

Wellbeing, Health & Safety (WHS) Governance for Natural Resources Wales (NRW)

Purpose of Governance Structure

To ensure that WHS performance improves and is maintained at a high standard in NRW through effective implementation of the Wellbeing, Health & Safety Strategy.

To engage with staff at all levels in the organisation to build a strong wellbeing, health and safety culture and to develop and implement the Wellbeing, Health & Safety programme.

Approach

NRW will follow the Health & Safety Executive (HSE) advice on best practice for Governance of H&S¹. This document will describe these and relate this to the day to day **management responsibilities for H&S** of managers and to the need to ensure effective **engagement with NRW staff and stakeholders** on Wellbeing, Health & Safety

1. Governance

Definition

Governance' is the system by which organisations are directed and controlled by their boards of directors. It is distinct from 'management' – which can be thought of as the regular day-to-day decisions and actions required to run the business. 'Governance' refers to the higher level processes by which managers are held to account and through which the broadest strategic decisions are taken.

1.1 Best practice framework for H&S Governance

There are seven basic principles that need to be adopted and these are illustrated below:

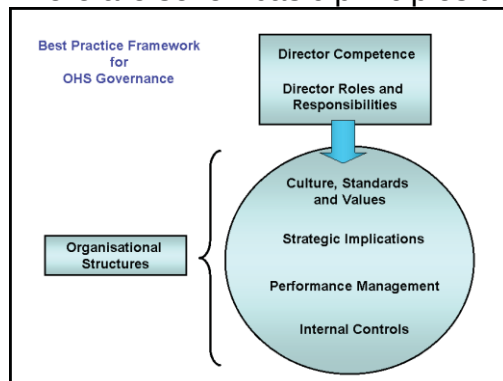


Figure 1 Best Practice Framework for H&S Governance

¹ the proposals are informed by HSE research report 506 see:
<http://www.acona.co.uk/reports/rr506.pdf><http://www.acona.co.uk/reports/rr506.pdf>

1.2 Best practice principles for H&S governance

i) Director competence

The Executive Team will have a clear understanding of the key wellbeing, health and safety issues for their business and be continually developing their skills and knowledge.

ii) Director roles and responsibilities

The Executive Team will understand their legal responsibilities and their role in governing WHS matters for their business. Their roles will be supported by formal individual terms of reference, covering as a minimum setting WHS policy and strategy development, setting standards, performance monitoring and internal control.

At least one nominated NRW Board member (which could be the Chairman or one of the non-executive directors) will have the additional role of overseeing and challenging the H&S governance process at Board level. The nominated person would therefore act as the 'Board Champion'. They would be invited to attend the National WHS Committee in an observer capacity. The agenda and actions/minutes for the National Committee meetings will be provided to the 'Board Champion'.

In considering these roles it is important to consider advice from the Chartered Institute of Personnel and Development (CIPD) who state that "There is no legal distinction between executive directors and non-executive directors (the definition under the Companies Act 2006 defines a director as including any person occupying the position of director, by whatever name called); the distinction lies in the role that they perform. Non-executive directors usually stand back from the day-to-day running of the business, drawing alongside the executive team as required to facilitate the strategic decision-making process. Exactly what this entails will vary from company to company, depending on what is required at each stage of a company's development."

iii) Culture, standards & values

The Executive Team will take ownership for key WHS issues and be ambassadors for good WHS performance within the business, upholding core values and standards. They will set the right tone at the top and establish an open culture across the organisation with a high level of communication both internally and externally on WHS issues.

iv) Strategic implications

The Executive Team will be responsible for driving the WHS agenda, understanding the risks and opportunities associated with WHS matters and any business pressures which might compromise values and standards, and ultimately establishing a strategy to respond.

v) Performance management

The Executive Team will set out the key objectives and targets for WHS management by Leadership Team which drives good WHS performance, balancing both leading and lagging indicators and capturing both tangible and intangible factors. Performance measures will be developed for the NRW Corporate dashboard using a task & finish group appointed by the National WHS Committee.

vi) Internal controls

The Executive Team will ensure that WHS risks are managed and controlled adequately and that a framework to ensure compliance with the core standards is established. It is

important that the governance structures enable management systems, actions and levels of performance to be challenged. This process will utilise, where possible, existing internal control and audit structures and WHS Committees.

vii) Organisational structures

The Non-Executive Board will ensure the WHS governance process is integrated into the main corporate governance structures within the business, including the activities of the main board and its sub-committees, including risk, remuneration and audit. The Remuneration & Transformation Committee is a standing committee of the Board. Its principal role is to provide assurance to the Board and to support the Accounting Officer on matters of risk, financial stewardship and accountability, control and governance. As with other business responsibilities ARAC will fulfil this general assurance role on WHS by considering the draft annual WHS report in advance of consideration by the full Board. This report will be developed by the Executive Director for ODPM on behalf of the Executive Team.

1.3 Applying best practice governance

The above principles will be applied in the NRW Executive Team and the Leadership & Management Teams led by Directors. The NRW Non-Executive Board will support and uphold the application of these principles and either the Chairman, (or a nominated non-executive board member) will be nominated to oversee and challenge the NRW's Wellbeing, Health & Safety governance process.

2. Competent Persons

Organisations must get help from a competent person to enable it to meet the requirements of health and safety law. A competent person is someone who has sufficient training and experience or knowledge and other qualities that allow them to assist an organisation properly. The three NRW H&S Senior Advisors are deemed to be the competent person in this respect.

3. WHS Management Responsibilities

Executive Directors will be responsible for ensuring that the responsibilities of the Leadership Team and Management team are clearly defined in organisational structures, corporate guidance as well as in projects and initiatives.

Leadership Team and Management Team are responsible for defining how these responsibilities will be delegated within their teams but will remain accountable to their Directors for discharging these responsibilities and meeting the performance standards expected.

NRW will ensure that staff have the professional and technical knowledge to fulfil their WHS responsibilities. All Directors will receive Institute of Occupational Health & Safety (IOSH) training to ensure that they understand NRW's legal responsibilities.

Line managers will be supported in carrying out their WHS responsibilities by the NRW's professionally qualified Wellbeing, Health & Safety Team and by Learning and Development (L&D). However, management responsibility will remain with managers and not the WHS team. The WHS team will provide an impartial audit and advisory service, and will report findings to Directors. In order to provide independent advice and support across the whole organisation, the H&S Senior Advisors and Wellbeing Advisor will sit within Organisational

Development and People Management and report directly to an ODPM Leadership Group member with experience of WHS management. The role of the Executive Director of ODPM in WHS in the Executive Team is therefore to act as a provider of technical advice, corporate systems, guidance and technical training in order to enable the other members of the Executive Team to fulfil their responsibilities as Executive Directors.

4. Engagement with NRW staff, contractors and other stakeholders

Directors and all line managers need to engage with their staff in order to involve them and gain their commitment to improving WHS standards and develop a stronger WHS culture. This engagement will range from discussing WHS issues as part of their everyday work, to having more specific discussions around particular issues or incidents, to planned, structured communication at staff wellbeing, health and safety events and through WHS committees. Directors and managers will manage the relationships with contractors, customers and other stakeholders in ways that support high standards of WHS.

5. WHS engagement in NRW

Whilst there is a legal requirement for organisations to have H&S Committees, the statutory remit is quite limited. We have developed the National WHS Committee and Regional WHS Forums empowered to drive forward the development and implementation of our Wellbeing, Health and Safety programme and to help build a strong H&S culture and provide a healthy challenge to management. The composition of the National WHS Committee and Regional Forums was defined by Executive Directors in liaison with Trade Unions.

The Regional WHS forums exist at a local level and will be chaired by a Leadership Team member and attended by relevant TU and staff representatives, a H&S Senior Advisor and Wellbeing Advisor. There are four regional forums, set on a geographical basis and representing all directorates within that geographical region:

- South East Wales
- South West Wales
- North Wales
- Mid Wales

The National Committee will meet quarterly and shall be chaired by the Executive Director of ODPM and attended by the Chairs of the Regional Forum together with appropriate TU/Staff representatives, the H&S Senior Advisors and the Wellbeing Advisor. The nominated non-executive board member or Board Champion will be invited to the National Committee in an observer role.

The WHS National Committee and the Regional Fora are empowered to ensure that those involved can spend time between meetings implementing actions.

Both the national committee and regional forums will be structured and operate in a way that has the following characteristics:

- **Collaborative partnership approach** – a combination of management, staff and trade unions but supported by the WHS team
- **Effective / Responsive** – i.e. have the authority to make things happen and respond quickly. Able to build momentum, rather than over-commit or getting bogged down.

- **Coherent** – is well enough connected together to share knowledge and to avoid unhelpful duplication.
- **Efficient** – not too large or complex

The National Committee and Regional Forums have agreed Terms of Reference.

6. Overseeing the implementation of the NRW WHS Programme

The National WHS committee will support the Executive Team in the implementation of the WHS programme across NRW.

The WHS programme comprises of a number of elements which need to be developed to improve our performance. In particular:

- Wellbeing, Health & Safety Strategy
- Cultural development programme
- Three year management action plan

To support the Executive Team in the implementation of the programme, the National Committee will commission a suite of Task & Finish Groups who will act as the guiding groups in terms of development and delivery of programme elements.

For example, those groups will:

- Develop a WHS Strategy with an implementation plan.
- Ensure effective development and implementation of the management action plan content.
- Develop a WHS Cultural development programme with an implementation plan.
- Evaluate process and improve as necessary

Contact

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This document is owned by ODPM

Approval

Approved by National WHS Committee

Version

First published 1st April 2015.

For first review in 12 months and then every two years. Amendments will be made sooner where a relevant change in legislation or business requirement occurs and following discussion with the representing Trade Unions.

