

Terms of Reference: Faculty of Occupational Medicine Ethics Committee

Last updated: 10 April 2025

1. Role and remit

The Ethics Committee reports to the Faculty of Occupational Medicine (FOM) Board of Trustees, and its areas of work fall into the following principal categories:

- a. To respond to requests from the Chair of the FOM Board of Trustees and/or FOM Council for advice on any ethical matters that may arise in relation to occupational health. The Chair of the FOM Board of Trustees is the President of FOM.
- b. To provide the FOM Board of Trustees and/or Council with detailed advice on the ethical aspects of FOM policy and strategy development.
- c. To advise individual members or affiliates of the FOM on any ethical matters that may arise in relation to occupational health.

2. Purpose

- a. The Ethics Committee exists to provide considered advice on ethical best practice for occupational health practitioners.
- b. The Ethics Committee supports responses to enquiries related to ethics sent to ethics@fom.ac.uk by FOM members or affiliates of the FOM, and will oversee the published guidance and reference material documenting ethical best practice.
- c. When appropriate, to collaborate with other Medical Royal Colleges, Faculties and other bodies in relation to ethical issues.

3. Reporting and responsibilities

- a. The Ethics Committee will meet formally at least twice per year and will provide an annual summary of actions to the FOM Board of Trustees.
- b. Ethics Committee members will support the Chair of the Ethics Committee in advising between meetings on ethical issues raised as queries to ethics@fom.ac.uk so that a response agreed by the Ethics Committee can be issued via the ethics@fom.ac.uk email account, normally within one calendar month of the query being received via this email.
- c. The Ethics Committee will revise and update the FOM Ethics Guidance for Occupational Health Practitioners and services as often as necessary, and publish a new edition at least every five years, proposing any changes to the FOM Board. In March 2025 the FOM Board agreed that the Ethics Guidance would be published as open source online.

4. Membership

4.1 The Chair and members of the Ethics Committee who are not members *ex officio* as described below will be appointed by the FOM Board of Trustees following advertisement of vacancies to ensure an appropriate balance of representation, qualifications, skills and experience.

4.2 A Register of Interests of all members of the Ethics Committee will be maintained by the FOM.

4.3 The members of the Ethics Committee will be:

- a. The Chair of the Ethics Committee.

The Chair of the Ethics Committee shall present, either online or in person, to a meeting of the FOM Board of Trustees, the activities of the Ethics Committee over the previous year and planned activities for the subsequent 12 months. This will usually be at the first FOM Board meeting of the calendar year, normally held in March each year. A paper will be required two weeks ahead of the Board. The Board of Trustees may ask the Chair of the Ethics Committee to provide an update at other times. The Chair of the Ethics Committee will also be invited to attend FOM Council as a member of Council *ex officio*; FOM Council usually meets just ahead of FOM Board meetings on the same day.

- b. The FOM Registrar, *ex officio*.

- c. The FOM Responsible Officer, *ex officio*.

- d. One Lay FOM Trustee (employers' or employees' representative), *ex officio*.

- e. Up to two doctors in training, usually the FOM Resident Doctors Representative, *ex officio*, and the FOM Portfolio Pathway Doctors Representative, *ex officio*, on FOM Council.

- f. The Head of the National School of Occupational Health, *ex officio*.

- g. Up to four Fellows (FFOM), Members (MFOM), Associates (AFOM) or affiliating diplomates of the FOM, registered and in current occupational health practice.

- h. One nurse registered with the Nursing and Midwifery Council (NMC), currently working in occupational health and with a FOM recognised qualification in Occupational Health.

- i. One health care practitioner, registered with the Health and Care Professional Council (HCPC), with occupational health experience (e.g. physiotherapist or occupational therapist).

- j. Two employment lawyers or other suitably qualified legal advisers.

4.2 Meetings of the Ethics Committee will not be considered quorate unless more than 50% of the Ethics Committee members are in attendance, and those in attendance include one FOM Trustee (FOM Registrar, one of the lay FOM Trustees or other FOM Trustee attending) and one employment lawyer/legal adviser. If the Chair of the Ethics Committee is not available the meeting will be chaired by one of the FOM Trustees present (usually the FOM Registrar if available).

- 4.3 Members of the Ethics Committee are expected to attend meetings of the Ethics Committee regularly and contribute to deliberative discussion and development of advice between committee meetings. Where this is not possible, the Chair of the Ethics Committee may ask members who are not *ex officio* members or legal advisers to stand down and notify the Board of Trustees that a replacement is needed.
- 4.4 All committees, including the Ethics Committee, are appointed by the FOM Board of Trustees, in accordance with Article 86 of the FOM Articles of Association (2017).
- 4.5 All committees, including the Ethics Committee, must conform to any regulations imposed on it by the FOM Board of Trustees (Article 88), and the FOM Board of Trustees may, by notice in writing to members of any committee, revoke any powers delegated by them to that committee (Article 91).
- 4.6 Any FOM Trustee may attend meetings of the Ethics Committee, whether in person or online.

5. Appointment

- 5.1 Vacancies for the Chair and other members of the Ethics Committee who are not members *ex officio* will be advertised in the FOM Newsletter and via other appropriate routes to encourage expressions of interest (a short *curriculum vitae* including qualifications and evidence of currency in occupational health, and also a supporting statement indicating relevant interest and experience). The Chair will be formally appointed by the FOM Board following interview and a recommendation to the Board, usually by the President, Registrar and one of the lay FOM Trustees.
- 5.2 Wherever possible, membership of the Ethics Committee should reflect the demographics of the membership of the FOM.
- 5.3 The Chair of the Ethics Committee and two Board members (usually the Registrar and one of the lay FOM Trustees) will review applications for eligibility and advise the FOM Board of their potential suitability. Names of all eligible applicants will be forwarded to the FOM Board for consideration. If there are more suitable candidates than positions available recommendations to FOM Board will be made following interview by the Chair and two Board members; usually the Registrar and one of the lay FOM Trustees.
- 5.4 Appointments will formally be made by the FOM Board of Trustees, following due consideration of the applicant's suitability for the role, and following interview and recommendation to the Board if there are more suitable candidates than positions available, to sustain the balance of representation, qualifications, skills and experience within the Ethics Committee.

6. Tenure

- 6.1 Terms of office for Ethics Committee members who are not *ex officio* will normally be three years, at which point members may re-apply for a further term of up to three years.
- 6.2 Members of the Ethics Committee who are neither *ex officio* nor appointed legal advisers and who have served the maximum of six years, being two three-year terms, are required to stand down from the Ethics Committee for a period of at least twelve months before re-applying.
- 6.3 Legal advisers may be appointed to further terms at the discretion of the FOM Board of Trustees.

7. Conduct of business

- 7.1 The Ethics Committee provides advice and makes recommendations regarding ethical matters relating to occupational health.
- 7.2 The planned Ethics Committee work programme shall be agreed by the FOM Board of Trustees.
- 7.3 The Ethics Committee has delegated authority but makes regular reports to the FOM Board of Trustees regarding the publishing of guidance on ethics for occupational physicians and other healthcare practitioners involved in the practice of occupational health, and the revision and re-issue of these from time to time, as may be necessary.
- 7.4 The FOM publication, Ethics Guidance for Occupational Health Practice, should be regularly reviewed and a fully updated new edition published at intervals not exceeding 5 years.
- 7.5 The Chair of the Ethics Committee has delegated authority from the FOM Board of Trustees to respond, via the ethics@fom.ac.uk email on behalf of the FOM, to queries from individual members or affiliates of the FOM on ethical matters that may arise in relation to occupational health. Responses to the media, other Medical Royal Colleges and Faculties, or other external organisations of agencies, require the prior approval of the FOM President. or the Registrar in the absence of the President.
- 7.6 The Chair of the Ethics Committee may be required to enter into dialogue with senior officers of the Faculty from time to time e.g. President, Registrar, or Academic Dean about new or evolving ethical issues.
- 7.7 It is not intended that the Ethics Committee should consider or report routinely on ethical considerations arising out of individual research projects or protocols proposed by members. Proposals for these will normally be submitted to other appropriate committees such as those established by universities, the NHS, corporate organisations or the Armed Forces.
- 7.8 The Ethics Committee should include in its deliberations any relevant law or guidance but does not provide legal advice on issues or enquiries.
- 7.9 The Ethics Committee may appoint sub-committees or working groups for specified purposes and for a specified period of time. The meetings or proceedings of any such group shall be governed by FOM Articles, and by any regulations made by the FOM Board of Trustees from time to time in accordance with Article 92.

8. Frequency of meetings

- 8.1 The Ethics Committee will meet usually twice yearly, with additional meetings scheduled as required. The Chair will have discretion to cancel additional meetings if insufficient additional business has arisen.
- 8.2 Email will be used to debate issues between meetings as required.

9. Proposed measures of activity and performance

- 9.1 The Ethics Committee shall provide the minutes of Ethics Committee meetings to the FOM Board of Trustees. These minutes will also be published by FOM staff on the FOM website under “Chatham House Rules”, i.e. the names of those attending are included but there is to be no attribution of statements to the individual members attending.
- 9.2 The Ethics Committee shall provide annual written reports to the FOM Board of Trustees detailing, as a minimum:
 - a. The number and dates of meetings of the Ethics Committee.
 - b. A brief summary of the specific enquiries received by the Ethics Committee and the advice given.
 - c. A trend analysis of enquiries and questions where possible.
 - d. The time elapsed from receipt of the enquiry to response.
- 9.3 The Chair of the Ethics Committee shall make regular reports to the FOM Board of Trustees regarding the publishing of guidance on ethics for occupational physicians and other healthcare practitioners involved in the practice of occupational health, and the revision and re-issue of these from time to time, as may be necessary.

10. Administrative support

Meetings of the Ethics Committee will be organised and minuted by FOM staff.

11. Date of review

The Terms of Reference of the Ethics Committee will be reviewed every three years. This periodic review will cover the Ethics Committee's:

- a. Purpose
- b. Membership
- c. Performance, which will include a review of information and outputs relating to 9.2 a, 9.2 d and 9.3.