

Brewarrina Shire Council – WHS Committee Constitution



1. The Purpose of the Committee

1.1 Name

The committee is the Brewarrina Shire Council Workplace Health and Safety Committee (WHS Committee).

1.2 Functions of the Committee

The function, as per Section 77 of the Work Health and Safety (WHS) Act 2011, of the WHS Committee is:

- To facilitate cooperation between the person conducting a business or undertaking (PCBU) and workers in instigating, developing and carrying out measures designed to ensure the workers' health and safety at work.
- To assist in developing standards, rules and procedures relating to health and safety that is to be followed or compiled with at the workplace.
- Any other functions prescribed by the regulations or agreed between the PCBU and the committee.

Additional functions as agreed upon by the PCBU and the Committee are:

- To enable Management and employees to work as a team so as to establish a safe and healthy working environment.
- To act as a forum for debate on aspects of safety management and resolve issues relating to workplace safety.
- Any further functions arising as a result of agreement between the PCBU and the committee.

1.3 Scope of the Committee

The Committee will review and make recommendations on WHS matters including but not limited to:

- WHS matters that have been formally referred to the employee's immediate supervisor and which have not been acted upon.
- Information related to WHS performance including audit outcomes and incidents to produce, update and monitor workplace policies and procedures.
- The review of risk management activities including risk assessments and workplace inspections.
- WHS training and education of employees
- Emergency procedures
- Promotion of Health and Safety Initiatives and Consultation throughout the workplace.

2. Committee Members

2.1 Membership

The WHS Committee will consist of up to 9 elected members; 1/3 of the positions to be elected from the indoor work group and 2/3 of the positions to be elected from the outdoor work group. The committee will allow up to 3 additional members to be nominated by the PCBU, to be submitted in writing by the General Manager. Subject to section 76 (4) of the WHS Act 2011 which requires that at least half of the members of the committee must be workers who are not nominated by the PCBU.

If there is an elected Health and Safety Representative (HSR) for a workgroup and if the HSR consents, they will automatically become an elected representative member of the committee, for that work group.

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2.2 Election and Appointment

Employee representatives shall be nominated from the area of the workforce they represent. If only 6 nominees are put forward, those 6 nominees will be automatically elected as long as those nominees are representative of the workgroups as set out in section 4.

If there are more nominees than positions, elections will take place via general ballot. Elections will take place every 2 years, at which time previous committee members can be nominated again. New elections for worker representatives and for the chair person will be called as soon as reasonably practicable after a position becomes vacant.

A Chairperson will be elected by the Committee by way of nomination, majority vote of the committee and acceptance of the position. New elections for the Chairperson are called as soon as practicable after a position becomes vacant and are held at least every 2 years.

The role of the Committee Chairperson and Committee Members will be provided in Appendix 2.

2.3 Removal from Office

A representative will cease to be a member of the WHS Committee if the representative:

- Resigns from the Committee;
- Ceases to be an employee of Brewarrina Shire Council;
- Fails to attend 3 consecutive meetings without a satisfactory explanation accepted by the committee;
- Unsatisfactory workplace behaviour that results in a suspension of duties; or,
- When the majority of workers from the workgroup they represent, signs a written declaration that the representative no longer represents them.

2.4 Secondary Members

Council's Safety Advisors are required to attend the meetings in an advisory capacity and assist the chairperson wherever possible.

3. The Responsibilities of the Committee

3.1 Meetings

Meetings shall be held in normal working hours and shall be a maximum of 2 hours in duration. Regular meetings shall be planned at a suitable time as determined by the WHS Committee in the previous meeting. Managers, including the General Manager, will be notified of the details of the next meeting within 7 days of the determination in order to plan accordingly. Subject to Section 77 of the WHS Act 2011, the committee must meet at least every 3 months or at a reasonable time as requested by at least half of the committee.

A quorum for a meeting shall consist of half plus one of the nominated representatives (excluding any vacant positions) and at least half of the nominated PCBU representative/s. No committee meeting will be held without management representatives in attendance.

3.2 Agenda

A standard agenda will be as follows:

1. Opening
2. Adoption of Previous Minutes
3. Business arising from previous minutes
4. General Business
 - a. Safety Performance Review/Audits

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- b. Incident and Injury Review
- c. Safety Consultation
- d. Work Site Safety Inspections
- e. Training Review
- f. WHS Progress
5. New Business
6. Recommendations to Council
7. Close

The agenda will be circulated to all committee members, and displayed on notice boards 7 days prior to the meeting.

3.3 Minutes

The minutes will be recorded by a person who is not a committee member and who is nominated to do so by the committee. The minutes will be a true and accurate recording of the meeting and will contain the information in the format, as set out in the agenda above. The minutes will be approved by the Chairperson and sent out within 7 days of the meeting being held. The minutes will be displayed on safety notice boards, emailed to all managers and supervisors for them to relay to their teams. Minutes will be retained by the HR Department.

3.4 Recommendations procedures

All recommendations of the committee shall be made through majority consensus of the members. Recommendations will then be made to Management and the Council.

3.5 Worksite Inspections

A comprehensive inspection program will be drawn up to cover all locations to enable all worksites to be inspected at least every 6 months (See Appendix 3). Each Committee member is required to complete at least one worksite inspection in a 12 month period. The Supervisor of the area being inspected may be invited to accompany the inspection team.

Any action or proposed action to rectify the problems identified should be noted by the inspecting team along with any explanations and/or comments from the supervisor, and these should be discussed at the next meeting of the Committee.

4. The Responsibilities of the PCBU

4.1 Information for the committee

As per section 79 (3) of the WHS Act 2011 Management will so far as reasonably practicable, consult with the WHS Committee whenever a change is proposed that may affect the health and safety of a worker at work. As per section 79 (4) this does not entitle access to personal records of employees, without the worker's consent.

4.2 Commitment to Committee Members

As per section 79 (1) and (2) of the WHS Act 2011 the PCBU will allow committee members reasonable time to perform their duties within normal working hours and conditions.

5. The Constitution

5.1 Procedure for Changing the Constitution

At any meeting any member of the committee can put forward a change to the constitution under Safety Consultation on the agenda. The issue can be discussed and voted on in the same meeting or in the subsequent meeting if research or follow-up is to be conducted before a vote can be held.

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Any constitutional amendments will require a two-thirds (2/3) majority vote.

6. Version Control

Version:	Adoption Date:	Chairperson:
1	27 November 2018	Danielle Caruana

Appendix 1: Committee Workgroups and Representatives of those workgroups

Name of Workgroup:	Name of Worker Representative:	Name of Management Representative:
Indoor		
	Danielle Caruana	
Outdoor	Martin Wilson	
	Colin Kiley	
	Derek Tattersall	
	Chris Frail	

Appendix 2: Role of Committee Members and Chairperson

The duties of the Chairperson shall be:

- Convene Meetings
- Chair Meetings
- Ensure Quorum
- Maintain Order
- Ensure that action items are allocated to the most appropriate person
- Make sure discussions stay on topic of WHS
- Sign Minutes

The duties of the Elected Representatives shall be:

- Represent the workers in their work group in relation to Health and Safety matters and raise any issues that cannot be resolved locally, at the Committee.
- To bring information from their work group to the committee
- To take information discussed by the Committee back to their workgroups
- Monitor the measures taken to address risks in the workplace.
- Assist with the inspection of worksites.

The duties of the PCBU Representatives shall be:

- Provide relevant information to the Committee in regards to WHS
- Provide feedback to other managers
- Ensure that employees are receiving feedback from the meetings

The duties of Council's Safety Advisors shall be:

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- Attend the meetings in an advisory capacity only
- Assist the chairperson where ever possible in organising the paperwork for the meetings
- Take the minutes at safety meetings.
- Report on safety conferences, audits, topics suggestions, inspections etc.

Appendix 3: Worksite Inspection Program

	Worksite	Proposed Inspection Month:
Indoors	Youth Centre	
	Childcare Centre	
	Council office	
	Visitor Information Centre	
	Medical Centre	
	Goodooga Youth Centre	
	Goodooga Accommodation	
	Weilmoringle Accommodation	
	Community Hall/Senior Citizens	
Outdoors	Water Treatment Plant	
	Sewer Treatment Plant	
	Workshop	
	Depot	
	Goodooga Depot	
	Pound/Handyman Workshop	
	Landfill	
	Pool	