than half the number of members or proxies, plus one, providing there are a majority of worker representative members present.
- 9.4.2. Where a quorum is not present, a meeting will be adjourned and rescheduled no more than two weeks after the original meeting date.

9.5. Observers and guests

- 9.5.1. Observers or guests may attend meetings at the request or invitation of the HSC.
- 9.5.2. Observers or guests may include:
 - a) Union officials of worker groups represented at the meeting;
 - b) Guests with relevant expertise to address specific topics under consideration by the HSC;
 - c) LGAWCS Regional Risk Coordinator/Risk Consultant; and
 - d) Persons representing other organisations approved periodically by the HSC.
- 9.5.3. Observers or guests may not take part in the meeting unless permitted by the Chairperson.
- 9.5.4. Observers or guests are not permitted to participate in any voting or consensus process.

9.6. Voting

- 9.6.1. Each member present, in person or proxy will be entitled to one (1) vote.

9.6.2. If a vote is tied, the Chairperson will make a decision as to whether the matter is deferred to the next meeting or, if an urgent decision is required, referred to the management team to make a decision.

9.7. Sub Committees

9.7.1. The HSC has appointed a sub-committee to facilitate the workplace emergency management requirements for the organisation. This sub-committee is called the Emergency Planning Committee (“EPC”) and has the following responsibilities:

- a) Identifying events that could reasonably produce emergency situations;
- b) Developing an emergency response plan, (including strategies for visitors);
- c) Ensuring that resources are provided to enable the development and implementation of the emergency response plan;
- d) Ensuring that the emergency response plan is readily identifiable and available;
- e) Establishing an Emergency Control Organisation (“ECO”);
- f) Ensuring that the emergency response plan is regularly reviewed and tested; and
- g) Ensuring that all records relating to actual emergencies and drills are maintained and used as the basis for continuous improvement of the emergency response plan.

9.7.2. The HSC may establish other sub-committees to assist in carrying out its functions where required.

9.8. Communication

9.8.1. The HSC will communicate the outcomes of meetings through the regular publication of minutes and through HSC members informing their work groups about the activities of the HSC.

9.8.2. Minutes and agendas will be available on District Council of Mount Remarkable website and Depot & Office noticeboards

10. Review

10.1. The Terms of Reference shall be reviewed as required by the Chief Executive Officer, (or delegate,) in consultation with the HSC.

10.2. The Terms of Reference shall be reviewed every five years or more frequently where legislation or organisational needs change.

10.3. Proposed amendments must be tabled at least one meeting prior to a decision being taken on the amendment.

11. Legislation & References

The following legislation supports this Terms of Reference:

- Work Health and Safety Act 2012
- Work Health and Safety Regulations 2012
- General Disposal Schedule 20 for Local Government

