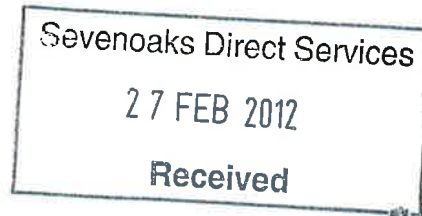


Sevenoaks District Council  
Dunbrik Depot  
Main Road  
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Reference FMU09/RWH/1301509/1



Field Operations Directorate

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Principal Inspector of Health and  
Safety  
Mike Walters

For the attention of: Mr R Wilson, Mr I Finch and Mr D Field (Unison Health and Safety Officer)

Date 24<sup>th</sup> February 2012

Dear Sirs

## **HEALTH & SAFETY AT WORK ETC. ACT 1974**

I visited the Dunbrik depot of Sevenoaks District Council, accompanied by my colleague Jan Combs, on the 20<sup>th</sup> and 21<sup>st</sup> February 2012 to conduct an announced inspection as part of an HSE project regarding Local Authority procurement of waste contractors. During the visit we discussed your health and safety management systems with Richard Wilson, Ian Finch, Michael Holdsworth, John Cox and Tim Glover. The following matters require your attention, I would emphasise however, that this is not an exhaustive list. The responsibility for complying with Health and Safety requirements lies with you and therefore health and safety issues should be kept under constant review.

### **Manual Handling Operations Regulations 1992**

#### Sack collection from resident owned wheelie bins

During the visits we observed operatives removing bags from resident owned bins. Whilst the risk assessment for this details that they are not to remove bags from the bottom this is happening in practice, it was learnt that if bags are left in the bottom of bins they frequently have to return to collect them anyway. Regulation 4 (1) of the above Regulations states that each employer shall, so far as is reasonably practicable, avoid the need for his employees to undertake any manual handling operations at work which involve a risk of their being injured; accident records provided indicate that there have been several occurrences within the last 6 months of back injuries arising from removing sacks from wheelie bins, plainly something needs to be done to address the issue.

As discussed during the visit the council needs to draw up and adopt a suitable plan of action for dealing with the issue, giving regard to the factors and questions specified in schedule 1 of these Regulations (enclosed). One way of doing this would be to inform residents that bags in

the bottom of wheelie bins will not be collected as there has been a pattern of back injuries as a result of this practice.

#### Sack collection from 1100 litre bins (drop fronted or otherwise)

Again during the inspection we observed operatives emptying bags from 1100 bins that were either traditional style or the newly adopted drop fronted bins. We were informed that these were introduced in an attempt to increase the potential for recycling at sites where there are blocks of flats. As discussed the Council is again not reducing the manual handling risk to its employees as far as is reasonably practicable.

As discussed during the visit the council needs to draw up and adopt a suitable plan of action for dealing with the issue, giving regard to the factors and questions specified in schedule 1 of these Regulations (enclosed). One way of dealing with the issue would be to recommence collection of 1100 bins with the use of a tail lift vehicle, perhaps one for waste and one for recycling.

*An Improvement Notice was considered for both of the above issues but it was felt that with prompt and appropriate action on behalf of the Council the risks could be addressed and suitably controlled. If a suitable response and action plan is not received by the requested date then enforcement action will be considered.*

#### **Sack collection**

During discussions it was stated that the Council has no future plans to change from a sack collection service. Such arrangements are not in accordance with HSE research, an assessment of sack collection has recently been carried out by an HSE specialist within Gravesham, the outcome and recommendations of this report are pertinent to Sevenoaks District Council. The report asks for surveys to be carried out to assess the potential for areas within the District to use wheelie bins. In view of the higher MH risks which studies have linked with bag collection (HSL, 2002), following the Manual Handling Regulations (1992rev) hierarchy of controls, the alternative and lower risk option of using wheeled bins should be considered for reasonable practicability by the council. A detailed MH risk assessment should be central to the decisions about the collection methods to be used.

In addition he recommended the following, note should be taken of these and appropriate action taken where necessary:

#### **ACTIONS RECOMMENDED**

##### **Consider where wheeled bins would be reasonably practicable**

Because of the well understood higher physical workload and MH risks that are typically associated with black bag collection, the council should take steps to identify any areas where use of wheeled bins is feasible. Plans should be drawn up for separating rounds to allow for the use of wheeled bins. Bin rounds are likely to be more suitable in the less densely populated areas with larger house. However it may also include high density terraces etc where the residents have space in porches. These decision and plans will rely on the council undertaking a more detailed survey of housing types in the borough.

##### **Survey residents opinions**

A useful step would be to survey residents for their views on introduction of wheeled bins, however from the HSE point of view although this is something to be aware of the safety of collection operators would take precedence over resident preferences. It is important to bear in mind that there is often resistance to changes like these initially but people generally become accustomed to the new methods and that resistance will pass.

### **Educate residents**

In areas or for properties where bags need to continue to be used, the council should provide guidance to residents requesting that they consider how their refuse is divided between bags and to try and even them out and use more bags, making each one lighter. The reasons behind this request should be provided in the context of the health and safety of collection operators and the difference in MH risk exposure between a single resident putting out one heavy bag and an operator who may have to pick up tens of bags of similar heavy weight during a single round.

## **Management of Health and Safety at Work Regulations 1999**

### *Route risk assessments*

We were informed that route risk assessments were in place for every round, however, these assessments do not contain sufficient information regarding where reversing manoeuvres are to take place, where schools are (including pre and post school clubs), the presence of unadopted roads/tracks and houses not within the remit of the Council.

Regulation 3 of the above Regulations states that every employer shall make a suitable and sufficient assessment of the risks to the health and safety of his employees to which they are exposed whilst they are at work; and the risks to the health and safety of persons not in his employment arising out of or in connection with the conduct by him of his undertaking. Furthermore, where the employer employs five or more employees, he shall record the significant findings of the assessment.

As discussed you need to review the route risk assessments ensuring there is sufficient information contained within the documents; I would recommend using the vast knowledge base of the crews when carrying out this task.

### *Risk assessments*

The risk assessments seen do not reflect the quality of the instructions within the handbooks supplied during the inspection. It is recommended that the Council reviews the current risk assessments in place and makes them more detailed, following the information within the books is recommended.

## **Provision and use of Work Equipment Regulations 1998**

The drivers are following the sheet provided when carrying out their daily checks on the vehicles is adequate for the operation of the vehicle but does not currently include the safety measures on the vehicle should someone wish to stop the compactor mechanism in an emergency.

Under regulation 6 (2) of the above regulation every employer shall ensure that work equipment exposed to conditions causing deterioration which is liable to result in dangerous situations is inspected at suitable intervals and each time that exceptional circumstances which are liable to jeopardise the safety of the work equipment have occurred.

The company needs to review its daily check sheet to include the addition of emergency stop buttons, this amendment should be extended to the sheets used by supervisors when conducting their checks. Additionally it is recommended that the frequency and number of random stop checks carried out by the supervisors and managers is increased and monitored to ensure continuity.

### **Other issues**

*Vehicle equipment:* It was observed that several vehicles are without shovels and brooms, equipment that is more necessary when carrying out bag collections. The council needs to ensure that the appropriate equipment is added to the vehicles where required.

*Gloves:* Several operatives raised the issue of gloves; either they are not being worn as they are deemed inappropriate or worn and uncomfortable. As discussed the Council needs to continue trying out various types of gloves in an attempt to provide the most suitable, sometimes a range of gloves gives the operatives a better choice and increases uptake and use.

### **Information for Employees**

In accordance with section 28(8) of the Health and Safety at Work etc. Act 1974 it is my duty to inform employees of matters affecting their health, safety and welfare. I enclose a second copy of this letter and this should be brought to the attention of your employees, perhaps by displaying it on a notice board.

Please supply me with your response to the above issues, including actions taken by the **16<sup>th</sup> March 2012**, should have any questions regarding this letter or require further information then please do not hesitate to contact me.

Yours faithfully



**Robert Hassell**  
**HM Inspector of Health and Safety**

Schedule 1

**Schedule 1 Factors to which the employer must have regard and questions he must consider when making an assessment of manual handling operations**

**Regulation 4(1)(b)(i)**

Column 1

Column 2

*Factors*

*Questions*

1 The tasks

Do they involve:

- holding or manipulating loads at distance from trunk?
- unsatisfactory bodily movement or posture, especially:
  - twisting the trunk?
  - stooping?
  - reaching upwards?
- excessive movement of loads, especially:
  - excessive lifting or lowering distances?
  - excessive carrying distances?
- excessive pushing or pulling of loads?
- risk of sudden movement of loads?
- frequent or prolonged physical effort?
- insufficient rest or recovery periods?
- a rate of work imposed by a process?

2 The loads

Are they:

- heavy?
- bulky or unwieldy?
- difficult to grasp?
- unstable, or with contents likely to shift?
- sharp, hot or otherwise potentially damaging?

1

**Schedule 1**

**Regulation 4(1)(b)(i)**

Column 1

Column 2

*Factors*

*Questions*

3 The working environment

Are there:

- space constraints preventing good posture?
- uneven, slippery or unstable floors?
- variations in level of floors or work surfaces?
- extremes of temperature or humidity?
- conditions causing ventilation problems or gusts of wind?
- poor lighting conditions?

4 Individual capability

Does the job:

- require unusual strength, height etc?
- create a hazard to those who might reasonably be considered to be pregnant or to have a health problem?
- require special information or training for its safe performance?

5 Other factors

Is movement or posture hindered by personal protective equipment or by clothing?

**1**