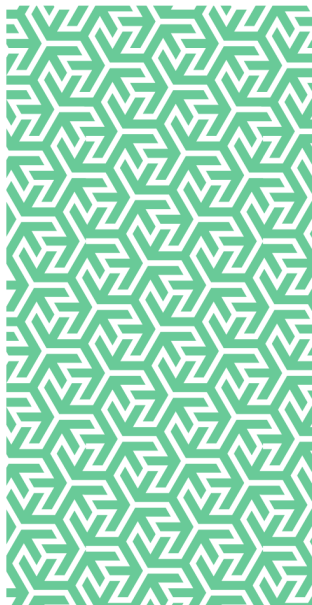


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## Risk control

# Waste Collection and Culture Risk Management Guidance



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# Waste Collection and Culture Risk Management Guidance

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# Introduction

Waste collection services are one of the most hazardous parts of the waste industry. Work is undertaken on public roads with live traffic and in constantly changing conditions. Workers have to deal with a variety of waste materials while encountering risks that are not within their employer's direct control. Physical management and supervision is more difficult than at fixed workplaces.

Kerbside collections of domestic waste also present a significant risk to local authorities and members of the public. For local authorities where the service is contracted out, due diligence in the selection of the service provider and subsequent contract management is part of the effective risk transfer process.

Showing moral leadership and ensuring legal compliance will benefit the reputation of a local authority, whilst reducing financial loss from costly accidents, fines and claims for compensation.

This guide is intended to assist local authorities in managing these risks by addressing cultural change as part of a broader change management process.

# 1. Background

The waste and recycling industry has seen sizeable growth in the last decade with nearly a quarter of a million workers across the sector. A significant proportion of the workforce consists of agency staff and migrant workers. The Health and Safety Executive's (HSE) annual workplace fatality statistics for 2019 / 20 show there were 5 fatal injuries to workers in waste and recycling within the year. This figure is below the industry average between 2015 / 16 and 2019 / 20 of 9 fatalities per year<sup>1</sup>. Whether this reduction is a statistical anomaly or the sign of safety improvements within the industry remains to be seen, however, organisations involved in waste and recycling must continue their efforts to develop or enhance positive safety cultures within their teams.

Some of the challenges in waste collection are compounded by a historic 'task and finish' working culture which rewarded operatives who finished their collection rounds quickly with an early conclusion to their working day. It is easy to appreciate that in these circumstances, health and safety procedures may be viewed as a hindrance to acquiring the reward. Collection methods may be affected by changes to working trends such as target-related waste separation, which conflicts with legislative pressure for local authorities to reduce frequency of collections as part of cost savings.

Local authorities and larger commercial companies are well equipped to provide health and safety leadership as principal procurers (and suppliers) of waste and recycling services. Incorporating health and safety into contract tenders can influence standards if clear expectations are set and fulfilment is monitored.

# 2. Legislation and enforcement

It is of course impossible to legislate for "culture". However, under the provisions of the Health and Safety at Work etc. Act 1974, local authorities have a duty of care for the workers (whether direct or contracted out) who provide the refuse collection service, and to the public affected by their operations.

Corporate Manslaughter and Corporate Homicide legislation may be applied to a local authority in the event of a fatal accident, where standards fall well below those that would be expected.

## 3. Prosecution

The following recent examples are taken from the HSE's Prosecution and Enforcement database<sup>2</sup>:

- A London Borough Council was served with an Improvement Notice for not having a suitable and sufficient risk assessment in place regarding the collection routes.
- A Scottish City Council was fined £20,000 following the death of a pensioner after he was struck by a reversing refuse vehicle. Neither the agency driver nor a local authority employed labourer in the vehicle had undergone reversing assistant training.
- Veolia ES Sheffield Limited (Veolia) and John Fowler and Son (Blacksmiths and Welders) Limited (JFS) were fined a total of £815,000 after a worker and father-to-be was crushed to death by a refuse collection vehicle.
- A waste management and plant hire company pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974, and was fined £300,000 and ordered to pay costs of £50,737, after an employee was crushed between the two vehicles and died of catastrophic head injuries. The HSE found there were no rules or control of reversing manoeuvres, and the lighting at the site was poor and below the required standard.

Whilst none of the above prosecutions cited “culture” within their cases, we believe it is very likely that a failure or absence of a good safety culture contributed to the accidents, and gave rise to prosecutions and incurred costs.

### 3.1 Policies

Local authorities should review their range of safety policies and ensure that they cover the activities and specific requirements of the refuse collection service, whether in-house or contracted out.

### 3.2 Risk Assessment

The risks presented by waste collection can be substantially mitigated through careful planning and the implementation of robust risk management practices. The HSE provides resources on topics such as manual handling, noise and vibration, control of substances hazardous to health, and driving at work<sup>3</sup>.

Detailed, specific and adequate risk assessments must be completed, communicated and regularly reviewed. The risk assessments should cover all aspects of the refuse collection activity including the route, specification of equipment, use of equipment, tasks performed by each member of the crew, weather conditions, and the methods of entering/exiting the vehicle. Each operational risk should be assessed and controlled as far as is reasonably practicable. They should, by default involve the consultation and contribution of the workforce.

## 4. Leadership

Strong and visible leadership by management, together with effective workforce involvement, promotes a positive health and safety culture<sup>4</sup>. Directors and senior managers of Refuse Collection Services should consider the questions and information on the Leadership page of the HSE's website<sup>5</sup>.

## 5. Commissioning waste services

Many local authorities choose to contract out their refuse collection service in an attempt to transfer financial and legal risks to the contractor. However, a local authority remains subject to the provisions of the Health and Safety at Work etc. Act 1974 whether or not the service is contracted out. Risk transfer is only effective if reasonable steps are taken to ensure the contractor is competent, and acts accordingly. The reputation of a local authority cannot be transferred to a contractor.

## 6. Checking compliance in commissioned services

Where the service is contracted out, a stipulated periodic check should ensure that the appointed contractor is continuing to deliver to the contract service level agreement. For contracted out services, monitoring is essential to ensure that the contractor is meeting the specified Service Level Agreement, and that the local authority is achieving value for money – including the protection of the contractor's employees and others. There are many ways of facilitating this, from informal regular meetings, reviews of incidents and spot checks through to third party audits of work carried out. The HSE suggests that up to 25% of all contract selection processes had historically failed to adequately consider health and safety<sup>6</sup>.

## 7. Culture

One of the HSE's priorities is to support continued improvements in safety culture / workforce engagement and increasing general levels of health and safety competence within the sector<sup>7</sup>.

### What is culture?

The culture of an organisation may be described as "the mix of shared values, attitudes and patterns of behaviour that give the organisation its particular character". Whereas the safety culture of an organisation could be described as "the ideas and beliefs that all members of the organisation share about risk, accidents and ill health".

The safety culture of an organisation can have far reaching consequences as has been shown in accidents such as Ladbroke Grove, Piper Alpha and Buncefield. In the field of safety, culture is sometimes described as “*the way things are done around here*”.

There are a number of common characteristics that identify the presence of a good safety culture within an organisation. Culture elements include:

- Management and Leadership
- Just Culture
- Information Flow
- Risk Awareness
- Learning Culture
- Staff Involvement

These factors encompass the values, beliefs and attitudes that are held within the organisation, that guide the way that people behave whilst undertaking their work. It influences the priorities that managers have, the decisions they make, and the actions that their staff take.

## 8. Demonstration of safety culture

Safety culture starts with leadership at the highest level. Good senior managers make a visible commitment to health and safety by making regular useful visits to site, and have good non-technical skills (e.g. communication skills) in order to engage meaningfully with the workforce.

All managers in an organisation demonstrating a healthy safety culture will have understanding of the form and nature of their culture and risks involved in their organisation. A common misinterpretation at senior management level is an expectation that supervisors will change culture by diktat; however, where this change is not felt to be supported at a higher level, then cultural change will be at best, slow.

It is also common for hierarchical structures to demonstrate a perceived intangible element of interference at some level. This acts as an impediment to change. This may be because of conflicts between the goals of senior management and for example, Trades Unions.

## 9. Discipline

Managers who express an understanding of safety culture will not tolerate violations of procedures. They actively try to improve systems to discourage violations e.g. plan work so that short cuts aren't necessary to do the work in time.

The following three statements are examples of where a safety culture is absent:

**STAFF REGULARLY EXPRESS OR DEMONSTRATE ANXIETY OF RETRIBUTION FROM REPORTING OR HAVING ACCIDENTS**

**IT IS PERCEIVED THAT MANAGERS ARE RELUCTANT TO INITIATE DISCIPLINARY ACTION (SUCH AS WHERE IT INVOLVES A PERMANENT CONTRACT EMPLOYEE WITH STRONG UNION SUPPORT)**

**THERE IS A DIFFERENCE BETWEEN AGENCY STAFF, WITH INSECURE POSTS, AND PERMANENT STAFF, WHO HAVE LESS ANXIETY ABOUT LOSING THEIR JOB**

## 10. Competence

The HSE suggests a definition of competency as “someone who has the necessary skills, experience and knowledge to manage health and safety”<sup>8</sup>. A HSE research project commissioned an identification of the competencies (knowledge, skills, attitudes and behaviours) required for road side waste and recycling collection supervisors and team leaders. It asked how current training could develop and maintain these competencies to be developed and maintained<sup>9</sup>.

### 10.1 Industry standards

To achieve suitable practice in procedures and systems, many organisations maintain membership of industry bodies such as the Waste Industry Safety and Health Forum. By sharing information and experiences, all participants develop in maturity and knowledge.

### 10.2 Personal development

It is common for vacancies to be filled by promoting up through the ranks, but promoted staff are then not advised how to manage and lead staff.

It is expected that there is an annual personal development review for all supervisors. For those who attend these reviews, the outcomes will be dependent on their existing skills and competencies. Personal objectives are discussed, concerns are explored and training offered. Discussions should cover the “soft-skills” of relationships with other individuals.

### 10.3 Training

Because of the high profile of the waste industry, formal systems of training for all aspects of waste collection work are commonplace. Supervisors may be offered management training (such as Institute of Leadership and Management level 3 / 4), although not all accept and the courses tend not to be mandatory. Many organisations are now opting for ‘e’-based supervisor training and CPD-logging systems, with in-built escalation processes in decision making and leadership.



## 11. Communications

The expectations and instructions of senior and operational managers must be communicated effectively to their teams. This may include methods statements and route maps with hazards identified. This information should be in written form, with language and literacy capabilities taken into account. Other methods such as team briefings and one-to-one meetings may also be required. Records must be kept.

Managers should know and understand the roles that their staff undertake. Employees may know whether something is practical or if corners are being cut. Ensuring that there is an effective two-way communication process in place, ensuring confidentiality as necessary, will increase that understanding.

## 12. Supervision

Engaged supervisors will discuss safety matters with frontline personnel, and will stop waste collection or processes for safety reasons, regardless of cost. They will spend time and money on safety (e.g. to provide protective equipment and safety training) and naturally lead by example. They will deliver and attend safety culture workshops, and generally demonstrate concern for wider issues such as workforce stress and general health and wellbeing.

Supervisors should be encouraged to have “safety conversations” with their staff – both positive and negative, and to formally record these events. These conversations contribute to the overall pro-active stance of a good safety culture within the organisation.

## 13. Moving to a proactive safety regime

As an employer, a local authority must ensure that refuse collections are carried out safely – which includes ensuring that the policies and procedures are being followed and are achieving the expected reductions in risk exposure. There are a number of methods that can be used to ensure compliance, of which the most common are outlined below. It is anticipated that local authorities will employ all of these methods and will keep records that can demonstrate the systems are in place.

**Reactive investigations** - Detailed investigations should be carried out into incidents and near misses to establish if the prescribed controls were in place at the time of the incident. Investigations should be carried out as soon as possible after an incident takes place, and thorough records should be kept. Claimants have up to 3 years to make a personal injury claim, and so if adequate information is not gathered at the time of the incident then the management of a subsequent claim may be seriously impeded.

**Proactive spot checks** - On a regular basis, managers should check the work of those that they supervise to ensure that prescribed standards are being met. These checks should be recorded. Over the course of a year, managers and senior managers should also carry out spot checks on operational activities. These spot checks are intended to check compliance with risk assessments, method statements and departmental policy.

**Proactive record checks** - On a regular basis, managers should check the records that their team members are expected to keep, ensuring that they are up to date and accurate.

**Proactive self-check** - On an annual or semi-annual basis, senior managers should conduct an assessment of their own systems. This should assess compliance with company policy, and overall effectiveness of the systems.

**Proactive external audit** - Using the services of an independent and competent person or organisation, an audit of the management systems should be carried out regularly. Depending on the results, the level of risk exposure and the level of assurance required by senior managers, the local authority can stipulate the frequency of audits.

**Back to basics** - Senior managers must check the effectiveness of systems to give “hands on” experience with operational activities. For example, this may mean a director or senior manager spending time with the refuse collection service in an operational context.

**Data reviews** – Local authorities should regularly review the effectiveness of their systems, including using reactive data such as incident and claims statistics, and pro-active data such as risk-assessment reviews, training schedules, and action plans.

**The following pages offer suggestions for what to look for when considering whether a good safety culture exists in your organisation.**

**Example of good safety culture demonstrated by managers:**






Type of Leadership	Demonstrated by	Effectiveness
<b>Senior management</b>	Some senior managers are regularly seen on site and take part in joint inspections or other activities.	✓
<b>Competency framework for managers</b>	Take responsibility and are accountable for the delivery of objectives and plans.	✓
<b>Supervisory duties</b>	Supervisors are expected to attend 3 site observations/inspections per-day where they will record many safety related matters including vehicle safety and adherence to safe systems. Recording of visits are made on the Supervisor's Monitoring Log.	✓
<b>Monitoring</b>	Statistics are produced internally and discussed every quarter at team meetings, union meetings etc.	✓
<b>Training by managers</b>	The delivery of messages using toolbox talks is known to improve the system of raising awareness of safety.	✓
<b>Employee involvement</b>	Accident and incident statistics provided to crews with the aim is to focus drivers on identified trends and clusters of data and make efforts to ensure everyone is performing in a similar manner.	✓

**Example of poor safety culture demonstrated by managers:**

Type of Leadership	Demonstrated by	Effectiveness
<b>Inconsistency</b>	Continually introducing new initiatives, changes in policy, re-organisation as a solution to all problems.	✗
<b>Favouritism</b>	Personnel habitually 'leap-frogging' line managers and take matters to higher management. This is done because of relationship issues.	✗
<b>H&amp;S Committee imbalance</b>	Committees heavily attended by the workforce (or Union representatives) who in some cases will disrupt the meeting process. Equally, weak line manager participation.	✗

Type of Leadership	Demonstrated by	Effectiveness
<b>Form filling</b>	Paper-based systems result in supervisors being office bound for a significant part of their shift. Daily safety sheets take significant time to complete and are generally regarded as pointless.	<b>X</b>
<b>Failure of feedback</b>	Managers fail to feedback on incident reports and investigations, and complaints.	<b>X</b>
<b>Inconsistency</b>	Continually introducing new initiatives, changes in policy, re-organisation as a solution to all problems	<b>X</b>

**Example of good safety culture demonstrated by workforce:**

Type of Engagement	Demonstrated by	Effectiveness
<b>Competence</b>	Suitably qualified in their work, to appropriate health and safety standards.	
<b>Workforce involvement</b>	Workforce participation and ownership of safety problems and solutions.	
<b>Responsibility</b>	Take responsibility for theirs and others actions - such as reminding colleagues to wear the correct PPE when it is visibly absent.	
<b>Communication</b>	Take part in and actively promote the safety "message".	
<b>Continuous development</b>	Acknowledge and actively participate in the provision of continuous personal development.	

**Example of poor safety culture demonstrated by workforce:**

Type of Behaviour	Demonstrated by	Effectiveness
<b>Task and finish</b>	Only interested in completing the job in shortest possible time.	<b>X</b>
<b>Avoiding participation</b>	Not attending safety training courses, not volunteering for safety committee work etc.	<b>X</b>
<b>Ignoring safety rules</b>	Taking short cuts in process.	<b>X</b>
<b>Failure to wear correct PPE</b>	Habitually failing to comply with basic safety rules.	<b>X</b>
<b>Relationships</b>	Aggressive or confrontational when challenged over safety performance or compliance (such as wearing PPE).	<b>X</b>

# 14. Safety Culture Assessment

## 14.1 Service Analysis

RMP offers a two-step programme intended to support clients in understanding and applying a behaviour-focussed operator education and risk management programme that is line management led. The first step involves a measurement of a client's safety culture using the RMP Safety Culture Assessment Toolkit.

This is followed up by a feedback and training session on organisational culture and how this can affect employee behaviours.

The programme is based upon applied research and evidence for improving safety performance and influencing behaviours. It is intended that it will aid managers, supervisors and trainers to initiate and maintain positive influence on refuse collection operational safety.

For more information contact your local RMP Risk Control Consultant.

### References

- Ref 1 [www.hse.gov.uk/statistics/pdf/fatalinjuries-20.pdf](http://www.hse.gov.uk/statistics/pdf/fatalinjuries-20.pdf)
- Ref 2 [www.hse.gov.uk/enforce/prosecutions.htm](http://www.hse.gov.uk/enforce/prosecutions.htm)
- Ref 3 [www.hse.gov.uk/waste/how.htm](http://www.hse.gov.uk/waste/how.htm)
- Ref 4 [www.hse.gov.uk/pUbns/priced/hsg217.pdf](http://www.hse.gov.uk/pUbns/priced/hsg217.pdf)
- Ref 5 [www.hse.gov.uk/leadership](http://www.hse.gov.uk/leadership)
- Ref 6 [www.hse.gov.uk/waste/services/supporting/la-waste.htm](http://www.hse.gov.uk/waste/services/supporting/la-waste.htm)
- Ref 7 [www.hse.gov.uk/research/rrpdf/rr1128.pdf](http://www.hse.gov.uk/research/rrpdf/rr1128.pdf)
- Ref 9 [www.hse.gov.uk/competence/what-is-competence.htm](http://www.hse.gov.uk/competence/what-is-competence.htm)
- Ref 10 RR1057 Supervisor and team leader competence in roadside waste and recycling collection - [www.hse.gov.uk/research/rrpdf/rr1057.pdf](http://www.hse.gov.uk/research/rrpdf/rr1057.pdf)

## Further information

For access to further RMP Resources you may find helpful in reducing your organisation's cost of risk, please access the RMP Resources or RMP Articles pages on our website. To join the debate follow us on our LinkedIn page.

## Get in touch

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