



Health, Safety and Wellbeing Committee

Terms of Reference for Brooke Weston Trust (2023/24)

1. Constitution

- 1.1 The Brooke Weston Trust (the “Trust”) is governed by a Board of Directors (the “Directors” or “Trustees”) which is responsible for, and oversees, the management and administration of the Trust and its Academies.
- 1.2 As provided by Articles 100-104 of the Articles of Association, the Directors:
 - i. may appoint separate committees to be known as Local Governing Bodies for each Academy; and
 - ii. may establish any other committee
- 1.3 The Board of Directors of Brooke Weston Trust hereby resolves to establish a committee of the Trust Board to be known as the “**Health, Safety and Wellbeing Committee**”.

2. Membership

- 2.1 The Committee shall be comprised of at least four members and a maximum of eight members, including the CEO of the Trust and the Trust’s H&S adviser.
- 2.2 The members of the Health, Safety and Wellbeing Committee (HSWC) shall be appointed by the CEO and the appointment shall be ratified by the Board. The CEO will advise the Board of Directors of the Committee’s membership.
- 2.3 There is no restriction on the number of terms a committee member may serve, with renewal subject to the discretion of the Board and CEO. Each term will have a duration of 4 years.
- 2.4 The Committee shall at the first meeting elect a member to act as the Chair of the Committee. The Committee will elect a temporary replacement from among the members present at the meeting in the absence of the Chair.
- 2.5 The Committee may invite attendance at meetings from persons who are not members to assist or advise on a particular matter or range of issues. Such persons may speak with the permission of the Chair but shall not be entitled to vote.
- 2.6 The Committee will elect a Clerk who will take notes of meetings. Meetings might be recorded to aid the minute taking.

3. Remit and Responsibilities

The Committee shall be responsible for the matters set out below:

3.1 Overall purpose and responsibility

- 3.1.1 To assist the Board of Directors and CEO to discharge their responsibilities under any relevant health and safety legislation and responsibilities, monitoring and quality assuring the HSW practice of individual schools and the Trust as a whole.
- 3.1.2 The promotion of the HSW of all persons when on school premises and of staff and students when engaged upon activities relevant to the Trust’s purposes.



3.2 Main Duties

Strategy

- 3.2.1 To be responsible for the review and scrutiny of the HSW strategy and action plan of Brooke Weston Trust, through the consideration of priorities and proposals of the CEO and Executive leaders taking the significant risk factors into account.
- 3.2.2 To monitor progress against priorities identified within the HSW action plan and to provide assurances to the Board of Directors.

Risk management

- 3.2.3 Alongside the Audit and Risk Committee, to maintain and regularly review the Trust's strategic risk register on items relating to HSW. To ensure that HSW issues are considered and addressed at the appropriate level.
- 3.2.4 To notify promptly the Trust Board of all HSW matters of which the Committee has knowledge, and which may materially affect the current or future position or reputation of the Trust.

Compliance

- 3.2.5 To review the adequacy of policies for ensuring compliance with relevant regulatory, legal and code of conduct requirements. Responsible for the review and approval of policies delegated to the Committee by the Board, as set out in the Policy Review Framework.
- 3.2.6 To review forthcoming legislation and assess its implications and where necessary to recommend the establishment of rules governing any hazardous work activity or class of operations.

Procedures

- 3.2.7 To ensure implementation of the Trust's HSW policies, monitoring the effectiveness and impact of the policies and recommend and implement improvements where needed.
- 3.2.8 To review if the necessary school management organisation is in place to implement the policy effectively, whilst creating a culture of HSW compliance amongst staff and students.
- 3.2.9 Undertake or arrange for appropriate quality assurance and monitoring to ensure HSW procedures are being followed consistently across the Trust's schools. To initiate improvements in BWT's working practices, systems and procedures to support effective HSW practice in schools' statutory and regulatory roles.
- 3.2.10 Where schools have a nominated HSW link governor, to provide advice, support and guidance.
- 3.2.11 To receive detailed reports of investigations into all reportable accidents, dangerous occurrences, and cases of reportable diseases to consider the effectiveness of any action taken to prevent future similar accidents. To monitor other recorded accidents or occurrences and to consider the effectiveness of any remedial action taken to prevent future similar incidents.
- 3.2.12 Raise the profile and awareness of the importance of HSW at all levels of the organisation, promoting proactive communications with key stakeholders to embed this culture.
- 3.2.13 To monitor that the training programmes are in place to enable BWT staff and governors to fulfil their duties and responsibilities in relation to HSW.
- 3.2.14 To monitor that constructive links have been maintained with relevant stakeholders and external agencies.
- 3.2.15 To consider reports and factual information provided by inspectors of the enforcing authority under the Health and Safety at Work Act 1974, or any other relevant enforcement authority and to establish and maintain effective links with such persons



3.2.16 Consider relevant HSW matters raised by members of the Committee and the school community.

3.2.17 Other matters

The committee shall:

- Review or investigate any other matters referred to the Committee by the Trust Board regarding delivery of the financial or operational strategy or service;
- Draw any significant recommendations and matters of concern to the attention of the Trust Board, and in cases of urgent matters directly to members of the Trust Board;
- Have access to sufficient resources in order to carry out its duties, including access to the MAT's governance function for advice and assistance as required;
- Be provided with appropriate and timely training, both in the form of an induction programme for new members of the committee and on an ongoing basis for all members of the committee;
- To review, on a regular basis, its own performance, constitution and terms of reference to ensure it is operating at maximum effectiveness.

4. Proceedings

- 4.1 **Meeting frequency** – The Committee will meet as often as is necessary to fulfil its responsibilities but at least three times a year, before the scheduled Board of Directors meetings.
- 4.2 **Notice of meeting** – The Clerk to the Committee shall give written notice of each meeting and circulate an agenda and any other reports or papers, provided by the Chair and CEO, to be considered at the meeting. This will be circulated at least seven clear days in advance of each meeting.
- 4.3 Any four members may call a meeting by giving written notice to the Clerk, which includes a summary of the business they wish to carry out. It shall be the responsibility of the Clerk to convene a meeting as soon as reasonably practicable.
- 4.4 **Quorum** – A quorum shall consist of four members of the Committee, plus the CEO. If necessary, meetings might be conducted virtually to ensure quorum
- 4.5 **Voting** – Every matter to be decided at a meeting of the Committee must be determined by a majority of the votes of the non-executive members present and at least one executive member voting on the matter.
- 4.6 Each member present in person shall be entitled to one vote.
- 4.7 Where there is an equal division of votes the Chair shall have a casting vote.
- 4.8 If a member is unable to attend a meeting where a vote is to be made, the member must appoint either the Chair or another member of the Committee as their proxy to vote in their name and on their behalf, confirming if they are voting for or against the proposal.
- 4.9 **Declaration of Interests** – Committee Members are required to complete a declaration of interest form on joining the Board and at the start of each academic year.
- 4.10 Each Committee Member, if present at a meeting of the Committee, must disclose their interest, withdraw from the meeting and not vote on a matter if:
- there may be a conflict between their interests and the interests of the Trust;
 - there is reasonable doubt about their ability to act impartially in relation to a matter where a fair hearing is required; or
- they have a personal interest; e.g. where they and/or a close relative will be directly affected by the decision of the Board in relation to that matter.
- 4.11 **Attendance** – A register of attendance shall be kept for each Committee meeting and published annually on the Trust website.
- 4.12 Any Member or Director of the Board may attend of the HSWC, provided that notice of attendance is provided to the clerk in advance.



5. Authority

5.1 The Committee is authorised by the Trust Board to:

- 5.1.1 obtain appropriate external legal and other professional advice in order to fulfill its responsibility to the Board of Directors
- 5.1.2 carry on any activity authorised by these terms of reference; and
- 5.1.3 seek any appropriate information that it requires from any officer of the Trust and all officers shall be directed to co-operate with any request made.

6. Reporting Procedures

6.1 After each meeting the Review Group will (together called the Committee Reports):

- produce and agree minutes of its meetings;
- prepare a summary document identifying (1) decisions made, (2) recommendations to the Trust Board, (3) items for information for the Trust Board and (4) items for further discussion by the Trust Board.
- the Committee Reports will be sent to all members of the Trust Board prior to each Board of Directors meeting.

6.2 The Committee shall arrange for the production and delivery of such other reports or updates as requested by the Trust Board from time to time. Meeting documentation is made available to the Trust Board through an online information sharing platform.

6.3 The Committee shall conduct an annual review of its work and these terms of reference and shall report the outcome and make recommendations to the Trust Board.

Document Control

Date of last review:	November 2023	Author:	Head of Governance
Date of next review:	November 2024	Version:	4.0
Approved by:	HSWC	Status:	Statutory

Summary of Main Changes

Version 4.0:

- Committee name changed to Health, Safety & Wellbeing Committee (HSWC) **(1.3)** and Health & Safety (H&S) references across the document changed to HSW.
- Clarification regarding the terms of service within the committee **(2.3)**
- Clarification around the nominated HSW link Governors (*not compulsory*) **(3.2.10)**
- Reference made to recording of meetings to aid minute taking **(2.6)** and conducting virtual meetings to facilitate quorum **(4.4)**