

HEALTH, SAFETY AND ENVIRONMENT COMMITTEE CHARTER

HEALTH, SAFETY AND ENVIRONMENT COMMITTEE - CHARTER

1. Establishment

- 1.1 There shall be a Health, Safety and Environment Committee (*the Committee*) reporting to the Council. The Committee was first established as a Sub-Committee of the Remuneration and Human Resources Committee on 26 March 2012 and was then established as a Committee of Council on 10 April 2014 under Division 2, Section 11 of the JCU Act 1997.
- 1.2 The purpose of this charter is to outline the role, responsibilities, composition and operating guidelines of the Committee in accordance with the James Cook University Act 1997, other relevant legislation and other appropriate University Policies and Procedures and has been approved by the 16th Council of James Cook University.
- 1.3 The charter will be reviewed annually by the Committee to ensure it remains consistent with the Committee's authority, objectives and responsibilities. The Committee or Chairperson may propose to the Council, following that review and from time to time, amendments to this Charter for approval.

2. Authority, Independence and Relationships

- 2.1 The Health, Safety and Environment Committee has no executive powers, unless delegated to it by the Council.

The Committee is a Committee of the University and is directly responsible to the Council. In discharging its responsibilities the Committee has the authority to:

- Conduct or authorise investigations into matters within its scope of responsibility.
- Access information, records and personnel of the University for such purpose.
- Request the attendance of any employee, including executive staff, at Committee meetings.
- Conduct meetings with any relevant academic divisions/divisions/directorates, as necessary.
- Seek advice from external parties and independent experts, as necessary, which the Committee reasonably considers necessary to execute its duties and responsibilities; obtaining the necessary funding approvals through Council should this be necessary.
- The Committee shall liaise with other Committees of Council as required, to ensure:
 - its statutory and operational responsibilities are met;
 - there is no material overlap between the functions and duties of the groups; and
 - frank and meaningful interchange of information.

3. Purpose, Functions, Duties and Responsibilities

- 3.1 The purpose of the Committee is to consider and advise the Council on strategic governance issues relating to health, safety and environment, in particular, consider and advise Council on the University's compliance with its obligations under the Work Health and Safety Act 2011 (Qld), and progress towards AS 4801 and ISO 9001, ISO 14001 and OHSAS 18001.
- 3.2 The Committee shall:
- (a) perform the duties and responsibilities specified in Schedule A;
 - (b) act on behalf of the Council on such other matters as are delegated to it from time to time by the Council;
 - (c) advise the Council on such other matters that are within its duties and responsibilities (Schedule A), as referred by the Council or as it deems appropriate.

4. Membership

4.1 The Committee shall comprise the following members:

- (a) ex officio
 - (i) Chancellor
 - (ii) Vice-Chancellor
 - (iii) Deputy Vice-Chancellor, Services and Resources
- (b) Appointed – by the Council
Four members appointed by and from the Council, whose appointment shall be based on their appropriate skills and/or experience in relation to the business conducted by the Committee.
- (c) Additional – by the Council
Council shall have the power to co-opt one member external to the University who has the appropriate skills and/or experience in relation to the business conducted by the Committee.

4.2 The Chairperson shall be appointed by the Council from its members and the Committee shall have a Deputy Chairperson elected by the Committee. At its first meeting after its appointment, and thereafter whenever a vacancy occurs in the office, the Committee shall elect a Deputy Chairperson. The Chairperson shall be neither a member of staff nor a student of the University. The Deputy Chairperson may be any member of the Committee.

4.3 Coopted and Additional members shall have appropriate qualifications/experience and may be from within or outside the University. Appointments including appointments of coopted and additional members shall be for a period of up to four years and shall be recorded in a membership list for appending to the Charter. Coopted and Additional members shall be members until their successors are appointed; until they resign from the Committee; or as Council members, cease to be members of the Council.

4.4 Before appointing a member, the Committee shall:

- (a) undertake consultation as appropriate; and
- (b) give consideration to the principle that members shall be not entirely of the same gender or from the same campus.

4.5 Any person assuming a role in Committee business on behalf of another person as a consequence of an acting or nominee arrangement (e.g. acting as the *ex officio* member, Deputy Chairperson assuming chairmanship) shall as far as practicable consult and report through that other person.

4.6 Attendance by others at meetings - the Committee or its Chairperson may invite other University staff members and persons external to the University, as required for the purposes of the Committee, to attend meetings as advisors.

The following advisors shall be invited to attend meetings and shall have rights of audience and debate –

- Head, Health, Safety and Environment Unit
- Director, Human Resources

5. Secretariat

5.1 The University Secretary or nominee shall be the Secretary to the Committee. There may be an Assistant or Minutes Secretary to assist the Secretary and to take minutes.

5.2 The Secretary, in consultation with the Chairperson, will prepare and send notices of meetings, agendas, will accurately transcribe all decisions of the Committee and table all correspondence, reports and other information relevant to the Committee's activities and operations. The University Secretariat shall provide the resources necessary for the performance of the Committee.

6. Convening a Meeting

- 6.1 The Committee shall meet as often as necessary in order to perform its functions. It is recommended that the Committee meet a minimum of four times per year and the schedule of meetings will be agreed in advance, however the number of meetings may vary in accordance with the volume of business that falls within the remit of the Committee.
- 6.2 Meetings shall be convened by either the Chairperson or the Secretary and The Secretary shall send a notice of meeting in reasonable time to all members of the Committee. For the purposes of accountability and meeting efficiency, all meetings shall be run according to a pre-determined agenda with items presented under an item coversheet that clearly identifies the recommended action.
- 6.3 The Committee should determine its own agenda, ensuring appropriate consultation to include emerging issues and emphasis on the most significant risks and threats. Proposals for agenda items from Committee members are to be submitted to the Secretary for consideration by the Chairperson for inclusion on the agenda. The Chairperson, in consultation with the Secretary, shall determine the agenda. The agenda and relevant papers will be distributed to members at least five working days before the meetings.
- 6.4 The Committee may appoint sub-committees and working parties to report to the Committee on specific matters which are the responsibility of the Committee. The majority of members of any sub-committee or working party must comprise members of the Committee.

7. Conduct of Meeting

- 7.1 Except as hereinafter provided, the Chairperson shall preside at all meetings of the Committee. If the Chairperson is absent from a meeting, the Deputy Chairperson shall preside. If the Deputy Chairperson is absent also, the members present shall elect one of their number to preside.
- 7.2 A quorum exists at a meeting of the Committee if a simple majority of its members are present.
- 7.3 Questions arising at a meeting of the Committee shall be determined by consensus, however when required a question shall be determined by a majority of votes of the members of the Committee present and voting. The Chairperson at a meeting of the Committee shall have a vote, and in the case of an equality of votes, a second or casting vote.

8. Rules for the Conduct of Business and Ethical Practices

- 8.1 Subject to the general superintendence of the Council, the Committee may make its own rules for the conduct of its business that are in keeping with its Charter.
- 8.2 Members are required to declare any interests, in accordance with the University's *Conflict of Interest of Members of Council Policy* and the *Code of Conduct for Council Members* that could constitute a real, potential or apparent conflict of interest with respect to participation on the Committee. The declaration must be made on appointment to the Committee and in relation to specific agenda items at the outset of each Committee meeting, and must be updated as necessary.
- 8.3 Confidentiality issues shall be dealt with in accordance with the University's *Confidentiality Provisions - JCU Council, Council "Committees", Controlled Entity Directors and Nominee Directors of Non-Controlled Entities*. The Committee will receive the provisions each year at its first meeting.

9. Reporting Obligations

- 9.1 As soon as practicable after each meeting, the Committee shall submit minutes of the meeting confirmed by the Chairperson to the Council. The minutes shall include:
- advice, with recommendations as relevant, in respect to those matters set out in Schedule A;
 - confirmation of action taken in respect of any matter for which delegated authority has been exercised; and
 - advice on other matters referred to it by Council or any other Committee of Council or that the Committee wishes to draw to the attention of the Council.
- 9.2 The Committee shall provide to Council an Annual Schedule of Business for the Committee. The Schedule of Business and the Committee's membership list shall be appended to the Charter but do not form part of the Charter.

10. Executive Actions/Circularised Resolutions

- 10.1 Where circumstances do not allow a matter relevant to the duties and responsibilities of the Committee to be put to a meeting of the Committee, and a resolution of the Committee is required, the Chairperson shall cause the matter to be considered by members by circularised resolution. The principles and procedures adopted by University Council for managing business by circularised resolution apply.
- 10.2 Where it is not practicable for the matter in 10.1 above to be put to members by circularised resolution, the Chairperson or Secretary may act executively on the matter where delegated authority has been agreed.
- 10.3 Where it is necessary for the Chairperson to have a matter determined as in 10.1 or 10.2 above, the approval shall be reported by the Secretary to the next meeting of the Committee, and where appropriate to the Council.

Schedule A

Duties and Responsibilities of the Committee

1. The Committee has been delegated the following duties and responsibilities by Council:
 - (a) To consider governance issues relating to: , .
 - (i) The University's compliance with all health, safety and environmental legislation, including the Work Health and Safety Act 2011 (Qld); and
 - (ii) The implementation of any frameworks or policies relating to the management systems, standards and other requirements concerning health, safety and environmental issues within, or for, the University.
 - (b) To monitor progress towards achieving compliance with WHS legislation and AS 4801, ISO 9001, ISO 14001 and OHSAS 18001, a commitment that the University has articulated in achieving best practice in respect of health, safety and environment.
 - (c) To consider issues of accountability for members of Council in respect of provisions under new or proposed legislative frameworks.
 - (d) To receive a quarterly report from the University's Health, Safety and Environment Advisory Committee (HSEAC).
 - (e) To review the Annual HSEAC Report following consideration by the HSE Advisory Committee and management.
2. The Committee shall provide advice to the Council on the matters above, any matter within its remit or referred to it by the Council or any other Committee of Council:
 - plans, policy and procedures;
 - proposals, including new ventures;
 - progress with the achievement of objectives and strategies in the University Plan; and
 - the results of its monitoring of performance indicators in the Plan.
3. The Committee may make recommendations to the Council on the matters above, any matter within its remit or referred to it by the Council or any other Committee of Council on matters relating to the advice.
4. Nothing in the stated duties and responsibilities is intended to limit the matters on which the Committee may provide advice. However, the Committee should not go outside of the general scope of its charter without the approval of the Council.