

# **Comhairle Nan Eilean Siar**

## **Department of Education and Children's Services Safety Committee**

### **Constitution**

#### **Statutory Foundation and Background**

1. The Health and Safety at Work etc Act 1974 (HASAW 1974 sections 2(4), 2(6) and 2(7), along with the supporting regulations and code of practice, The Safety Representatives and Safety Committee regulations 1977, and the Management of Health and Safety at Work Regulations 1999 (as amended). Provide the statutory foundation of the formation of workplace Safety Committees.

#### **The Committee**

2. This Committee shall be known as the Department of Education and Children's Services Safety Committee.

#### **Membership**

3. The Committee shall be comprised of twelve members as under noted:
  - (a) (i) Four representatives of Management appointed by the Director of Education and Children's Services, two of whom should be at Head of Service level.
  - (ii) Three representatives of teachers appointed by recognised Professional Associations.
  - (iii) Two representatives of employees working with Education & Children's Service, appointed by recognised Trade Unions.
  - (iv) Two representatives of employees to be appointed by the Director of Education and Children's Services from those employees who volunteer to serve on the Committee.

In appointing members, care should be taken to ensure wide representation across the various employee groups and geographical areas.

- (b) An administrative assistant will act as Clerk to the Committee.
- (c) The members of the Committee should appoint a substitute, the name of whom is to be notified to the Clerk to the Committee in advance on a meeting.

- (d) The Committee may have in attendance at any meeting a specialist to advise (ex-officio), on any matter under consideration.
- (e) The Clerk to the Committee shall maintain and update as necessary a register of Health and Safety Representatives. Copies of the register shall be displayed in all appropriate workplaces.

### **Objective of the Committee**

- 4. To ensure and enable co-operation between employer and employees in undertaking, developing and carrying out measures to ensure the health and safety of the employees in the Department of Education and Children's Services.

### **Committee Functions**

- 5. The functions of the Committee are as follows:-
  - (a) The Committee shall keep under review the measures taken to ensure the health, safety and welfare at work of all Department of Education and Children's Services employees and others based in Education and Children's Services establishments.
  - (b) The study of accidents and notifiable diseases, statistics and trends and to make reports and recommendations to Management for corrective action.
  - (c) Examination of safety audit reports on a similar basis as (b).
  - (d) Consideration of reports and factual information provided by inspectors of the enforcing authority appointed under the Health and Safety at Work etc. Act 1974 section 19.
  - (e) Consideration of reports which Safety Representatives may wish to submit.
  - (f) Consideration of reports and recommendations from the Comhairle's Health and Safety Officers.
  - (g) Assistance in the development of "Safety Instructions", "Safe Working Methods", "Safe Systems of Work" and "Risk Assessments".
  - (h) A watch on the effectiveness of the safety content of employee training.

- (i) A watch on the adequacy of safety and health communication and publicity in the workplace.
- (j) The provision of a link with the appropriate inspectorate of the enforcing authorities.

## **Conduct of Business**

### **6. Meetings**

- (a) The Committee shall meet four times per annum, in September, December, March and June. Agenda items should be submitted to the Clerk to the Committee at least fourteen days before the date of the meeting.
- (b) The meeting shall be chaired by a management representative.
- (c) Specific Safety issues however should be raised with appropriate line Management and a reasonable period allowed for the matter to be addressed/resolved and or a written reply given.

### **Special Meetings**

- (d) Special meetings of the Committee may be called by either side provided fourteen days notice has been given.

### **Quorum**

- (e) The quorum of the Committee shall be two representatives from Management and four Safety Representatives.

### **Agenda Papers**

- (f) Agenda papers will be issued to each member of the Committee at least seven days before the meeting, plus copies to Management.

### **Minutes**

- (g) Minutes of the meeting will be issued to each Committee member within fourteen days of the date of the meeting and copies are to be displayed in the appropriate workplaces. Copies of the minutes will be sent to the Director of Education and Children's Services and to Heads of establishments within four weeks of the meeting.

### **Procedural Route**

- (h) Any recommendations from the Committee shall be submitted to the next meeting of the Joint Consultative Committee and the Local Negotiating Committee, thence to the Policy and Resources Committee and Council.

### **Health and Safety Referrals and Recording**

- (i)
  - (a) It is the duty of Safety Representatives to bring to the attention of Management any potential hazard or unsafe practice (whether or not they are drawn to their attention by the employees they represent) so that appropriate action can be taken by management.
  - (b) Notification of unsafe or unhealthy working conditions or working practices shall be recorded on IR1 forms, and a supply of forms shall be issued to all Safety Representatives.
- (j) The constitution may be reviewed annually at the request of either side.







