



**Somerset
Waste
Partnership**



Health & Safety in Procurement for Recycling and Refuse Collection

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The Somerset Waste Board

- Somerset is a traditional two tier County
- SWB = a **Joint Committee** of the six partners
 - Came into effect on 1st October 2007
 - Delegated responsibility for all waste collection and disposal matters
 - Two members from each of the six partners



The Single Client Unit

- One unit dealing with all waste functions.
- Somerset County Council are the **Administering Authority**.
- Staff from districts transferred to SCC.
- Separate office and identity to SCC.
- Overseen by Strategic Management Group



Who's responsible?






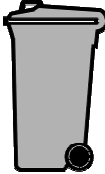
- The Administering Authority is primarily responsible as employer under health and safety legislation for the actions of its employees.
- The AA is entitled to be indemnified by the other Partner Authorities under the cost-sharing agreement for any additional costs arising from performing that function.
- The SWB is a joint committee with no separate legal identity on its own account.
- The various waste collection and waste disposal functions which SWB was appointed to discharge therefore remain the ultimate responsibility, respectively, of the District Councils or the County Council.

Single Collection Contract (1)

- One contract covering the whole of Somerset.
- Let to ECT Recycling CIC (Now May Gurney CIC).
- 7 years, expandable up to 21 years.

Single Collection Contract (2)

- Commenced October 2007 - 3 different systems.
- All kerbside sort.
- 3/5 have weekly recycling with separate food waste collections & fortnightly refuse.
- 2/5 have fortnightly recycling with weekly refuse.
- Rounds optimised (ie made more efficient) after six months.
- Aspirations to harmonise (ie have same service).

SORT IT	Week A	Week B
Food		
Recycling		
Garden		
Refuse		



Single-Pass Recycling Collections



Procurement started in 2004

- **Recycling collections in 2004**
- 1 LA with outside Contractor.
- 4 LAs with separate contracts with one contractor.
- Joint procurement of contracts in 2001/02.
- **Refuse collections in 2004**
- 1 LA with DSO.
- 4 LAs with separate contracts with same contractor.
- **All Contracts** had a variety of start dates and specifications.

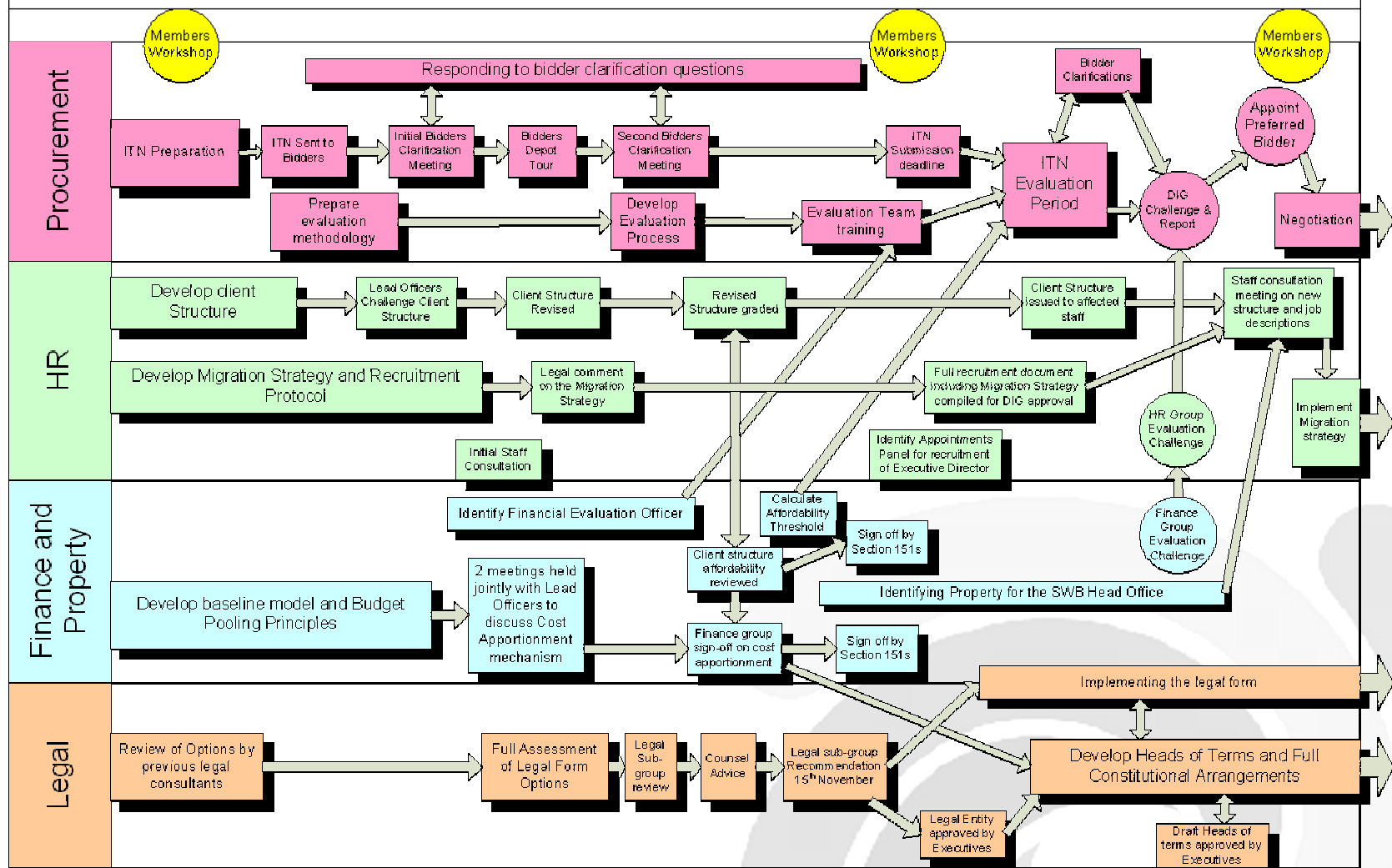
From the outset....

- The task of procuring the waste collection and recycling service began in 2004, before the partnership was formally constituted and before the formal procurement process began.
- Lead Officers sought specialist advice on health and safety to ensure they understood all the issues.
- The entire procurement process and associated documents and evaluations reflected this understanding of health and safety.

Procurement Stages

Advertisement in Official Journal of European Union	
Pre-Qualification Questionnaire (PQQ)	
PQQ Evaluation of Eols	12
Invitation to Submit Outline Proposals (ISOP)	7
ISOP Evaluation	6
Invitation to Negotiate (ITN)	
ITN Evaluation	4
Adoption of Preferred Bidder	1
Negotiation	
Contract Award	

SWP Project Update – Workshop in June 2006 to Workshop March 2007



Health & Safety Process in the Contract Procurement

- **Specialist H&S advice** to support process:
 - Taunton Deane H&S inspection as part of National HSE Intervention 2005
 - TDBC H&S Advisor to SWP Procurement.
- **Share & develop Lead Officer understanding** of current H&S issues.
- SWP **documents** reflect shared understanding of H&S.
- SWP **evaluations** reflect shared understanding of H&S.

Pre-Qualification Stage

- **Purpose:** To seek interest from organisations with the legal status, financial standing and experience and expertise necessary to undertake this contract.
- **Health & Safety Questions:** H&S Policy, accidents & incidents, improvement notices, prohibition notices, and convictions under H&S legislation.
- **Participation:** 12 PQQs returned.
- **Outcome:** 7 organisations met overall requirements to proceed to next stage.

Invitation to Submit Outline Proposals

- **Purpose:** Outline proposals give a much clearer sense of fit between SWP contract objectives and contractors approach.
- **Participation:** 6 ISOPs returned.
- **Health & Safety Question:** What do you see as the key health and safety issues relating to providing the collection and recycling service? How do you propose to ensure that the highest possible standards of Health & Safety practice are achieved and maintained by the contractor?
- **Outcome:** 4 bidders met overall requirements to proceed to next stage: Biffa, ECT, SITA, Veolia.

Invitation to Negotiate

- **Purpose:** To secure costed legally binding bids which set out in detail how all elements of the contract would be carried out and resourced.
- **Workshop** with Lead Officers to explore their perceptions of key H&S issues relating to this contract.
- **Tender evaluations** by Health & Safety Sub-Group.
- Procurement Team met with HSE.
- Cross-reference HSE Waste Inspection checklist and checklist of issues identified in the Bommel Report.
- **Outcome:** to weave Health & Safety consistently into the documents and ask appropriate questions of the Bidders.

Conditions of Contract

- Responsibilities for ensuring staff are suitably skilled, trained, notified and instructed.
- Reporting requirements.
- SWB can default contractor for breaching H&S legislation.
- SWB **cannot** issue Notice of Change that would materially and adversely affect the health and safety of any person or would requires the Services to be performed in a way that infringes Legislation.

Contract Specification

5.17 Communications

5.17.5 It shall be the duty of the Contractor to ensure that:

vi) In the event of a fatality or incident reportable under RIDDOR the Contractors Representative will conduct an urgent review with the SWB Contract Manager on the implications for the delivery of the service.

11.3 Performance Reporting

11.3.1 Daily Records The Contractor shall submit to the SWB Contract Manager on each working day records of all instances where:-

d) There have been any health & safety incidents.

2½ years on...

- ECT Recycling taken over by May Gurney in June 2008
- H&S is a High Profile Issue for May Gurney
- Periodic audits of depots
- On street assessment of collection activities.



2½ years on...

- Health & Safety is a Standing Agenda Item for
 - Operational meetings
 - Strategic Management Group
 - Somerset Waste Board
- Health and Safety Advisory Group (HSAG)
 - Continued relationships with health and safety professionals within the partner authorities.
 - Development of our relationship with the HSE and the waste management sector.
 - Reviews accident and near miss data, debates issues arising from new guidance or HSE activities



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Key Conclusions

- Clarity that responsibility for the safe operation and delivery of the contract rests with the Contractor;
- The Client should however create a clear framework through
 - the procurement, and
 - contract management process to support the contractor in delivering their responsibilities.
- H&S must be owned by the whole Evaluation Team & the client organisation.
- H&S focus should start before the procurement & be woven into every stage including management of whole contract.



Somerset Waste Partnership

www.somersetwaste.gov.uk