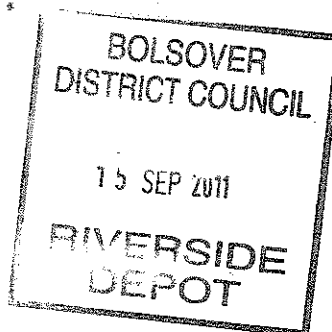


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Field Operations Directorate

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HM Principal Inspector
Sarah Jardine

For the attention of Mr Stuart Tomlinson

Date: 14th September 2011

Dear Sir

HEALTH & SAFETY AT WORK ETC ACT 1974

I refer to my visit to your premises on 12th September 2011 when I was accompanied by my colleague Mr Edward Walker, HM Inspector of Health and Safety. You will recall that the purpose of our visit was to review and assess your policies and procedures regarding waste services procurement and management and I am writing to confirm matters that were discussed at that time. These are not necessarily all the matters identified as requiring attention during the inspection, but refer to the most significant topics that were discussed during our visit. It remains your responsibility to manage your contractors and ensure they are identifying workplace hazards and maintaining effective safeguards to minimise those risks when working on your behalf.

The majority of our visit was spent discussing your arrangements with H W Martin Limited, who undertake your kerbside collection of recyclable materials. You explained that this service is provided as part of a five year contract which commenced last year and to which a neighbouring authority, North East Derbyshire District Council, are also party to. As your collection of residual material is still in house, we did not cover your management of health and safety in this area in any great detail.

From the information you provided I am satisfied that occupational health and safety was an integral part of your procurement and selection process, and that the topic was given due weighting and consideration in your overall deliberations.

However while you maintain a close working relationship with H W Martin Limited to maintain effective service delivery and you have observed some good practice during announced visits to their two static locations, there is no formal framework for the management, monitoring and review of their health and safety performance and you were unable to confirm whether your contractor was adhering to some of its undertakings given when the contract was awarded. Therefore you should consider what arrangements you can put into place to ensure that your contractor is managing risks safely.

To assist with this I wish to refer you back to the Inspection Proforma used by ourselves during the visit and which is available from the hyperlink included in the e-mail sent to Mr Lowery. Together with the rest of its parent document, SIM 03/2010/04, it should help you identify the types of health and safety topics that you should consider when assessing your contractors performance. Examples include the content of their induction training, their levels of supervision on route work, condition of vehicles, employee compliance with instructions, types of clothing issued and worn, training regarding manual handling and reversing vehicles and so on.

There are a number of different ways you can monitor and influence performance in these areas, most notably covering them as part of your existing agenda item regarding health and safety in your regular meetings with H W Martin, which have been either weekly or monthly during the contract, due to service variations and other considerations. Alternatively you could establish a contract safety review committee with specific terms of reference.

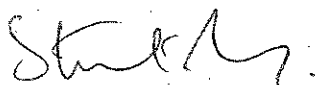
Irrespective of the mechanisms used, you should request evidence of planning, competency and performance, and not just in areas such as those given above, but with regard to key indicators such as accident/incident/near miss occurrences. You may also wish to view minutes of their health and safety committee meetings, or even attend them. Finally, you are aware of how useful periodic observation of collection and depot work can be in forming judgements on health and safety and you should plan what role this will play in your overall approach.

As explained during the inspection, my colleague and I also will wish to observe some site work, of both kerbside and waste transfer/depot activity, and I will contact Mr Lowery in approximately three months to arrange this. In the interim, please consider how you will improve your monitoring arrangements with regard to H W Martin Limited and write to me by 9th January 2012 summarising the actions you will undertake. Although your correspondence does not necessarily have to take the form of a formal action plan, it should detail timescales, frequencies and roles and responsibilities.

As required by section 28(8) of the Health and Safety at Work etc. Act 1974, I have included a copy of this letter for the attention of your employees, via Mr Sandbrooks. Although the selection and management of contractors for waste collection services does not have a direct impact on his members employed by the Authority, I trust the topic is nevertheless of interest.

In the interim, if you require any further information or clarification of the issues, then please contact me at the above address.

Yours faithfully



Stuart Parry
HM Inspector of Health and Safety

cc Mr Adrian Lowery
Mr Steve Sandbrooks