

**AGENDA ITEM 5
RECOMMENDED ITEM FROM
SAFETY COMMITTEE – 2ND MARCH 2012**

937f. AMENDMENT TO TERMS OF REFERENCE

The Head of Human Resources and Payroll advised Members of a review of the Safety Committee Terms of Reference included in the Council's Constitution, following the appointment of the Shared Health and Safety Manager.

Members were advised of amendments required to the report included in the agenda :

'Add to the terms of reference of the Safety Committee at point vii and xii on page 97 and renumber the final point:-'

- (vii) To receive reports from the Health and Safety Officer and Bassetlaw's Health and Safety Manager in relation to the above (refers to point (vi)
- (xii) to resolve any issues referred from the Joint Safety Management Forum.

Add in to 2(ii) Bassetlaw's Health and Safety Manager.

Moved by Councillor G.O. Webster, seconded by S. Sambrooks
RECOMMENDED that the changes to the Safety Committee Terms of Reference be referred to Standards Committee.

(Head of Democratic Services)

Committee:	Safety Committee	Agenda Item No.:	5.
Date:	2 nd March 2012	Category	
Subject:	Amendment to Terms of Reference	Status	Open
Report by:	Solicitor to the Council		
Other Officers involved:	Head of Human Resources and Payroll		
Director	Chief Executive Officer		
Relevant Portfolio Holder	Councillor B Murray-Carr, Portfolio Holder for Community Safety		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation by ensuring that the new shared health and safety arrangements are reflected in the Safety Committee’s Terms of Reference.

TARGETS

None

VALUE FOR MONEY

The contents of this report do not involve the expenditure of money.

THE REPORT

On 9th January 2012, Council approved a joint Health and Safety Service, to be managed by Bassetlaw District Council’s Health and Safety Manager. This service will commence on the 1st April for a 12 month trial.

As a consequence, it is necessary to make some amendment to the Safety Committee's Terms of Reference. These are shown in the table attached at page 11.

ISSUES FOR CONSIDERATION

Whether to recommend to Standards Committee and Council the changes to the Safety Committee's Terms of Reference for inclusion in the Constitution.

IMPLICATIONS

Financial : None
Legal : As in the report.
Human Resources : None

RECOMMENDATION

That Safety Committee recommend to Standards Committee the changes to the Terms of Reference listed in the report.

ATTACHMENT: **Y – Existing Safety Committee Terms of Reference**
FILE REFERENCE: **None**
SOURCE DOCUMENT: ***Health and Safety Service Review Business Case.***

CONSTITUTION REVIEW – March 2012.

Page No. and Paragraph	Proposed Changes	Comment
<p>Safety Committee Terms of Reference numbers 1 and 2 on page 97</p>	<p>Add to the terms of reference of the Safety Cttee at point (xi) and (xii) on page 97 and renumber final point:-</p> <p>(xi) To receive reports from the Health and Safety Officer and Bassetlaw's Health and Safety Manager in relation to the above.</p> <p>(xii) To resolve any issues referred from the Joint Safety Management Forum..</p> <p>Add in to 2(ii) Bassetlaw's Health and Safety Manager.</p>	<p>This reflects the new shared health and safety service with Bassetlaw District Council and other authorities. This Committee and an officer forum (including BDC's Head of HR and Payroll) will be responsible for monitoring the arrangements.</p>

APPENDIX – Existing Safety Committee Terms of Reference

SAFETY COMMITTEE

1. The overall purpose of the Safety Committee is to promote cooperation between the council and its employees in developing and carrying out measures to manage health and safety risks and to secure the health and safety of employees, service users, contractors and any others who may be affected by the work of the Council.
 - (i) To promote the development of a safety culture throughout Bolsover District Council.
 - (ii) Reviewing the adequacy of and effectiveness of Bolsover District Council's Corporate Health and Safety Policy and any task specific or local health and safety policies, practices, procedures or safe systems of work.
 - (iii) Reviewing accident and industrial disease information and trends, to identify unhealthy or unsafe conditions and practices, along with recommendations for remedial action.
 - (iv) Review of health and safety information, risk assessments, audit reports, safety inspections and other monitoring information, making appropriate recommendations for remedial action.
 - (v) Analysis of information, reports and correspondence from enforcing authorities (Health and Safety Executive, fire service etc.).
 - (vi) Consideration of reports from safety representatives.
 - (vii) To receive and discuss health and safety reports.
 - (viii) To approve new health and safety policies and procedures and amendments to existing policies and procedures.
 - (ix) To review arrangements for health and safety information and training.
 - (x) To review the impact of proposed or new legislation, codes of practice or legal judgements.
 - (xi) To consider any other health and safety matters raised by committee members.

2. MEMBERSHIP

- (i) The Committee shall comprise representatives of Management and Employees holding office for a period of one year and eligible for reappointment or re-election.
- (ii) The composition of the Employers Side of the Committee shall be 5 elected Members with voting rights. The Head of Human Resources and Payroll, Health and Safety Officer and Head of Paid Services shall attend in an advisory capacity without voting rights; together with such other officers of the Council as may be appropriate having regard to matters to be discussed.
- (iii) The Employees Side of the Committee shall comprise 5 representatives selected by the local branch of the Trade Union representing the employees.
- (iv) The Union Side shall submit the names of their representatives forming the Employees side to the Committee to the Chief Executive Officer of the Council not later than the beginning of each meeting.
- (v) The Committee shall appoint a Chairman and Vice Chairman from among the Committee. When the Chairman is appointed from one side of the Committee the Vice-Chairman will be appointed from the other side. These Officers will also act as Chairman of their respective sides of the Committee.
- (vi) The Head of Democratic Services will act as Secretary to the Joint Committee.
- (vii) The Members of the Committee shall hold office for one year and shall be eligible for re-appointment. Any vacancy that occurs shall be filled as it arises by the relevant side.

3. ADVISORS

- (i) Either side shall have the right to have in attendance upon them, persons with a specialised knowledge, in a consultative or advisory capacity but without the right to vote. Such attendance shall be notified to the Secretary of the Employers' Side who will arrange for notices of meeting, agendas and minutes to be forwarded to such representatives unless requested otherwise.

4. PROCEDURE

- (i) Regular meeting shall be convened during working hours at 3 monthly intervals and held at Sherwood Lodge, Bolsover.

- (ii) Meetings may be called by the Chairman at any item at the request of either side, such requests to be submitted through their respective Chairmen.
- (iii). Employees will be granted time off with pay to attend a reasonable number of meetings and will be entitled to payment in the event of meetings continuing beyond normal working hours.
- (iv) The Employees Side shall submit to their respective secretary's items which they wish to be included on the agendas of regular meetings, and they will be responsible for forwarding this information to the Head of Democratic Services not later than 14 days prior to a meeting.
- (v) In the event of a scheduled meeting being due and there being no items from either side, following consultation with the Chairman and Vice-Chairman, the meeting may be cancelled and Members advised accordingly.
- (vi) The agenda for business of regular meetings shall be circulated by the Chief Executive Officer to each Member and to any consultative or advisory representative not later than 10 working days before a meeting. The matters to be discussed at any meetings of the Committee shall be stated on the agenda with a notice summoning the meeting provided that any other business may be considered if admitted by a majority vote of each side. Nominated Trade union Officers shall be provided with 6 copies of the agenda and reports to circulate to their Members as appropriate and to their full-time Trade Union Officials.
- (vii) Two Members of the Employers' Side and two members of the Employees' Side of the Committee shall together constitute a quorum.
- (viii) An individual employee wishing to raise with the Committee any question within the function shall do this through his/her appropriate representative on the Committee.