



Risk control

Managing Risks associated
with Refuse Vehicles



In partnership with



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Introduction

According to the HSE the waste management and recycling industry has grown rapidly in response to environmental concerns within the last decade¹. Kerbside collections of domestic waste can present a significant risk to local authorities, their staff or contractors, 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 must be part of the effective risk transfer process. Providers of waste management have a huge responsibility to discharge, and this guide is intended to assist those providers in managing risks associated with refuse collection services.

Legislation

Under the provisions of the Health and Safety at Work Act 1974, local authorities have a duty of care to workers (whether direct or contracted out) who provide the refuse collection service, and to members of the public who may be affected by the operations.

Corporate Manslaughter and Corporate Homicide legislation may be applied to a local authority should standards fall far below those that would be expected and result in a fatal incident. Senior managers who are actively involved in ensuring their employees wellbeing contribute to the establishment of a positive safety culture that benefits everyone.

Where the service is contracted out a range of checks should be carried out to ensure that the appointed contractor is delivering services in accordance with the contract service level agreement. However not all risks can be transferred.

Statistics

It is estimated that there are around 5,900 SME's in the waste sector with just 50 of those employing 50 or more people across both the private and public sector². A significant proportion of the workforce consists of agency staff and migrant workers. It is estimated that the waste sector accounts for around 0.3% of the workforce in Great Britain³.

In 2021/2022 there was one fatal injury to a worker which is a reduction on the annual average of 5 in the preceding 5

years. 33% of those in the 5-year period were due to contact with moving machinery. By comparison this is around 11 times the all industry average.

For non-fatal injuries, the HSE report that around 3% of workers in the waste sector annually received a non-fatal injury which equated to 3,040 people. For those suffering work related ill-health, it equated to 3.5% or 3,500 people, with 79% being musculoskeletal disorders, stress, depression or anxiety. The remaining 21% were attributed to illnesses such as skin or respiratory conditions.

Risk management and safe operation

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.

There are numerous risks related to waste collection. Alongside Standard Operating Procedures (SOP) suitable and sufficient 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, tasks performed by each crew member, weather conditions and the method of entering/exiting the vehicle.

Serious consideration should be given to work patterns and the adverse influence this may have on worker behaviour and human reliability, such as the adoption of 'Task and Finish' shifts which may encourage refuse crews to operate at speed with the perceived benefit from ending work early.

Each operational risk must be thoroughly assessed by a competent person and controlled as far as reasonably practicable, through both risk assessments and safe systems of work (SSOW).

¹ <https://www.hse.gov.uk/waste/services/message.htm>

² <https://www.statista.com/statistics/320805/uk-enterprises-in-the-waste-collection-and-materials-recovery-sector-by-employment-size->

band/#:~:text=Of%20the%205.9%20thousand%20waste,employed%20less%20than%20five%20people

³ <https://www.hse.gov.uk/statistics/industry/waste-recycling.pdf>

Questions to consider when managing risks

Induction Training	<ul style="list-style-type: none"> Do all new staff (full time and agency) receive induction training whether employed by a client or contractor? Do you maintain evidence that it has been conducted?
Supervisors	<ul style="list-style-type: none"> Are supervisor roles clearly defined? Are supervisors aware of their duties and exercise them? Do client and contractor monitor effectiveness of supervision? Is there evidence of effective procedures for reporting defects and near misses?
Management	<ul style="list-style-type: none"> Do risk assessments meet standards and are they reviewed and updated? Is competence of operators refreshed and assessed?
Vehicles	<ul style="list-style-type: none"> Do the vehicles have 360° vision? Is there CCTV to view working at the rear of the vehicle? Are reversing alarms and beacons checked and working? Is CCTV, mirrors, alarms, beacons, brakes, lights and checked daily and maintained with effective defect reporting? Is the hoist compatible / correct with the type of container used?
Driver, operators and public	<ul style="list-style-type: none"> Is collection of containers from nearside kerb only, to reduce the crossing or working within the road? Is riding on vehicle prohibited other than within cab? Is high visibility clothing adequate and properly worn?

Driver, operators and public (cont'd)	<ul style="list-style-type: none"> Are trained reversing assistants used when reversing in the vicinity of pedestrians?
Environment	<ul style="list-style-type: none"> Are routes organised to avoid areas / times of high risk such as schools at the start and end of the day? Can reversing be eliminated / reduced at depots?
Manual Handling	<ul style="list-style-type: none"> Is there evidence of manual handling training being adapted to include the range of container types & loads encountered? Has the vehicle, loading and sorting equipment been ergonomically assessed? Has the suitability of container for the contents (frequency of collections, waste collected) been ergonomically assessed? Is there an effective process for reporting, replacing or maintaining containers?

Route planning

The local authority will have information that should inform its risk assessment of the route and enable an understanding of the variables that affect the risk. For example, wherever possible, reversing should be eliminated; the collection of bins on roads leading to schools should not be carried out during the school run; and main arterial roads should not be collected during the peak traffic times. For more information on route planning, refer to the HSE website on Transport in Waste and Recycling⁴.

Equipment

Fundamental choices with long term consequences are often made early in the planning for any service – for example the specification of vehicles purchased or hired to carry out refuse collection. So careful thought and thorough consultation needs to be conducted at the pre procurement /

⁴ <https://www.hse.gov.uk/waste/transport.htm>

specification setting stage. External factors, including physical characteristics of waste bins, can also influence the way waste is loaded on to the vehicle⁵.

Insurance

Employers' Liability, Public Liability and Motor (Fleet) insurance covers will all be relevant to waste collection services. As many local authorities carry significant deductibles on these classes of insurance it is likely that financial losses sustained will often be paid for directly from a local authority's self-insurance fund.

Requiring service areas to make a contribution to the self-insurance fund that is proportional to their loss history can prove a powerful incentive to service managers to take action to manage the risks and control financial losses.

Insurance losses are most effectively reduced by taking action to prevent the incident occurring in the first instance. However, there are a number of other actions that service managers can take that will greatly improve the chance of successfully defending a claim and reduce unnecessary claims costs.

For example:

- Reporting all significant incidents and accidents that have the potential to result in a claim to the Insurance Manager without delay. The insurance contract will require notification of significant incidents to the insurer and failure to comply may invalidate the policy cover.
- Conducting a thorough, accurate and well-documented investigation at the time the incident occurs. Limitation periods relating to claims mean that it could be a number of years before the claim is made. However, once a claim is submitted, the local authority is required to respond quickly and effectively. As a result, it is very important that collisions and incidents are thoroughly investigated at the time they occur, and that detailed reports and records are maintained for a number of years.

Contracted out Refuse Collection Services

Many local authorities choose to contract out the refuse collection service. In so doing they seek to transfer financial and legal risks to the contractor. However, a local authority remains subject to the Health and Safety at Work Act 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.

It is essential that when the contract is let operational managers work closely with the procurement team to ensure that the specification is clear and that the selection and award criteria used enable consideration and give weight to the commitment and competency of bidders in relation to the management of health and safety.

Communication and Consultation

The expectations and instructions of senior and operational managers must be communicated effectively to their teams. This may equate to method statements and route maps with hazards identified. This information should be in written form, with language and literacy capabilities borne in mind. Other methods including 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 consultation process in place, ensuring confidentiality if necessary, will increase that understanding.

Competence of the Team

Workers have to deal with a variety of waste materials while encountering risks that are not within the employer's direct control. Physical management and supervision is more difficult than within fixed workplaces.

Because of the peripatetic nature of the workforce and the dynamic environment in which they work, local authorities must ensure that all the operatives are competent for the tasks and situations they encounter. Training will vary depending on role, but each team should have a supervisor or senior operative who is responsible for the on-the-job supervision of the work.

PPE and Hand Washing

Local authorities should provide a method for workers to be able to clean their hands. Best practice recommends hand wash stations on every vehicle, but at present, gels and wipes are acceptable. Research being carried out by the Health and Safety Laboratory may recommend national adoption of best practice⁶.

Refuse collection employees are commonly provided with a uniform (or equivalent), safety shoes, Hi-visibility clothing gloves (powdered latex should be avoided where-ever possible) and in some cases ear defenders. Each item of

⁵ <https://www.hse.gov.uk/waste/transportlifting.htm>

⁶ https://www.hse.gov.uk/foi/internalops/sims/manuf/03_12_11.htm

personal protective equipment (PPE) should be clearly justified and specified through a risk assessment.

There must be clear communication to staff regarding expectations that they wear the PPE provided, how the equipment is to be maintained and stored and how to report any lost or damaged items without delay. Effective systems must be in place for workers to access replacements and to monitor compliance, and for dealing with non-compliance⁷.

Responding to Emergency Incidents

There should be an assessment to address collection of waste, particularly when dealing with hazardous substances, and potentially dangerous items such as weapons or munitions. Escalation to a supervisor or manager may be required before the physical removal takes place. This relies on the ability of the refuse collection staff to recognise these incidents and respond appropriately.

Occupational Health

Refuse collection staff can be exposed to a wide variety of substances through their daily work. An increased level of occupational health surveillance is required, and which may include vigilance in relation to drugs and alcohol use due to the risk factors involved in the work, including the operation of heavy machinery.

An Occupational Health team must have systems in place and apply more specific health checks for the drivers of waste collection vehicles. There is detailed advice on medical standards of fitness to drive, published by the Drivers Medical Unit of the Driver and Vehicle Licensing Authority (DVLA)⁸.

Occupational Health practitioners should be able to help prepare an appropriate plan for health surveillance.

Checking Compliance

For contracted out services, monitoring is required to ensure that the contractor is meeting the Service Level Agreement, and that the local authority is getting value for money, including the protection of the contractor's employees and others. There are many ways of achieving this, from informal meetings, reviews of incidents and unannounced spot checks through to third party audits of the work that is being carried out.

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 reductions in risk expected.

There are a number of methods that can be used to ensure compliance (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 in place.

Reactive investigations

Detailed investigations should be carried out into incidents and near misses to ensure that the controls in place at the time met the required standards. Investigations should be carried out as soon as possible after an incident takes place, and thorough records should be kept. Claimants have a number of years from the accident date to submit a claim, and if adequate information is not gathered at the time of the incident through an investigation then this will seriously impede the local authority's ability to defend the claim.

Proactive Spot Checks

On a regular basis, managers should check on the work of those that they supervise to ensure that it meets the required standards. These checks should be recorded. Over the course of a year, managers and senior managers should also carry out spot checks on operational activities. In terms of safety, these spot checks are intended to check compliance with risk assessments, method statements and relevant organisational and departmental policies.

Proactive record checks

Managers should regularly check the records that their team members are expected to keep, to ensure that they are up to date, accurate and do not appear to have been filled in incorrectly.

Proactive self-check

On an annual or semi-annual basis, senior managers should conduct an assessment of their own systems. This should not only assess compliance with company policy, but the overall effectiveness of the system.

⁷ <https://www.hse.gov.uk/ppe/index.htm>

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<https://assets.publishing.service.gov.uk/government/uploads/system/>

[uploads/attachment_data/file/1084397/assessing-fitness-to-drive-may-2022.pdf](https://assets.publishing.service.gov.uk/government/uploads/attachment_data/file/1084397/assessing-fitness-to-drive-may-2022.pdf)

Proactive external audit

Utilising the services of an independent and competent person or organisation, an audit of the management systems should be carried out on an appropriate basis. Depending on the results, the level of risk exposure and the level of assurance required by senior managers, a local authority can decide on an appropriate duration between audits. We would suggest at least once every 3 years.

Back to Basics

An excellent method of checking the effectiveness of systems is for senior managers to get "hands on" with the operational activities. This might, for example, mean a director or senior manager spending a day as a Refuse Collection Operative (subject to receiving the necessary health-checks, information, instruction and training etc).

Data Reviews

Local authorities should regularly review the effectiveness of their systems, including using data such as accident and claims statistics. This can enable trends to be identified.

Conclusion

Waste collection services present a number of significant risks with real potential for serious injury and even fatalities. Where the service has been outsourced, the local authority retains the duty to engage a competent contractor and ensure that standards are met.

The risks presented can be substantially mitigated through careful planning and the implementation of robust risk management practices including risk assessment. Showing moral leadership and ensuring legal compliance will benefit the reputation of local authorities.

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

For more information, please contact your broker, RMP risk control consultant or account director.

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