



Bwrdd Iechyd Prifysgol  
Bae Abertawe  
Swansea Bay University  
Health Board



<b>Meeting Date</b>	<b>05 July 2022</b>	<b>Agenda Item</b>	<b>3.6</b>
<b>Report Title</b>	Health and Safety Committee Terms of Reference		
<b>Report Author</b>	Leah Joseph, Corporate Governance Manager		
<b>Report Sponsor</b>	Hazel Lloyd, Interim Director of Corporate Governance		
<b>Presented by</b>	Hazel Lloyd, Interim Director of Corporate Governance		
<b>Freedom of Information</b>	Open		
<b>Purpose of the Report</b>	The purpose of the report is to set out the terms of reference for the Health and Safety Committee for approval.		
<b>Key Issues</b>	There are no significant changes to the content of the terms of reference. The revision relate to the formatting to ensure consistency with all committee terms of reference.		
<b>Specific Action Required</b> <i>(please choose one only)</i>	<b>Information</b>	<b>Discussion</b>	<b>Assurance</b>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input checked="" type="checkbox"/>
<b>Recommendations</b>	Members are asked to : <ul style="list-style-type: none"> <li>• <b>NOTE</b> the report;</li> <li>• <b>APPROVE</b> the terms of reference.</li> </ul>		

## **TERMS OF REFERENCE FOR THE HEALTH AND SAFETY COMMITTEE**

### **1. INTRODUCTION**

The purpose of the report is to set out the terms of reference for the Health and Safety Committee for approval.

### **2. BACKGROUND**

In line with standing orders (and the health board's scheme of delegation), the board nominated a committee to be known as the Health and Safety Committee. As such, terms of reference were developed to set out its role, responsibility and operating arrangements.

### **3. GOVERNANCE AND RISK ISSUES**

The terms of reference are required to be reviewed annually in-line with the health board's governance framework and good governance principles. Failure to do so could result in the committee not discharging its duties appropriately putting the health board's governance arrangements at risk.

There are no suggested changes to the content of the terms of reference. All committee terms of reference are under review to ensure consistency of standard areas. This has resulted in the heading of some of the sections changing and others combined to make one section. This has had no impact on the content of the document. All changes are formatting related.

### **4. FINANCIAL IMPLICATIONS**

There are no financial implications for the committee to consider.

### **5. RECOMMENDATION**

Members are asked to:

- **NOTE** the report;
- **APPROVE** the terms of reference.

<b>Governance and Assurance</b>		
<b>Link to Enabling Objectives</b> <i>(please choose)</i>	<b>Supporting better health and wellbeing by actively promoting and empowering people to live well in resilient communities</b>	
	Partnerships for Improving Health and Wellbeing	<input checked="" type="checkbox"/>
	Co-Production and Health Literacy	<input type="checkbox"/>
	Digitally Enabled Health and Wellbeing	<input type="checkbox"/>
	<b>Deliver better care through excellent health and care services achieving the outcomes that matter most to people</b>	
	Best Value Outcomes and High Quality Care	<input checked="" type="checkbox"/>
	Partnerships for Care	<input checked="" type="checkbox"/>
	Excellent Staff	<input checked="" type="checkbox"/>
	Digitally Enabled Care	<input type="checkbox"/>
	Outstanding Research, Innovation, Education and Learning	<input checked="" type="checkbox"/>
<b>Health and Care Standards</b>		
<i>(please choose)</i>	Staying Healthy	<input type="checkbox"/>
	Safe Care	<input type="checkbox"/>
	Effective Care	<input type="checkbox"/>
	Dignified Care	<input type="checkbox"/>
	Timely Care	<input type="checkbox"/>
	Individual Care	<input type="checkbox"/>
	Staff and Resources	<input checked="" type="checkbox"/>
<b>Quality, Safety and Patient Experience</b>		
Ensuring the committee carries out its business appropriately and aligned with standing orders is a key factor in the quality, safety and experience of patients receiving care.		
<b>Financial Implications</b>		
No financial implications for the committee to be aware of.		
<b>Legal Implications (including equality and diversity assessment)</b>		
It is essential that the committee complies with its standing orders, for which its responsibilities are outlined in its terms of reference.		
<b>Staffing Implications</b>		
No staffing implications for the committee to be aware of.		
<b>Long Term Implications (including the impact of the Well-being of Future Generations (Wales) Act 2015)</b>		
The approval of the terms of reference will enable the committee to continue as the main assurance committee to the board.		
<b>Report History</b>	The terms of reference are received by the committee annually for review.	
<b>Appendices</b>	The revised terms of reference are attached as appendix one.	



**GIG**  
CYMRU  
**NHS**  
WALES

Bwrdd Iechyd Prifysgol  
Bae Abertawe

Swansea Bay University  
Health Board

# Health and Safety Committee Terms of Reference



## 1. INTRODUCTION

The health board's standing orders provide that *"The board may and, where directed by the Welsh Government must, appoint committees or sub-committees of the board either to undertake specific functions on the Board's behalf or to provide advice and assurance to the board in the exercise of its functions. The board's commitment to openness and transparency in the conduct of all its business extends equally to the work carried out on its behalf by committees"*.

In line with standing orders (3.4.1) and the health board's scheme of delegation, the board shall nominate annually a committee to be known as the Health and Safety Committee. The detailed terms of reference and operating arrangements set by the board in respect of this committee are set out below.

The organisation has a statutory obligation by virtue of the Health and Safety at Work Act 1974 (Section two sub-section seven) to establish and maintain a Health and Safety Committee:

*"it shall be the duty of every employer to establish in accordance with Regulations (i) a safety committee having the function of keeping under review measures taken to ensure the health and safety of his employees and such other functions as prescribed"*.

## 2. CONSTITUTION AND PURPOSE

The purpose of the Health and Safety Committee is to:

- Advise and assure the board and the accountable officer on whether effective arrangements are in place to ensure organisational wide compliance of the health board's health and safety policy, approve and monitor delivery against the health and Safety priority action plan and ensure compliance with the relevant standards for Health Services in Wales.
- This will be achieved by encouraging strong leadership in health and safety, championing the importance of a common sense approach to motivate focus on core aims distinguishing between real and trivial issues.

Where appropriate, the committee will **advise** the board and the accountable officer on where and how, its health and safety management may be strengthened and developed further.

## 3. SCOPE AND DUTIES

With regard to its role in providing advice to the board, the committee will comment specifically upon the adequacy of assurance arrangements and processes for the provision of an effective health and safety function encompassing:

- Staff health and safety;



- Premises health and safety;
- Violence and aggression (including security strategy);
- Fire safety;
- Risk assessment;
- Manual handling;
- Health, welfare, hazard substances, safety environment;
- Patient health and safety – patient falls, patient manual handling;
- Water safety;
- Field Hospitals;
- Personal Protective Equipment;

The committee will support the board with regard to its responsibilities for health and safety:

- approve and monitor implementation of the annual health and safety action plan;
- review the comprehensiveness of assurances in meeting the board and the accountable officer's assurance needs across the whole of the health board's activities, both clinical and non clinical;
- the consideration and approval of policies as determined by the board.

To achieve this, the committee's programme of work will be designed to provide assurance that:

- objectives set out in the health and safety action plan are on target for delivery in line with agreed timescales;
- standards are set and monitored in accordance with the relevant standards for Health Services in Wales;
- Robust proactive and reactive health and safety plans are in place across the health board;
- policy development and implementation is actively pursued and reviewed;
- where appropriate and proportionate Health and Safety incidents and ill health events are investigated and action taken to mitigate the risk of future harm;
- reports and audits from enforcing agencies and internal sources are considered and acted upon;
- employee health and wellbeing activities are in place in line with the UHB commitment to be a public health practicing organisation and following corporate health standards;
- assurance can be taken in relation to mitigating health and safety risks;
- employee Health and safety competence and participation is promoted;
- decisions are based upon valid, accurate, complete and timely data and information.

### Authority

The committee is authorised by the board to investigate or have investigated any activity within its terms of reference. In doing so, the committee shall have the right



to inspect any books, records or documents of the health board relevant to the committee's remit and ensuring patient/client and staff confidentiality, as appropriate. It may seek any relevant information from any:

- employee (and all employees are directed to cooperate with any reasonable request made by the Committee); and
- other committee, sub-committee or group set up by the Board to assist it in the delivery of its functions.

The committee is authorised by the board to obtain outside legal or other independent professional advice and to secure the attendance of outsiders with relevant experience and expertise if it considers it necessary, in accordance with the Board's procurement, budgetary and other requirements.

### Sub Committees

The committee may, subject to the approval of the board, establish subcommittees or task and finish groups to carry out on its behalf specific aspects of committee business.

There are no formal sub-committees of the Health and Safety Committee but the committee will receive reports from the operational health and safety group as part of its assurance framework.

## 4. AUTHORITY

The committee is authorised by the board to investigate or have investigated any activity within its terms of reference. In doing so, the committee shall have the right to inspect any books, records or documents of the health board relevant to the committee's remit and ensuring patient/client and staff confidentiality, as appropriate. It may seek any relevant information from any:

- employee (and all employees are directed to cooperate with any reasonable request made by the committee); and
- other committee, sub-committee or group set up by the board to assist it in the delivery of its functions.

The committee is authorised by the board to obtain outside legal or other independent professional advice and to secure the attendance of outsiders with relevant experience and expertise if it considers it necessary, in accordance with the board's procurement, budgetary and other requirements.

## 5. ACCESS

The chair of the Health and Safety Committee shall have reasonable access to executive directors and other relevant senior staff.

The executive lead for health and safety shall have unrestricted access to the chair of the Health and Safety Committee



## 6. MEMBERSHIP

The committee shall comprise a minimum of three independent members of the board. It may also co-opt additional independent “external” members from outside the organisation to provide specialist skills, knowledge and expertise. Executive directors with responsibility for health and safety should also be members, with other executives, including Director of Workforce and Organisational Development, Director of Therapies and Health Sciences and Director of Corporate Governance in attendance. The chief executive and other executive directors should attend from time to time as required by the committee chair

Executive Director	Membership	Frequency of Attendance
Director of Finance and Performance	Member	Every meeting
Director of Corporate Governance	In attendance	Every meeting
Director of Workforce and Organisational Development	In attendance	Every meeting
Director of Therapies and Health Sciences	In attendance	Every meeting

The membership of the committee shall be determined by the board, based on the recommendation of the Chair, and subject to any specific requirements or directions made by the Welsh Government.

The Chair and Chief Executive will attend meetings at their discretion and the Director of Corporate Governance will routinely attend meetings, ensuring governance support and advice is available to the committee chair.

The committee chair may invite other executive directors or health board officials to attend all or part of a meeting to assist it with its discussions on any particular matter (except when issues relating to their personal remuneration and terms and conditions are being discussed). For example:

- Assistant Director of Health and Safety
- Assistant Director of Strategy (Capital Planning)
- Assistant Director of Finance (Estates)
- Head of Support Services

## 7. COMMITTEE MEETINGS

### Quorum

At least three members must be present to ensure the quorum of the committee, including either the committee chair or vice-chair and one other independent member and an executive director. To ensure meetings are quorate, the chair can invite other independent members to attend.

### Chair

An independent member shall chair the committee.





## Secretariat

The Director of Corporate Governance will determine the secretarial and support arrangements for the committee

## Frequency of Meetings

Meetings shall be held on a quarterly basis.

## Committee Meetings

A standard agenda must be used as the basis for discussion at each meeting. Minutes prepared following a meeting shall be circulated to members and retained by the Director of Corporate Governance as formal record of the decision making for a period of seven years.

## Withdrawal of Individuals in attendance

The committee may ask any or all of those who normally attend but who are not members to withdraw to facilitate open and frank discussion of particular matters.

The Director of Corporate Governance, on behalf of the committee chair, shall:

- arrange the provision of advice and support to committee members on any aspect related to the conduct of their role; and
- ensure the provision of a programme of organisational development for committee members as part of the health board's overall organisational development programme developed by the Director of Workforce and Organisational Development.

## 8. RELATIONSHIPS AND ACCOUNTABILITIES WITH THE BOARD AND ITS COMMITTEES / GROUPS

The committee is directly accountable to the board for its performance in exercising the functions set out in these terms of reference.

The committee, through its chair and members, shall work closely with the board's other committees, including joint (sub) committees and groups to provide advice and assurance to the board through the:

- joint planning and co-ordination of board and committee business; and
- sharing of information.

In doing so, contributing to the integration of good governance across the organisation, ensuring that all sources of assurance are incorporated into the board's overall risk and assurance framework. This will be achieved primarily through the Audit Committee.

The committee shall embed the health board's corporate standards, priorities and requirements, e.g., equality, diversity and human rights through the conduct of its business.

## 9. REPORTING AND ASSURANCE ARRANGEMENTS

The committee chair shall:



- report formally, regularly and on a timely basis to the board on the committee's activities. This includes verbal updates on activity, the submission of committee minutes and written reports, as well as the presentation of an annual report;
- bring to the board's specific attention any significant matters under consideration by the committee;
- ensure appropriate escalation arrangements are in place to alert the health board chair, chief executive or chairs of other relevant committees of any urgent/critical matters that may compromise patient care and affect the operation and/or reputation of the health board.

The board may also require the committee chair to report upon the committee's activities at public meetings or to community partners and other stakeholders, where this is considered appropriate, for example where the committee's assurance role relates to a joint or shared responsibility.

The Director of Corporate Governance, on behalf of the board, shall oversee a process of regular and rigorous self assessment and evaluation of the committee's performance and operation including that of any sub committees established.

The committee shall provide a written annual report to the board on its activities, which will also record the results of the committee's self - assessment and evaluation.

## **8. APPLICABILITY OF STANDING ORDERS TO COMMITTEE BUSINESS**

The requirements for the conduct of business as set out in the health board's standing orders are equally applicable to the operation of the committee, except in the following areas:

- quorum
- notice of meetings
- notifying the public of meetings
- admission of the public, the press and other observers
- paper circulation.

## **9. REVIEW**

These terms of reference and operating arrangements shall be reviewed bi-annually by the committee with reference to the board.

