

SAFETY ADVISORY GROUP 10 JUNE 2009

AGENDA ITEM 4 – COLLECTION OF MATERIAL FROM RECYCLING BRING SITES

OBSERVATIONS OF UNISON APPOINTED SAFETY REPRESENTATIVE

The HSE Inspector's report

The inspector's opinion is that *"the risk of injury to operators individually handling Eurobins is high and an appropriate means of reducing the risk would be to ensure that two operators perform this task."*

It seems to me that the key word here is "ensure": this means to "make safe or certain" not merely to provide opportunity, the take up of which is dependent upon choice. In short, the current system whereby operatives "can call on assistance when faced with having to move a bin....." is not the same as ensuring that assistance will **actually** be available if and when an operative deems it necessary. The HSE inspector acknowledges this in paragraph 4.1 of his report in which he considers it "prone to failure".

In paragraph 3.6 he acknowledges that there has been a relatively low number of injuries associated with this activity but attributes this to the fact that there is a small number of operatives who carry out the task regularly, rather than the level of injury risk which he variously describes as "high", "higher than average", "increased" and "significant". He concludes that the task "requires two operators in order for the risks to be kept to a lower level" and that this is underpinned by effective training and awareness.

He acknowledges that there are several other risk control measures in place but expresses doubt about the effectiveness of site maintenance because of the extent to which the council could monitor standards and ensure repairs at sites which are privately owned.

The Head of Operations' report

Paragraph 2.2 – *"the revised arrangements enable employees to call for assistance"*. This does not mean that operators will actually call for assistance especially if they have any doubt about the practical availability of that assistance were they to do so.

Paragraph 2.3 – *"incidents have arisen when the revised procedure was not followed correctly"*. This poses the following questions:

Why wasn't the procedure followed?
Was it because the procedure isn't workable?

Paragraph 3.4 – the operating cost of the service would increase by over £40k per annum if the operation was a two person activity.

Does this sum assume two operators **and** two vehicles attending each site?
Wouldn't a system involving two operators on the same vehicle be cheaper?

Paragraph 3.5 – “*the HSE report doesn’t reflect the existence of the arrangement whereby employees can call on assistance*”. In fact, the HSE report does acknowledge this in paragraph 4.1.

Paragraph 3.6 – *the current arrangements “ensure that assistance is available”*. The discussions that Christine and I had with the two operators suggest that this is not the case.

Paragraph 4.2 – “*the remedial measures.....provide a managed solution.....*”
The central plank of the council’s position is the ability of the operators to call for assistance when they deem it necessary **and** an assumption that said assistance will actually be available. The discussions that Christine and I had with the operators suggest that this is not a workable arrangement and as such undermines the council’s position.

Conclusion

The HSE inspector’s report states that the risk of manual handling injury is high and advocates team handling as an effective and straightforward risk reduction measure. Notwithstanding the increased cost of these arrangements, the council would find it very difficult to demonstrate compliance with its statutory duties were it not to introduce team handling. Furthermore it would also be difficult to defend any personal injury claims that arose out of single person operations.

Discussions with the operators suggest that calling for assistance is not a workable arrangement. Christine and I have referred to this in more detail in our discussion notes and she will no doubt share those views with the group at the meeting. I’m bound to ask whether the actual practicability of the arrangements was discussed with the operators prior to implementation.

A handwritten signature in black ink, appearing to read 'Keith Lawson', with a horizontal line extending to the right.

Keith Lawson FCIEH MSc

4 June 2009