

# **HEALTH, SAFETY AND ENVIRONMENT SUB-COMMITTEE CHARTER**

# HEALTH, SAFETY AND ENVIRONMENT SUB-COMMITTEE - CHARTER

## 1. Establishment

- 1.1 There shall be a Health, Safety and Environment Sub-Committee (*the Sub-Committee*) reporting to the Audit, Risk and Compliance Committee. The establishment of this sub-committee is under Division 2, Section 11 of the JCU Act 1997. The Committee was first established as the Workplace Health and Safety Committee, a sub-committee of the Remuneration and Human Resources Committee on 26 March 2012. It was then established as a Committee of Council on 10 April 2014 and was renamed the Health, Safety and Environment Committee on 4 December 2014. It became a sub-committee of the Audit, Risk and Compliance Committee on 8 December 2016 and was renamed the Health, Safety and Environment Sub-Committee.
- 1.2 The purpose of this charter is to outline the role, responsibilities, composition and operating guidelines of the Sub-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 Sub-Committee to ensure it remains consistent with the Committee's authority, objectives and responsibilities. The Sub-Committee or Chairperson may propose to the Council via the Audit, Risk and Compliance Committee, 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 Sub-Committee has no authority, unless delegated to it by the Council.

The Sub-Committee is a Committee of the University and is directly responsible to the Council via the Audit, Risk and Compliance Committee. In discharging its responsibilities the Sub-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 Sub-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 Sub-Committee reasonably considers necessary to execute its duties and responsibilities; obtaining the necessary funding approvals through Council via the Audit, Risk and Compliance Committee should this be necessary.
- The Sub-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 Sub-Committee is to consider and advise the Audit, Risk and Compliance Committee and Council on strategic governance issues relating to health, safety and environment, in particular, consider and advise the Audit, Risk and Compliance Committee and Council on the University's compliance with its obligations under the Work Health and Safety Act 2011 (Qld), and progress towards full compliance with Australian Standard 4801 (Occupational Health and Safety Management Systems) and International Standards Organisation (ISO) 9001 (Quality Management Systems), ISO 14001 (Environmental Management Systems) and OHSAS 18001 (Occupational Health and Safety Assessment).
- 3.2 The Sub-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 Audit, Risk and Compliance Committee and Council on such other matters that are within its duties and responsibilities (Schedule A), as referred by the Audit, Risk and Compliance Committee or Council or as it deems appropriate.

#### **4. Membership**

4.1 The Sub-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

Three 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 Sub-Committee.

(c) Additional – by the Council

Council shall have the power to co-opt two members external to the University who has the appropriate skills and/or experience in relation to the business conducted by the Sub-Committee.

4.2 The Chairperson shall be appointed by the Council from its members and the Sub-Committee shall have a Deputy Chairperson elected by the Sub-Committee. At its first meeting after its appointment, and thereafter whenever a vacancy occurs in the office, the Sub-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 Sub-Committee.

4.3 Co-opted and Additional members shall have appropriate qualifications/experience and may be from within or outside the University. Appointments including appointments of co-opted 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. Co-opted and Additional members shall be members until their successors are appointed; until they resign from the Sub-Committee; or as Council members, cease to be members of the Council.

4.4 Before appointing a member, the Sub-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 Sub-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 Sub-Committee or its Chairperson may invite other University staff members and persons external to the University, as required for the purposes of the Sub-Committee, to attend meetings as advisors.

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

- Manager, Health, Safety and Environment Unit

#### **5. Secretariat**

5.1 The University Secretary or nominee shall be the Secretary to the Sub-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 Sub-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 Sub-Committee.

## **6. Convening a Meeting**

- 6.1 The Sub-Committee shall meet as often as necessary in order to perform its functions. It is recommended that the Sub-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 Sub-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 Sub-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 Sub-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 Sub-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 Sub-Committee may appoint working parties to report to the Sub-Committee on specific matters which are the responsibility of the Sub-Committee. The majority of members of any working party must comprise members of the Sub-Committee.

## **7. Conduct of Meeting**

- 7.1 Except as hereinafter provided, the Chairperson shall preside at all meetings of the Sub-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 Sub-Committee if a simple majority of its members are present.
- 7.3 Questions arising at a meeting of the Sub-Committee shall be determined by consensus, however when required a question shall be determined by a majority of votes of the members of the Sub-Committee present and voting. The Chairperson at a meeting of the Sub-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 Sub-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 Sub-Committee. The declaration must be made on appointment to the Sub-Committee and in relation to specific agenda items at the outset of each Sub-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 Sub-Committee will receive the provisions each year at its first meeting.

## **9. Reporting Obligations**

- 9.1 As soon as practicable after each meeting, the Sub-Committee shall submit minutes of the meeting confirmed by the Chairperson to the Audit, Risk and Compliance Committee. The minutes shall include:
- (a) advice, with recommendations as relevant, in respect to those matters set out in Schedule A;
  - (b) confirmation of action taken in respect of any matter for which delegated authority has been exercised; and
  - (c) advice on other matters referred to it by the Audit, Risk and Compliance Committee, Council or any other Committee of Council or that the Sub-Committee wishes to draw to the attention of the Audit, Risk and Compliance Committee or Council.
- 9.2 The Sub-Committee shall provide to the Audit, Risk and Compliance Committee an Annual Schedule of Business for the Sub-Committee. The Schedule of Business and the Sub-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 Sub-Committee to be put to a meeting of the Sub-Committee, and a resolution of the Sub-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 Sub-Committee, and where appropriate to the Audit, Risk and Compliance Committee.

## Schedule A

### **Duties and Responsibilities of the Sub-Committee**

1. The Sub-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 Australian Standard 4801 (Occupational Health and Safety Management Systems), International Standards Organisation (ISO) 9001 (Quality Management Systems), ISO 14001 (Environmental Management Systems) and OHSAS 18001 (Occupational Health and Safety Assessment), 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 HSEAC and management.
2. The Sub-Committee shall provide advice to the Audit, Risk and Compliance Committee on the matters above, any matter within its remit or referred to it by the Council or any other Committee of Council.
3. The Sub-Committee may make recommendations to the Audit, Risk and Compliance Committee 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 Sub-Committee may provide advice. However, the Sub-Committee should not go outside of the general scope of its charter without the approval of the Council.