

Deputy Chief Executive and
Director of Community and Planning Services:
Kristen Paterson



Mr R Hassell
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Ask for: Richard Wilson
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My Ref: RW/IF/HSE
Your Ref: FMU09/RWH/1301509/1
Date: 15th March 2012

Dear Sirs,

Health and Safety at Work Etc. Act 1974

Thank you for your letter dated 24th February 2012. We take all Health and Safety matters very seriously and confirm immediate action has been taken as explained below to address your concerns. We would welcome the opportunity to discuss our further action plans with the Health and Safety Executive at your convenience.

We understand your inspection formed part of a national project to audit Local Authority procurement of waste contractors and to discover and promote best practice. In this respect we very much appreciated the positive comments made by your Inspectors Ms Jan Combs and Mr Robert Hassell on conclusion of their visit, as well as their important observations on how we might improve our Health and Safety systems for collection of household waste and recycle.

The positive comments included our effective use of limited depot space through a combination of marked vehicle bays, pedestrian routes and signage to achieve a safe layout. Mr Hassell said he had seen a variety of layouts in each depot he had visited, but none had used marked vehicle bays. On site Mr Hassell had observed some good reversing practice. Both Inspectors liked the clear instructions given in our Health and Safety Handbook and Safe Working Practices (produced in A5 format), which they noted our crews had adopted. Ms Combs agreed sack collections and wheeled bin collections both had advantages and disadvantages and noted the sack collection method adopted seemed to work well for us. Ms Combs particularly liked our use of compostable garden waste sacks and took a sample to show others. Both Inspectors commented that our refuse freighters looked well maintained and they liked the nearside air doors, low entry and walk through cabs.

In response to the important matters requiring our attention and confirmed in your letter we reply as follows:

Manual Handling Operations Regulations 1992

Sack collection from resident owned wheelie bins

Our risk assessment entitled 'Domestic Refuse Collections (sacks)', identifies the risk to employees of removing sacks from resident owned wheeled bins and lists controls. Our Safe Working Practice booklet for Waste and Recycling Services instructs that closed plastic sacks should only be manually lifted from customer supplied 'wheelie' bins after assessment by the operative that it is practical to do so without injury. However, we acknowledge that over the last two years there have been six reported strain injuries due to operatives disregarding this instruction.

Action:

Working with the Council's Communications Team and Customer Contact Centre colleagues, we will inform residents that sacks at the bottom of wheeled bins will not be collected as there has been a pattern of back injuries as a result of this practice. Our collection crews will be reminded not to attempt removal of sacks from the bottom of wheelie bins.

Sack collection from 1100 litre bins (drop fronted)

We have consulted with our drop front bin manufacturer who confirms their product has been purchased and deployed nationally by Waste Authorities, private waste companies and National Health Service organisations. They have not been advised by any other customer of Health and Safety concerns over the intended use. The purpose behind our deployment is to allow separation and collection of residual and recyclable household waste in sacks from multi-occupancy residencies by our sack collection crews. We have reviewed our Health and Safety Personal Injury Records and are pleased to report that to date there are no reported injuries directly related to our limited deployment of these drop front bins.

Action:

- 1. We have stopped deployment of drop front 1100 litre wheeled bins;*
- 2. We are arranging for removal of drop front bins at the sites visited by Ms Comb and replacement with mixed waste 1100 litre bins that will be emptied by a vehicle equipped with a bin lift;*
- 3. We shall employ an experienced external Health and Safety Consultant to undertake a detailed manual handling risk assessment of our use of drop front wheeled bins and, in co-operation with the manufacturer, evaluate modifications that may improve the manual handling ergonomics around the intended design use. We would be keen to discuss our joint findings with HSE ergonomics experts before determining if withdrawal and disposal of all drop front bins is the only course of action to meet our obligation to reduce the manual handling risk to as low as reasonably practicable.*

Complete withdrawal would have operational, (lower recycling capture; increased waste to final disposal and poorer services to residents), and financial implications for Sevenoaks District Council. It is also likely to have similar implications for other Local Authorities, waste companies and National Health Service organisations, assuming the Health and Safety Executive would wish to take a consistent approach and enforce these bins withdrawal nationally.

Please note the funding of the purchase of these bins, (£47,000), was made available from the Kent Waste Partnership, (comprised of the twelve Kent District Council's and Kent County Council, as Disposal Authority), to facilitate the capture of this recyclate

We are grateful for the opportunity to address the above issues in co-operation with the Health and Safety Executive.

Sack Collection

We appreciate your valuable observations regarding HSE research and higher manual handling risks, which studies have linked to sack collection. We would very much like to review this study material and would appreciate your guidance as to where we may access this research as part of any consideration of the benefits of wheeled bin collections compared to our established sack collection method. Our weekly collection of household residual and dry recyclable waste in sacks provides an effective service that is strongly embedded and highly valued by our residents having one of the highest published satisfaction rates in the country. We note your recommendation that we should educate residents to use more sacks to reduce the weight in each sack. During our discussion with your Inspectors, Ms Combs stated the weight of sacks was not bad it was the repetition of handling large numbers of sacks that increased the risk to our employees. With this in mind we wonder if encouraging residents to use more sacks thereby increasing the number of repetitions would be preferable.

The sack collection method is strongly valued by all three political parties as a well established and well supported service and ensures weekly collection of all waste from every household in the District. Any departure from this tried and tested method would therefore need full consideration and decision by elected Members.

Action:

We shall report your recommendation for detailed manual handling risk assessments to be undertaken and for the outcome to be central to a decision on collection methods to our Council's Cabinet Members for consideration. We shall include the HSE expectation that following the Manual Handling Regulations hierarchy of controls a change to wheeled bin collections, either partially or in full, should be considered for reasonable practicability by the Council. We shall also make Cabinet Members aware of your recommendations that we survey residents upon the use wheeled bins.

Management of Health and Safety at Work Regulations 1999

Route Risk Assessments:

Our refuse collection rounds were subject to detailed examination by an external Consultant in 2010. The route optimisation software used removed the need for right turns and vehicle reversing wherever possible, planned the routes to avoid schools and similarly congested roads at peak times, and ensured single sided collections on wide roads to reduce the risk to our employees and other road users.

With these rounds now established and possibly subject to small scale variation by our collection crews, we are working with our drivers to identify the remaining reversing manoeuvres on each of our refuse collection rounds. This survey work and review is concurrent with refresher training of drivers and reversing assistants as explained to your Inspectors.

Action:

In addition to the review described we have begun discussion with Kent County Council highway transportation colleagues, to ensure our current round routes observe all traffic restrictions and avoid congested areas at peak times. Our planned production of round route maps will update and inform our round lists and we agree we should include further references to access restrictions and other necessary route specific instructions. We do not propose to include customer exemptions from highway boundary collections on these route schedules, but shall keep this as a separate listing available to each collection crew as we explained to your Inspectors.

Risk Assessments

Our risk assessments are subject to review and are used to identify hazards and control measures. While copies of risk assessments are issued to our crews for reference and retention in the cab of their vehicle, we consider them a management tool to inform and develop our Health and Safety Handbook and activity related Safe Working Practices which are our primary means of written Health and Safety instruction to our employees. Given your Inspector's observation on the quality of our handbook and safe working practices, we have some concerns that the inclusion of more detail within the risk assessments, to reflect the detailed information and instruction given in the booklets could become more confusing and complicated for operatives.

Action:

We will update our refuse collection risk assessments as part of our regular review of these documents so they define key control measures that align with our detailed Health and Safety instruction booklets.

Provision and Use of Work Equipment Regulations 1998**Daily Vehicle Equipment Checks**

Our current Daily Vehicle Check sheets applicable to all our commercial vehicles includes for a check on Tail Lift, Bin Lift or Crane Operation. Our annual Driver CPC training instructs drivers in more detail on the equipment checks that need to be undertaken for safe operation of the vehicle and equipment and particularly key safety equipment such as emergency stop buttons. However, we agree the check sheet does not include specific reference to the emergency stop function.

Action:

We have instructed Managers and Supervisors to ensure all drivers and charge hands know equipment checks must include emergency stop buttons. We have amended our Daily Vehicle Check sheet to include specific reference to the emergency stop function and will issue these sheets once a new stock has been printed.

Other Issues**Vehicle Equipment**

We note your Inspectors concern that not all refuse freighters were equipped with broom and shovel.

Action:

We have instructed a fleet wide check of our refuse freighters for the presence of broom and shovel. Where not present we will fabricate and fit secure stowage and ensure brooms and shovels are provided.

Gloves

Your recognition of our continued efforts to provide the most suitable gloves is appreciated.

Action:

We shall continue to try out various types of gloves and broaden the range of gloves available to increase uptake and use.

Information for Employees:

I confirm a copy of your letter has been displayed on the notice board in our depot mess room as requested in discharge of your duty to inform employees of matters affecting their Health, Safety and Welfare. We have also discussed and agreed this response with our depot UNISON representatives at our regular liaison meetings.

We found the inspection and feedback most informative and helpful. Please consider our response and feel free to contact Mr Ian Finch or myself to discuss further, if necessary.

Yours faithfully,



Richard Wilson
Head of Environmental and Operational Services

Copy: Robin Hales – Chief Executive
Dave Field – UNISON Health and Safety Representative, Dunbrik Depot

