



# **Waste Management Service Collection Point Policy Implementation Review**

## **Report of the Select Committee Waste Management Working Group**

**Agreed by Select Committee : 7<sup>th</sup> September 2016**

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## FOREWORD

As Chairman of the Select Committee's Waste Management Working Group I am pleased to submit this report which presents the findings, together with conclusions drawn and recommendations arising from the Working Group's review of the implementation of revised kerbside collection arrangements, introduced in response to manual handling and other concerns raised by the Health and Safety Executive following an audit of the Council's Waste Management Service. This will be the first in a series of reports on different aspects of the waste management service, namely

- Collection Point Policy / Response to Health and Safety Executive concerns.
- Recycling.
- Commercial Waste Service.
- Bulky Waste Service.
- Garden Waste Subscription Service.

In carrying out this review the Working Group was appreciative of the co-operation and support provided by Wyn Ashton, Environmental Services and Housing Manager, James Johnson, Interim Waste Manager, Jonathan Green, Foreman, and Jonathan Grainger, the Council's Health and Safety Adviser.



Councillor Andrew Solloway,  
Chairman, Select Waste Management Working Group.

# 1 Background

Responding in September 2014 to an audit of the Council's Waste Management Service carried out by the Health and Safety Executive in the period September 2013 to December 2013, Policy Committee approved introduction of a waste collection point policy. Following an initial pilot involving relevant properties in Cowling, Farnhill, Hellifield and Ingleton the policy was phased in across the wider District concluding in June 2016.

During the course of 2015/16 Members of the Select Committee, anxious to ensure the Council was compliant with the requirements of the Health and Safety Executive, and keen to establish whether there could have been other factors impacting on the rates of sickness absence within the service, appointed this working group to undertake a review of the implementation of the Waste Collection Point Policy. The Working Group's terms of reference were subsequently extended to enable it to conduct a full review of the waste management service. Commencement of the collection point review had been scheduled for the last quarter of 2015-16, but placed on hold to June 2016 pending conclusion of a restructuring exercise within the Waste Management Department.

To assist Members the following background papers were provided

- a. Health and Safety Executive Letters - Dated 26<sup>th</sup> September 2013 and 19<sup>th</sup> December 2013.
- b. Waste Service Action Plan 2015-2017.
- c. Policy Committee Reports
  - i. Collection Policy 16<sup>th</sup> September 2014.
  - ii. Collection Point Policy Progress 3<sup>rd</sup> March 2015.
  - iii. Collection Point Policy Progress : Feedback from Pilot 21<sup>st</sup> July 2015.
- d. Collection Point Policy and Frequently Asked Questions - Extract from the Council's website.
- e. Information on household waste assisted collections - Extract from the Council's website.

To further assist Members' understanding of the Service, the Director of Services, delivered a briefing, summarising the Waste Management Service's structure, services delivered and volumes, together with a summary of collection policies currently in place.

As a matter of course the Health and Safety Executive runs campaigns targeting industries it perceives to be high risk. In the case of waste management the Health and Safety Executive (HSE), concerned at the number of accidents, and in some cases fatalities in the waste and recycling industry, had conducted an audit of over 370 Local Authority waste collection services with the aim of improving health and safety outcomes by reducing the incidence of injury, ill-health and days lost in the waste management and recycling industry. As indicated above this Council's waste management service was audited in the period September to December 2013.

The Council was served with two improvement notices relating to the control of noise and assessment of manual handling operations. Reversing caused a disproportionately large number of moving vehicle accidents in the waste management industry, with injuries to

workers or members of the public often severe or fatal. In serving the improvement notices the HSE had also highlighted the absence of a reversing policy and advised that the Council should seek to reduce the risks posed by reversing by eliminating reversing as much as possible and the distances involved. Attention was also drawn to the ability to designate collection points, a practice in other local authorities, including all other North Yorkshire District Councils, York and Leeds; a practice viewed by the HSE as being a reasonable practicable alternative in seeking to reduce the risk of injury.

## **2 Review and Findings**

### **Response to the Health and Safety Audit**

The majority of properties affected by the collection point policy were terraced properties with back alleys where refuse collection vehicles could not directly access. Initial estimates reported to Policy Committee in September 2014 and March 2015 had indicated that in the region of 2,500 properties could be affected by the change. The final figure established during the course of the roll out of the policy had actually been 4,577. It is understood that the original figure of 2,500 was based on a rough estimate of 10%.

In questioning the Council's Health and Safety Adviser the Working Group was advised of the powers available to the Health and Safety Executive (HSE) and heard that an appeal against the improvement notices would have been unsuccessful as neither up to date manual handling assessments or noise assessments had been in place to support working practices. Similarly a failure to address concerns with regard to vehicle reversing would have resulted in further action being taken and possible prosecution if an accident had occurred. Manual handling and noise assessments had been carried out and submitted to the HSE. A reversing procedure was now in place, but compliance with HSE guidance when reversing in back alleys could be difficult. By the end of the year nine vehicles within the refuse fleet would have cameras fitted. The fitting of cameras to the remainder of the fleet would be informed by the outcome of a review of existing routes which may result in a reduction in the size of the fleet required, but even with cameras fitted drivers should still receive assistance from other crew members meaning a risk still existed.

The HSE will not give written approval of action taken to address issues raised within an improvement notice, a verbal indication may be forthcoming but nothing would be placed in writing. The HSE is aware of the action taken by the Council in responding to its improvement notices and other concerns and appeared happy that action was / had been taken, a revisit had not taken place which was a positive sign. The Council had to be seen as having reasonably practical measures / policies in place.

The manual handling assessments had highlighted the number of occasions waste operatives were moving wheeled bins over considerable distances from residential curtilages eg rear alleys to where waste vehicles can safely access. This repetitive practice over a period of time, in the opinion of the HSE, significantly increased the risk of injury to waste collection crews. Sickness absence figures appear to support the HSE concerns.

The number of days lost to sickness absence within the waste management service per full time employee in the period April 2009 to June 2016 had been as follows:-:

3 months to end of June 2016: 2.67 days per FTE  
12 months to end of March 2016: 13.19 days per FTE  
12 months to end of March 2015: 16.15 days per FTE  
12 months to end of March 2014: 23.20 days per FTE  
12 months to end of March 2013: 11.86 days per FTE  
12 months to end of March 2012: 18.42 days per FTE  
12 months to end of March 2011: 20.78 days per FTE  
12 months to end of March 2010: 21.91 days per FTE

In responding to questions as to whether, albeit at a relatively early stage post implementation, there was any indication as to whether the move to collection points was having a positive impact on the rate of absence. The Interim Waste Manager has advised that the impact is difficult to assess directly as although sickness absence has improved slightly, the improvement is mainly down to long term sick staff returning to work.

### **Implementation of Collection Point Policy**

Under the Environmental Protection Act 1990 local authorities can state and impose the size of container to be provided and where containers are to be placed for collection, an authority had to make best effort to collect from a property, but if an accessible collection point wasn't available an authority did not have to collect, the point of collection had to be reasonable. Although the Environmental Protection Act could be used to dictate, the preference was to explore all reasonable alternatives before adopting such an approach.

In approving the collection point policy on 16<sup>th</sup> September 2014 it is this Working Group's understanding that the report to Policy Committee summarised the alternatives considered, and reasons were given, albeit not in any great depth, as to why those alternatives had been discounted.

Every household to be moved on to a collection point arrangement had been sent a letter informing them of the change in service together with a plan showing where their collection point would be, however it would appear that there may have been some initial shortcomings in communications and responding to concerns in some parishes, Farnhill Parish Council had particular concerns. A concern expressed during the course of the Working Group's discussions centred on whether it may be unreasonable to expect residents to move potentially heavy wheeled bins the full length of a long steep street, thereby transferring the risk / potential risk of an accident from the workforce onto residents who were not trained in manual handling. By addressing the HSE's concerns the Council could now be potentially liable in the event of a resident being injured. The question was therefore raised as to whether a different approach should be adopted for long steep streets. From officers' response to this particular issue and more generally in respect of the implementation it was clear to the Working Group that

- The service was keen for it to be made known that it would seek to help where possible anyone experiencing difficulties or who had concerns regarding the collection of their waste.
- So far as management was aware all complaints made had received a response. (To June 2016 the service had received 115 complaints and responded to 103, those

outstanding related to the most recent introduction of collection points, that being Settle.)

- It was accepted that fine tuning was needed and was being carried out.
- Where concerns had been raised regarding designated collection points the service had sought to resolve issues / complaints raised and would continue to do so. The involvement of ward representatives in seeking to reach a solution or compromise in discussions with residents was helpful.
- All means of resolving issues would be looked at to make the revised approach to collection for property affected by the collection point policy as easy as possible for residents. For example, where appropriate, consideration could be given to reducing the number of bins by sharing between two or more properties, such an arrangement was being considered and discussed with residents of a row of properties in Gargrave where potentially because of the nature of the occupancy of the properties concerned, the number of bins could be reduced from 27 to just eight. It may be that in some limited circumstances a return to a sack collection may be an appropriate solution.
- Where no complaints were received the assumption within the service was that no issues existed with the collection point introduction.

Returning to Farnhill, the Working Group was pleased to learn that having attended a meeting of Farnhill Parish Council on 21<sup>st</sup> July 2016 to discuss its concerns regarding the introduction of the collection point policy, and particular concerns regarding Mary Street, Farnhill. The Environmental Services and Housing Manager had taken the decision that a risk assessment bespoke to Farnhill would now be carried out. The outcome of that assessment would determine whether an alternative arrangement was necessary for some properties, in visiting Mary Street, which had a particularly severe gradient, he had observed that an alternative may be available. Risk assessments carried out in respect of the implementation of the collection point policy had been generic.

## **Manual Handling**

In September 2014 it was reported that Waste Management had an ageing workforce. 49% were aged 45-54 and accounted for 54% of short term absence with the most common reason for short-term absence in that group being back and other musculo-skeletal problems.

In the opinion of the Health and Safety Executive (HSE), the repetitive practice of moving wheeled bins over considerable distances from residential curtilages to where waste collection vehicles could safely access significantly increased the risk of injury to waste collection crews. Although this risk was not in dispute a Member reported that operatives had been observed not adhering to manual handling procedures, for example lifting wheeled bins to empty the contents of one into another; such activity could have contributed to injury and absence. Also prior to the introduction of collection points it was understood some crews had failed to follow procedures by moving bins and collecting from just one end of a back street, when for a number of streets, bins should have been moved to and collected from both ends.

The temptation to sometimes take shortcuts is understandable, but clearly it is the responsibility of management to supervise and ensuring compliance with procedures. Concerns that an absence of, or failure to carry out monitoring and structured refresher training in manual handling could be leading to poor practices and contributing to accidents were put to the Council's Health and Safety Adviser who responded as follows

- refresher training is an important element for ensuring safe manual handling operations. The need for training is specified in Section 2 of the Health and Safety at Work etc. Act and Regulations 10 and 13 of the Management Regulations, which require employers to provide their employees with health and safety information and training. This training should be supplemented as necessary with more specific information and training on manual handling injury risks and prevention, as part of the steps to reduce risk required by regulation 4(1)(b)(ii) of the Manual Handling Operations Regulations.
- the HSE did not publish prescriptive guidance on what a 'good' manual handling training course should include or how long it should last and indeed how often it should be refreshed. It simply stated that employers should make sure that their employees understand clearly how manual handling operations have been designed to ensure their safety and how to be able to follow the procedure safely.
- although training can be important in raising awareness and reducing risk, it should not be assumed that the training alone will ensure safe manual handling. It should be supplemented with monitoring and reviews of procedures to ensure that the training is understood and being applied. Reporting problems such as unsafe working conditions or accidents need to be reinforced by good supervision. The effectiveness of the training needs to be monitored through observational monitoring of the crews. Monitoring is being carried out by the waste team through onsite monitoring and also via the camera systems that provide a live feed of the wagons and area around them.

and to the Interim Waste Manager who responded as follows

- training was given at induction but manual handling refresher training was not being provided on a regular / structure basis. A target of a refresher course in manual handling every three years was being achieved indirectly as each time a new refuse collection vehicle was delivered, part of the package required the supplier to provide staff training in the use of the vehicle and its equipment. This included manual handling. A new refuse collection vehicle was delivered every two years. This training is recorded by staff being issued certificates on the day of the training.
- the foremen make regular site visits to all areas to check accessibility of areas for the existing service and new services. When on site they will speak to the crews and observe their work methods to ensure they are complying with manual handling and banksman training. There is no set pattern to these inspections as regular dates and times would only serve to ensure compliance at these times.

## The Assist Scheme

Letters issued to residents being moved to collection points had advised that if they had difficulty moving their wheeled bin to the collection point they were able to apply for an assisted collection.

Information on how to apply for an assisted collection, irrespective of whether a resident is on a collection point or not, can be found on the Craven District Council web site. Applications are checked against the following criteria

- a. Are all members of the household physically unable to present the refuse/recycling containers at the required collection point.
- b. The applicant agrees to inform the Council immediately if any circumstances change and they are no longer in need of the assisted collection service.
- c. The Council reserves the right to remove the property from its assisted collection list should the applicant's circumstances change and/or any family member residing at the property is found capable of presenting the refuse/recycling container(s) at the agreed collection point.
- d. Should there be any doubt the Council reserves the right to request a certificate from a doctor regarding the resident's physical ability.

If the application meets the criteria it is then added to the daily round as an assist. The waste management service accepts the application as genuine and honest. No checks are carried out at this stage to determine the applicant's ability to move their bin.

A concern was put to officers that with an ageing population as more people became aware of, and possibly applied for assistance, potential could exist for the reduction in manual handling by the introduction of collection points to be cancelled out to some degree. The following response to this and other related questions was forthcoming

- Natural changes in the demographics of the local population were not seen as a particular issue for the service, but if it did become an issue, resources would have to be examined.
- The most recent figure that can be evidenced showed that when switched to a collection point, 65 properties were already in receipt of an assisted collection. That original figure of 65 had now been augmented by a further 150 properties meaning 4.7% of the 4,577 properties on collection points were in receipt of assistance. To date no applications had been refused.
- There were currently 849 properties on the assisted collection list throughout the District, taking 27,000 as the total number of properties in Craven this represented 3.1% compared to the nationally accepted norm for assisted collections of 10% of total properties. A move to co-mingling and a fortnightly collection of the blue bins (recycling) could generate more requests for assistance with those bins.

The relatively low number of residents in receipt of assistance could in part be attributable to a lack of awareness bearing in mind the age profile of the District and what appeared to

be a reliance on use of the Council's website for "advertising" its availability. Feedback from some parishes was that residents were not aware of the assist scheme. It was acknowledged that residents switching to collection points had been made aware.

Information provided on the Council's website states that recipients will be asked to renew their assistance every year. In practice it is understood that this may not have taken place for some time because of the low numbers involved. The Interim Waste Manager has expressed the view that assisted collections should be reviewed every two years. The application form also includes a question which asks whether the applicant has any neighbours, relatives or daily visitors to their property who may be able to place the bin at the collection point. The thinking behind this question is understood but in the opinion of this Working Group can be seen as the Council seeking to avoid providing the assistance needed and potentially placing the resident in a difficult position relying on a third party to put their bin out or return it to their property.

Note : At the date on which this report was drafted, demographic projections for the period 2012-2037 provided as evidence for the preparation of the Local Plan showed an increase for the District in those aged 65+ from 24% of the population to 37% and an increase in those aged 80+ from 7% to 15%.

## **Other Relevant Matters**

### **a. Lane End Collection Policy**

The new collection point policy had incorporated within it the Council's policy on lane end collections. In responding to a question regarding the relationship between the collection point policy and application of the Lane End Policy, the Interim Waste Manager pointed out that many authorities used lane end collection only, declining to use un-adopted roads because of damage to the surface which could be caused by the vehicles, the length of some access lanes and also damage to vehicles from poorly maintained surfaces. Criteria within the Lane End Policy enabled the Council to decline to collect other than from the lane end, for example, by reason of isolation or the lane being substandard.

In reviewing implementation of the collection point policy the working group has not examined application of the Lane End Policy from either the service or residents point of view. There is no reason to believe that the Policy is not fit for purpose, but it may be that the service needs to be more active in application of that element of it which relates to the condition of access lanes.

### **b. New Housing Development**

The waste management service is not consulted on applications for new housing developments, and although not relevant to this review of the implementation of the collection point policy or a requirement of the development control process, the location of bin stores and the ability to establish collection points within a development is of interest to the Waste Management Service.

In responding to a question put at a meeting of the Spatial Planning Sub-Committee held on 13<sup>th</sup> July 2016, the Spatial Planning Manager stated that it would be possible to include appropriate reference within the emerging Local Plan's good design policy and / or within design principles for larger sites regarding storage / collection of waste and recycling bins.

## 4 Conclusions

The Working Group is pleased to be able to provide reassurance to Members that it believes the Waste Management Service is compliant with the requirements of the Health and Safety Executive (HSE) and now has in place reasonably practical measures, procedures and policies supported by up to date risk assessments and working practices. Setting aside the Health and Safety Executive's intervention it could reasonably be argued given the risks associated with the nature of some alleyways and means of accessing bins stored to the rear of properties in some older parts of the District's towns and villages that a review of collection arrangements, bearing in mind the duty of care to the workforce, had perhaps been overdue. The change in collection arrangements has meant a reduction in the level or quality of service delivered, but the resources required to address the HSE's concerns and maintain the level of service would have been significant.

It is a concern that there was such a significant variance (+83%) between the estimated number of properties affected by the change and the actual figure, but setting that particular concern aside, the variance in data should be viewed as a learning point for Council to ensure or seek an assurance that data or other information used in agreeing policy initiatives is robust.

The service strives to resolve residents' concerns wherever possible and practicable, and has made a concerted effort to deal with individual problems that have arisen with the introduction of collection points and provide assistance where needed. By addressing the Health and Safety Executive's concerns the Council could potentially be liable in the event of a resident being injured, it is therefore important that the service continues to respond to concerns raised and identify alternative reasonably practical solutions where appropriate.

Strengthening engagement and communications with residents is an important issue for the service as failure to engage and explain resulted in complaints which could otherwise have been avoided. The service is operating under the assumption that where no complaints are received no issues exist with the collection point introduction, whilst this is not an unreasonable position to adopt, it could be that, as acknowledged by officers there is still some fine tuning to be carried out and experience of operating the policy may highlight scope for changes. As the service continues to evolve communications will play an important role in the service's and the Council's relationship with residents.

It has to be acknowledged that for many the change in collection arrangements represents little more than an inconvenience but for some, particularly more elderly residents it could, or will be a source of worry, it is therefore important that awareness of the availability of the assist scheme is made known by means other than the Council's website. The value

of the scheme to those in need is clear, but the continuation of assisted collections from premises where a need no longer exists could be a burden on the service. It is disappointing that working practices, assessments and procedures which the Working Group understands had been in place, had, over a period of time, been allowed to lapse. The reason is unknown but may have been attributable to changes in personnel and structures. Having rectified the situation the service needs to ensure that someone is responsible for ensuring assessments etc are carried out when necessary and procedures maintained. Good management includes building health and safety practices into new policies; going forward it is hoped the service will be more proactive in its approach.

Bearing in mind the physical nature of the work undertaken and increases in the state pension age, the age profile of the waste management workforce (49% are aged 45-54) rates of absence could remain an issue for the service. Time will tell whether the move to collection points has had a direct impact on rates of absence it will therefore be important that the reasons for any changes in the level of absence are fully understood.

Whilst recognising the need to comply with the Environmental Protection Act 1990, given the pressures on the service, and further changes currently under consideration with regard to the recycling service, and route optimisation, the question of whether the Council should continue to operate what could be viewed as a very flexible lane end policy is perhaps not an unreasonable question to put. A point to be borne in mind is that at the time of the foot and mouth outbreak the collection of household waste from many farms and other properties was temporarily switched to lane end collection.

Ward members have a role to play in explaining new policies to their communities and being proactive in seeking to resolve concerns in respect of collection points and related issues can be tremendously helpful to the Waste Management Service and the resident(s) concerned.

Presentations received in carrying out this and other recent reviews have increased both experienced and new members understanding and / or basic knowledge of the services under review, this experience has indicated that gaps may exist in Members' knowledge of policies and other services for which the Council is responsible which could be addressed through presentations at committee or Council meetings and inductions.

## **5 Recommendations**

1. Strengthening engagement and communications with residents is an important issue for the service as failure to engage and explain results in complaints which could otherwise be avoided, the service therefore needs to consider means by which it can achieve this objective and make known its willingness to seek to resolve any issues in respect of its service delivery.
2. Means of raising awareness regarding the availability of the assistance scheme other than through the Council's website, for example when issuing the Council Tax bills, if

possible, through parish newsletters and when consulting on future changes to the service should be pursued.

3. The service should ensure it periodically reviews the list of properties where assistance is in place to ensure that assistance is still required.
4. The application form for assisted collection should be amended by deletion of the question regarding the availability of neighbours, relations or daily visitors to place the applicant's bin at their collection point.
5. In considering changes in waste collection arrangements the Policy Committee should review the Council's Lane End Collection Policy.
6. The emerging Local Plan's good design policy and / or design principles for larger housing sites should include appropriate guidance in respect of provision for the storage / collection of waste and recycling bins. Once this guidance is adopted as part of the Local Plan it is requested that the waste management service is consulted on planning applications for larger housing developments.
7. The Waste Management and other Council services need to ensure they have a planned training programme to ensure all staff identified as requiring manual handling training receive training and updates as required; ensure they are keeping adequate records to show who has been trained, when the training was carried out, what the content of the course was and the frequency of the refresher training.
8. The Waste Management Service needs to ensure that an officer / position, ie the Waste Operations Manager, is responsible for ensuring risk assessments are carried out and updated when necessary, and that procedures are maintained.
9. Experience with the introduction of collection points in Farnhill has demonstrated a need for the Waste Management Service to be flexible in its approach to risk assessments and carry out bespoke risk assessments, as opposed to generic assessments, when appropriate.
10. Taking the variance in data regarding the number of properties affected by the collection point policy as a learning point, Members should ensure or seek assurances that data or other information used in agreeing policy initiatives is robust.
11. As recommended in reporting on performance in the Revenues and Benefits Service, six monthly monitoring reports on sickness absence, vacant positions and any arrangements in place to cover those vacancies through use of contractors / consultants should be presented to the Select Committee.

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