

EMPLOYEES' SIDE REPORT ON THE SENECA WASTE TRANSFER STATION**SUMMARY AND DECISION REQUESTED**

Unison would request that resolution to this issue be undertaken through a peer review which seems to be the custom and practice procedure of this forum; Unison cannot and will not accept a situation that has serious safety consequences for our frontline staff that have no control over the working practices and site conditions.

CHRONOLOGY

Sets out the chronology of the issue including when and with whom the item has previously been raised and what the outcomes were at each stage e.g.

DATE	ACTION	OUTCOME
01/03/12	One Team Meetings where the SENECA matter is raised again.	After dust monitoring tipping to restart on 5th March 12
01/06/12	Environment Health and Safety meeting Attended by RT and GM. RT was told he would be banned from further meetings by JE.	
16/07/12	Letter Bill Beardon to JE re dangerous conditions at SENECA	
19/07/12	One Team Meetings SENECA - matter raised again.	Meeting arranged
19/07/10	One Team Meetings SENECA - matter raised.	Confirmed visit - will review site again with HS advice.
19/07/10	Letter JE to Bill Beardon expressing confidence in "experts" from other Councils who are content with Facilities.	Continue monitoring and take necessary action if required.
23/07/12	Letter GM to JE regarding decision at JCC by JE to close matter down and reject consultation. Branch will issue a hazard notice and inform HSE.	
24/07/12	Letter GM to JE	
02/08/12	One Team Meetings SENECA - matter raised.	Meeting arranged.
06/08/12	Letter Gary Martin to JE re lack of response to unsafe conditions at SENECA.	Unison Issued a Hazard notice.
09/08/12	Letter JE to GM and SC	JE states the Environment Agency issued an improvement notice resulting in site closure
09/08/12	Letter GM to JE x 3	
03/08/2012	Unison Hazard Notice	Issued to JE
16/08/12	One Team Meetings SENECA matter raised see attached notes.	Management states that the site was closed by West London waste and Environment Agency
23/08/12	Harrow Observer article commenting that the Seneca site was served with an enforcement notice on Friday 3 rd Aug 12 and is considering further action as the operator has not complied.	

28/08/12	E mail JE to Steve Compton	Regarding H & S meeting 01/06/12
01/06/12	Enterprise & Environment H&S	Agenda

REPORT

AUTHOR: Harrow Unison LG Branch:

Unison is extremely concerned by the inaction of senior managers and the Interim Corporate Director over serious safety issues raised by staff regarding the SENECA waste transfer station site at Wembley. The branch had been approached by a number of waste crews (staff) saying that there were serious hazards at the site which were being constantly ignored or dismissed by both on site SENECA and also Harrows responsible management.

The potential for a serious vehicle or personal injury was extremely high as vehicles had little traction on the greasy and slippery floor surfaces (vibrated concrete surface). It was only a matter of chance that a vehicle collision with a pedestrian, building support columns or another vehicle did not happen. Indeed there were several near misses.

When stepping down from the vehicle members of the crew were at risk from slipping or tripping on the slippery floors and trudging through disposed waste.

The dangers were compounded by the 100% humidity and high temperatures within the site. This caused windscreens and mirrors to immediately mist up on entering the building therefore increasing the probability of an accident. Any reasonable person managing LGV vehicles knows of the problems with blind spots on vehicles of this size (transport qualification).

Waste crews commented on the appalling smell within the SENECA building even though they were used to day to day contact with waste matter. A further hazard was from flying insects and other vermin attracted by the rotting residual waste which attached to the clothing of individuals and flew off into the cab of the vehicle when leaving and distracted the drivers and crew members.

Little or no effort was made by the site managers to mitigate the on site hazards even after verbal complaints were made.

In our opinion the SENECA building is unsuitable for the purpose for which it is being used and little or no real effort has been made to provide suitable adaptations such as temperature and humidity control or dust extract. Floors are not non slip or have correct falls for drainage and very little household maintenance effort is made to clean up floors. The waste material must be left rotting on site for some time to attract insects and other vermin.

There were urgent representations by Unison in letters or at meetings regarding the severe risks and hazards associated with the SENECA site. Despite the representations followed by a hazard notice, senior management and the Interim Corporate Director has failed to take any meaningful or reasonable action. Eventually the matter was taken out of the Director's hands by the Environment Agency presumably because complaints from residents and other users about the smell. We know that there has been no sensible representation from Harrow's management which is shown by the response received by this Union from the interim Corporate Director.

We also consider our Health and Safety Department were seriously deficient in their actions, advice and their "monitoring" of the site which is not supported by any documentation. We now formally request the credentials of the H&S service manager. All of the above fails dismally to comply with the Health and Safety at Work Act 1974 (providing a safe working environment).

CONTACT DETAILS:

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ONE TEAM MEETING

Thursday 01st March 2012
Unit 6, Central Depot
Time: 1:30 pm (TUs requested)

Notes & Meeting

Present: DC, AW, GM, SC, SB, JH

Apologies:

#	Notes	Action
1	<p><u>Heath & Safety</u></p> <p>Discussed the C A Site rules, working group recommendations and the action taken to date.</p> <p>AW reminded regarding Ruislip Tip also discussed with housing.</p> <p>No other reportable incidents accidents.</p>	AW
2	<p><u>Series Update</u> SEMECA</p> <p>Information regarding dust monitory conducted by independent assessors resulting in tipping to recommence as from Monday 5th March</p> <p>Safe operating system now in place.</p>	Info
3	<p><u>Flats Recycling</u></p> <p>Project progressing well</p> <p>Bins being delivered target is to get these done by end of March</p>	Info
4	<p><u>Office Accommodation</u></p> <p>Discussed the plan regarding making more room will have a timeline by next meeting.</p>	JH
5	<p><u>PRISM & SE</u></p> <p>Clarification regarding consultation arrangements JE to discuss with TUs at DJC on 13th March.</p>	JH

6	<u>Training Plans</u> IPADs now being completed by T/L which will inform training plans for 2012/13	Info
7	<u>Outstanding corresponds</u> JH various regarding S.E. which will be responded to JE at DJC meeting	JH
8	<u>Secondment Arrangements</u> T. Mc confirmed in post for 3 months	AW
9	<u>IIP & IPADs</u> Team leaders doing these. All agreed that this was an excellent way of doing IPADs IIP on track for IIP inspection	JH
10	<u>AOB</u> AW to arrange for 3 drivers to visit Access Harrow JH to meet T/L waste Vouchers for glasses DD	AW JH DD

Community and Environment Directorate Health and Safety Meeting

2.00 pm **1 JUNE 2012** Committee Room 3 Civic Centre

Meeting Notes

1 Introductions and apologies

Attendees: John Edwards, [REDACTED], [REDACTED] (for [REDACTED]), [REDACTED], [REDACTED], [REDACTED], Gary Martin, Bob Thomas (described as Unison notetaker), Sanjay Karia. (GM and BT arrived late during item 3)

Apologies: [REDACTED], [REDACTED], [REDACTED]

2 Notes of previous meeting/ issues outstanding

[REDACTED] stated that the TU's had raised the issue of Seneca again at the last Corp Health and Safety meeting, although it was described as a closed issue in the notes of the directorate meeting of 23 Feb following the information provided by [REDACTED]. [REDACTED] described again the actions that had been taken by Harrow, independent of WLWA and the other constituent boroughs. [REDACTED] confirmed that deliveries were now taking place to Seneca, but the situation would continue to be monitored.

3 Q4 Accident statistics

The accident statistics were reviewed and discussed with no actions identified.

4 Issues to be escalated to Corporate Group Meeting

None

5 Other business

1. Gary Martin suggested that the work being done by Capita put staff at risk, for example the setting of formal beats for the cash collectors was not a safe working practice. No one at the meeting had knowledge of this work and GM was advised to raise any concerns he had through the formal channels in place for each specific Business Transformation project.
2. Gary Martin raised the use of the Seneca waste disposal site again, but was advised that this issue had been discussed prior to his late arrival. John Edwards confirmed that issue was now considered closed, but arrangements at the site would continue to be monitored.
3. Gary Martin stated that Unison would be providing a written response to the Corporate Health Safety report on the asbestos fly tipping. [REDACTED] reminded Unison that any suggestions for improvements at the CA site could be raised through the CA Site Working group.

4. [REDACTED] reminded that audits using the new tool were expected to be completed by the end of June.
5. Sanjay Karia asked what was happening to the Scorecard approach. [REDACTED] stated that the Audit Tool reporting would subsume the need for scorecards.
6. John Edwards advised Bob Thomas that his presence had been indulged at this meeting, but reiterated that it had been made clear to him by HRD that he was not permitted to attend internal meetings of the Council because he was not an employee. John Edwards advised him not to attend future meetings otherwise he would be asked to leave and escorted from the premises if he refused. [Subsequent to the meeting HRD confirmed that this was a appropriate response],
7. [REDACTED] was scheduled to leave the interim role that he had been performing for the Council in Corporate Health and Safety and the meeting asked for thanks to be passed to him for his good work.

Varsha Patel

From: Varsha Patel

Sent: 01 June 2012 16:14

To: '██████████, Bob'

Cc: '██████████'; Gary Martin

Dear John,

I feel compelled to write this email to you, unfortunately I was unable to attend a meeting this afternoon with Gary Martin (Environmental Divisional Health & Safety Meeting) as I needed to attend a personal matter. I asked Bob Thomas to attend the meeting as a note taker on my behalf. Bob attended the meeting and what was relayed back to me was that Mr John Edwards Divisional Director stated at the end of the meeting that, "if Bob attended again he would be thrown out and escorted off the premises", in a very aggressive and rude manner. Bob did not in any way participate in the meeting apart from taking minutes. I am quite astounded by this approach to Bob as he is a Harrow Unison branch employee in much the same way that I am, yet he is treated totally different to me. This is outright and direct discrimination.

How would it be if we were to treat the council's contractors and agency staff in the same manner? Bob Thomas apart from being an ex member of staff, is employed by Unison (as I am) to assist the branch in its negotiations and representations on behalf of its membership. It appears that certain senior managers do not wish to embrace the concept of 'partnership working'

Can you please clarify this matter as I do not wish to be the subject of the same treatment by senior council officers, nor do I wish to destroy the good working relationship that I have with the rest of the senior management team at Harrow. Bob was extremely upset by John Edwards's comments.

Kind regards

Varsha.

22/08/2012



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Branch Secretary: Gary Martin

John Edwards
Director
Community and Environment
Civic One
Date 16 July 2012

Dear John

Harrow Unison Comments on Seneca Wembley Waste Site

We are now receiving reports from members of staff complaining about conditions at the above site. Firstly despite assurances to the contrary from the site management air borne dust is increasingly a problem. The promised monitoring appears not to be identifying the problem and we are not aware of any developments such as effective extract ventilation. Without this we expect the problem and consequent health risk from dust will remain.

Additionally damping down the site has now caused another concerning problem. Once dust settles on the floor in a dampened state it creates a situation regarding vehicle traction. One of our members reported a near miss with one of the premises structural points where the vehicle nearly collided with a support column due to lack of traction. Also we have complaints that when stepping down from the cab there is a slippery surface possibly from damp waste material with risk of falls and injury. The premises should be using adequate floor cleansing equipment to ensure that vehicles can dispose of their loads safely.

Before we have an accident or continuing health risk on site can we have an urgent joint and independent review with monitoring of site conditions done without notice to the site? If this is not possible consideration should be given to our staff using a different facility? At the last DJC without providing any supporting documentation you stated that you had closed all issues regarding SENECA. You appear to have little regard for the health and safety of the front line staff and their required vocational professional licences. It is completely obvious you have no knowledge of the transport industry. We therefore hold you fully responsible for any adverse outcomes.

Bill Beardon



Assistant Health and Safety Officer Harrow Unison L.G. Branch
CC – ~~Chris Rice~~ – ~~Janet Johnson~~ – ~~Alan Whiting~~

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Harrow UNISON:



ONE TEAM MEETING

Thursday 19th July 2012
Unit 6, Central Depot
09:00 Hours

Notes & Meeting

Present: JH, AW, DC, SC, GM, SB

Apologies:

#	Agenda item	Action
1	<p><u>Health & Safety</u></p> <p>SENeca Confirmed visit to Seneca will review site with H&S advice again. JE responded to letter. Asbestos training with Unison being arranged. No other H&S issues.</p>	<p>AW</p> <p>JP</p>
2	<p><u>PRISM. ADM.</u></p> <p>Noted that employees invited to various meetings and could not attend. JH to rearrange times of these. Progress ongoing regarding the development of the business case</p>	<p>JH</p> <p>Info</p>
3	<p><u>TU Forum</u></p> <p>First meeting held, Schedule of future meetings established. No matters to rise at this meeting.</p>	<p>JH</p>
4	<p><u>Plan L&D</u></p> <p>Currently exploring ideas regarding how this is communicated to staff. JP to meet with SC & SB to go through this</p>	<p>JP</p>
5	<p><u>Torch Relay</u></p> <p>Many volunteers from PRS will be helping on the day. JH thanked all those involved.</p>	<p>JH</p>

6	<u>T & Cs Update.</u> GM confirmed that there is currently on impasse possibly leading to a ballot of members	GM
7	<u>Inter Authority Agreement</u> JH actively pursuing this will feedback of next meeting	JH
8	<u>Recruitment update</u> Advert will be out next week	Info
9	<u>Newsletter</u> Ideas, comments etc. welcome for the next newsletter.	Info
10	<u>AOB</u>	

ONE TEAM MEETING

Thursday 19th July 2012
Unit 6, Central Depot
09:00 Hours

Notes & Meeting

Present: JH, AW, GM, SB, SC

Apologies:

#	Agenda item	Action
1	<p><u>Health & Safety</u></p> <p>Information regarding CA site incident, more information to follow Series – Meeting arranged, information to TUs regarding fire assessment report in craft will be circulated</p>	JH AW
2	<p><u>PRISM. ADM.</u></p> <p>SC stated that a reply will be sent Following latest DJC where this was discussed</p>	
3	<p><u>TU Forum Matters arising</u></p> <p>Latest meeting 26th July no matters to raise SC to raise issues with MW</p>	SC
4	<p><u>Plan L&D</u></p> <p>Session with SC & SB to discuss there L&D plan points raised which will be noted</p>	JH
5	<p><u>Torch Relay</u></p> <p>Thanked all staff involved A great day for all staff and residents</p>	Info

6	<u>T & Cs Update.</u> Discussed where we are with ballot how we need to look at way of mitigating the impact of these changes.	JH GM
7	<u>Inter Authority Agreement</u> Meeting arranged with Barnet future info to follow	JH
8	<u>Recruitment update</u> Signed off on all documents adverts to be out shortly No appointments until further discussions	JH
9	<u>Newsletter</u> Draft to discuss at next meeting	Info
10	<u>AOB</u> Emerging issues regarding budget reduction Open discussion as to how we are going to make the savings	Info

Environmental Services
Divisional Director – John Edwards

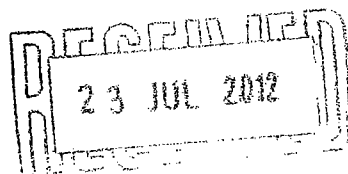
Bill Beardon
Assistant Health and Safety Officer
Unison

Date: 19 July 2012

Our ref:

Dear Bill,

Seneca Materials Recycling Facility



Thank you for your letter dated 16 July 2012.

I find it difficult to reconcile your comments about our approach to Health and Safety and our engagement on the Seneca waste site, where Harrow Council's waste managers and corporate health and safety officers have been determined to ensure the safe use of the facility.

The facility is arranged through the West London Waste Authority who do have the ability to direct us where to take waste. The caveat is that the facility we are directed to must be legal and safe. You will be aware that we suspended delivery to the site for significant periods last year and would have no hesitation in doing so again, if conditions were assessed as unsafe. We did this in the context of the health and safety experts for other Councils expressing themselves content with the facilities. The Harrow refuse service incurred significant additional costs and a loss of recycling performance through not using the site, but health and safety is paramount to us.

The arrangements at the site continue to be monitored and we take action as we feel necessary to ensure safety.

Yours sincerely,

John Edwards
Divisional Director - Environmental Services



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Branch Secretary: Gary Martin

John Edwards
Director
Community and Environment
Civic One
Date 23 July 2012

Dear John

Harrow Unison Seneca Wembley Waste Site

Your response to Bill has been wholly unsatisfactory as was your decision at JCC to close the issue down and reject further consultation. We require you to urgently provide the Branch with the minutes of the last JCC so we can represent further on an issue of grave concern to the health and safety of our members. Since you have closed further debate we have no alternative but to escalate our concerns to higher authority.

Your complacency given the serious risk to your staff is staggering since if there was competent monitoring the issue would have been obvious and resulted in remedial action. Far from health and safety being paramount we doubt it even appears on your radar.

We are sceptical about how much confidence we can have in the "safety experts" expressing themselves content with the facilities since they seem to have missed the obvious as did our own safety "experts". Perhaps this says more about the quality of safety experts that you seem to rely on. These "experts" including our own seem not to have appreciated that the lack of ventilation, dust and slippery floors.

We have verbal evidence now from 5 drivers all confirming the adverse conditions and new evidence has been provided that even the site fork lift truck has difficulty finding traction and steering. The warehouse is evidently unsuitable for the purpose and the smooth floors and high humidity are all contributory factors to the risk. The site managers are evidently the original warehouse structure is being used beyond its original design (surely a matter for the local authority planning department).

Upon driving into the building the windscreen mists up thus restricting vision and the restricted braking ability on the slippery floors adds to the hazard.

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Harrow UNISON:



Your own Service Manager has visited the site recently so you cannot therefore be unaware of the hazards. We have no confidence in your statement that the site continues to be monitored or of your judgement in taking action you feel necessary.

We expect these safety hazards to be rectified within one week or a hazard notice will be issued.

We are not prepared to wait until there is a serious accident and should these hazards not be rectified a.s.a.p. we will copy the hazard notice and correspondence to the HSE. You may feel however you have an additional and wider responsibility to inform the HSE, other Boroughs and the WLWA given the escalating evidence of the hazards. It would of course demonstrate your wider evidenced concern for health and safety rather than the narrow and parochial approach based on mere rhetoric.

Gary Martin

Branch Secretary Harrow Unison L.G. Branch

CC – ~~Tony Whiting~~ – ~~Simon Rice~~ – ~~John Hickman~~ – ~~Alan Whiting~~ – Bill Beardon – ~~John~~
~~Malcolm Unison Region~~

~~_____~~

~~_____~~

~~_____~~

~~_____~~

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Branch Secretary: Gary Martin

John Edwards
Divisional Director
Enterprise and Environment
Middlesex Suite
Civic 1
Station Road
Harrow
Middlesex

24th July 2012.

Dear Mr Edwards,

Re: Seneca Materials Recycling Facility

Harrow Unison LG formally responds to your letter date 19th July 2012 regarding our initial letter Re: serious Safety Concerns. The content of your reply is quite extraordinary in that you rely on other unknown and unsupported safety experts not directly linked to Harrow Council.

It is evident that your comprehension of the Health and Safety at Work Act 1974 is extremely poor. I would draw your attention to the requirement of every employer in the UK to providing a safe working environment. It matters not whether another unknown employer is content with the facilities. It is the sole responsibility of Harrow council to ensure that their employees are duly covered; even our own in-house safety officers lack the experience of heavy goods vehicle operations.

At the previous Enterprise and Environment DJC (Departmental Joint Committee) the chair (you) made it extremely clear when this issue was raised by Unison that this matter was closed and you were quite adamant that there was to be no further debate on this serious matter.

Our contact details are: Harrow Unison, 100 Station Road, Harrow, Middlesex, HA3 8NT
Harrow Unison



As you will now be fully aware your Service Manager attended this site as a passenger in one of the councils refuse vehicles, where the crew were able to demonstrate that this site was not a safe environment to dispose of refuse. You appear to be totally oblivious of the fact that this internal transfer stations construction was for storage purposes only and not for the disposal of waste. The construction of the flooring area is one of vibrated concrete and therefore the sole reason for loss of vehicle traction especially with the deposited mixture of water and residual waste matter.

Had you taken the time to understand the requirements of vehicle disposal operations and possessed a basic knowledge of heavy goods vehicles (haulage experience) then you would be fully aware of the extreme control problems the drivers are experiencing.

The council has invested a vast amount of public monies in purchasing a new vehicle fleet to provide a professional environmental friendly image in the services that Harrow Council provides to the tax paying residents of this borough. Your stance in this matter identifies a complete disregard for council property in that you fail to comprehend the real potential of costly damage, again brought to the attention of the management team you are responsible for. The further major concern is that on the surface you have a scant regard for either the employees entering this site or their professional vocational licences.

The other amazing aspect of this disregard for safety is that you are the responsible officer for the commercial safety plan for 2012/13 which encompasses a Health and safety plan. It is a documented fact that this Plan is required to comply with the councils legal obligations in respect of Health and Safety. The other point that should be readily noted is that the author of this document is in fact ~~Mr. B. J. Jones~~ an Environmental Health safety officer (Team leader) and a much more junior officer than you. This document shows that you have scarce regard for the expertise you employ favouring to make dictatorial decisions without a full understanding of the problems. It is only the professional ability of our experienced drivers that have mitigated any potential cost of damage to Council property (Vehicles or Staff).

You state in your reply that health and Safety is paramount, but in stark reality your actions portray a different story. The Humidity of the Seneca environment is causing visual problems where vehicle windows are steaming up adding to the known visual black spots in vehicles of this size.

To date 5 separate drivers excluding one PRS supervisor have directly raised there concerns with both the management team and this Union but to no avail. Again your response includes the aspect of additional costs, we therefore, based on a fair assumption have to seriously wonder whether cost overrides safety in this matter.

You also state that you continue to monitor the site; again Unison believes this to be a totally disingenuous statement taking into consideration your dictatorial and superfluous comments at the last DJC meeting.

Finally, Unison is not prepared to wait until there is either a serious accident or a fatality (corporate manslaughter) and should these matters not be rectified within a reasonable period 7 days, then I regrettably have to formally advise you that a Hazard Notice will be issued, and corresponded to the HSE.

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Yours sincerely



Gary Martin
Branch Secretary
Harrow Unison LG

- Cc ~~Tom Whiting - Assistant LGEO~~
- Cc ~~Jerry Hildrew - H&S~~
- Cc ~~Alan Whiting - Services Manager~~
- CC Bill Beardon- Assistant H&S Officer- Unison
- Cc ~~John Heblmann - Regional Officer - Unison~~
- Cc ~~Bob Thomas - Lead Safety Officer - Unison~~
- Cc Sanjay Karia-GMB Interim Lead

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ONE TEAM MEETING

Thursday 2nd August 2012
Unit 6, Central Depot
09:00 Hours

Notes & Meeting

Present: JH, AW, GM, SB, SC

Apologies:

#	Agenda item	Action
1 SENECA	<p><u>Health & Safety</u></p> <p>Information regarding CA site incident, more information to follow Seneca – Meeting arranged, information to TUs regarding fire assessment report in craft will be circulated</p>	JH AW
2	<p><u>PRISM. ADM.</u></p> <p>SC stated that a reply will be sent Following latest DJC where this was discussed</p>	
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Branch Secretary: Gary Martin

Date 06th August 2012

Dear Mr Edwards

Safety Concerns Seneca Site Wembley Hazard Notice

We are writing to ask you regarding your lack of any response to our serious concerns about health and safety at the Seneca site. We have therefore been left with no alternative but to issue the hazard notice to safeguard our members and others.

A copy of the hazard notice and any related information or correspondence will be forwarded to the HSE since we have no confidence that you will provide the leadership necessary to mitigate the hazard and consequent risk.

Gary Martin

A redacted signature of Gary Martin, consisting of several thick black horizontal bars obscuring the text.

Branch Secretary
Harrow Unison L.G. Branch

CC - - - - Bill Beardon

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Harrow UNISON:



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IN PEOPLE | Bronze



Environmental Services
Divisional Director – John Edwards

Gary Martin
Branch Secretary
Unison
C/o Forward Drive Depot

9 August 2012

Dear Gary

Seneca

Thank you for your letter in response to my letter to you today. Taking the points you raise in order:

Although you had a date of 3 August 2012 on the hazard reporting form, the letter you sent it with was dated 6 August and it reached me on 7 August. As I replied on 9 August I am clearly within the 3 day time scale by any reasonable measure.

The matter being referred to, i.e. the previous concerns about the site in 2011-12 was closed and deliveries had recommenced. Safety circumstances can change and that is why I have indicated that we will continue to monitor the site. I do not recall Bob Thomas ever attending a DJC that I was present at, and neither do I recall ever discussing him at a DJC.

The flow chart you provided says that step one is to a relevant manager. If not resolved it is then escalated to a departmental director. There is no reference to DJC's or One Team meetings, and your previous correspondence suggests you raised the matter straight to me.

I rely on the Council's Corporate Health and Safety team for my primary advice, but I also take into account the views of others, especially if they are professional experts.

I advised you about the involvement of the Environment Agency. I do not have the details.

As I have advised previously, we are not contracted to or by WLWA. They are the statutory body for waste disposal in West London and have the power to direct collection authorities such as ourselves. That stated, and as previously assured by me, we will override their instructions if we believe there is a risk to safety.

Yours sincerely,

John Edwards
Divisional Director - Environmental Services

Environmental Services
Divisional Director – John Edwards

Steve Compton/ Gary Martin
Unison
C/o Central Depot

9 August 2012

Dear Steve and Gary,

Safety Concerns Seneca Site Wembley Hazard Notice

I refer to your letter dated 6 August 2012, received on 7 August and with a Hazard Notice dated 3rd August attached to it. I note that you have not complied with the flow chart attached to your letter, but I am pleased to have the opportunity to address your concerns.

I am sure that you are aware that the site is closed currently to deliveries from Harrow while Seneca carry out operational changes, and so clearly there is no imminent hazard.

The Seneca Materials Recycling Facility has been of concern to both management and trade unions at various times. It is absolutely not true to say that concerns have been dismissed without proper consideration - there has been extensive action and activity by Harrow managers and the Council's Corporate Health and Safety team.

The site is operated by Seneca Environmental Solutions, part of the Carey Group. It is located in Brent and so Harrow does not have premises inspection responsibilities for the site. However we recognise and embrace our duty of care to our employees and other third parties using the site.

Earlier this year in January and February, managers of Waste Services and ~~Simon Rice~~ of the Corporate Health and Safety team were instrumental in bringing about changes to procedures and monitoring at the site, including in relation to dust and particle monitoring and vehicle movement. It is worth noting that ~~Simon Rice~~ insisted on the changes despite a lack of support from his peers in other authorities. You will also be aware that at the time managers in Waste Services suspended Harrow deliveries to the site. This has had an impact on the Council in terms of costs and recycling performance, but it was done because the safety of our employees is considered paramount.

The contract for the delivery of waste to the site is administered by the West London Waste Authority. The WLWA have the power to direct us on where we have to take waste for disposal. The Health and Safety matters for the WLWA are dealt with by Health and Safety Officers from LB of Hounslow. ~~Jim P...~~, the Director of WLWA has advised me that he has co-operated fully with Gary Martin of Unison with regard to requests for

documents and information about the arrangements.

The Environment Agency also has responsibilities with regard to the site. It is public knowledge that the Environment Agency recently served an improvement notice on the Seneca site resulting in the closure and the changes that are being put in place.

Waste managers and Corporate Health and Safety will continue to monitor the use of the site, both openly by appointment and through visits "incognito" accompanying the refuse vehicles, and we will take whatever we consider is appropriate to ensure the safety on employees.

Yours sincerely,

John Edwards
Divisional Director - Environmental Services



Harrow L.G. Branch
The UNISON Office
Central Depot, Forward Drive
Harrow, Middlesex
UK
HA3 8NT
Tel: 020 8424 1795
Fax: 020 8424 1835

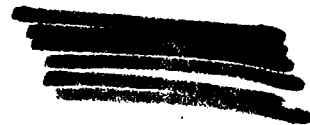
Email: info@harrow-unison.org.uk
Web: www.harrow-unison.org.uk

Branch Secretary: Gary Martin

John Edwards
Divisional Director
Enterprise & Environment
Middlesex Suite
Civic 1 Civic Centre
Station Road
Harrow
Middlesex

9th August 2012

Dear John,



Re: Safety Concerns Seneca Site Wembley Hazard Notice

Thank you for finally responding to Unison letter, and subsequent hazard notice. As you will appreciate you have failed dismally to comply with the timescales set within the documentation, which may I add were extended due to previous poor experiences with your belated or non compliance.



You appear to have selected memory loss which is clearly identified within your response. I directly refer to your arbitrary comments at the last DJC where you clearly stated and I quote "This matter is closed and therefore I do not wish to further discuss this matter" at the said meeting you were more interested in having Harrow Unison LG employee Mr Bob Thomas physically removed from the forum, even though he was there in the capacity as a branch employed noted taker.

You also state that we have not complied with the flow chart of the hazard notice, we dispute this with evidence. The issue was directly raised to you through the correct process; firstly it failed to be resolved through the One Team Meeting, and therefore was escalated to the DJC, again in compliance with the consultation framework agreement. At this meeting you blatantly refused to debate this serious matter, therefore the relevant manager is you.

One to a lonely number, join UNISON and you're one in a million.....

Harrow UNISON:



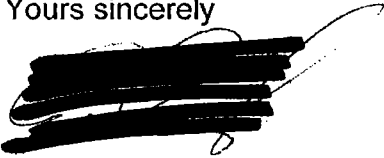
I would now draw your attention to your letter dated 19th July 2012, where you consistently rely on other safety experts rather than comply with the requirements stipulated in the Health and Safety at Work Act 1974 the employer's duty in respect of their employees. You further state that you will continue to monitor the site; again you fail to supply any evidence to support this matter.

Returning to your belated response, it appears the Environment Agency has recently issued an improvement notice on the Seneca site resulting in its closure. This matter is extremely alarming especially when your lack of action i.e. none at all, has resulted in what appear to be a dereliction of duty as a director responsible for enterprise and environment. This matter in the context of the dismissive attitude you displayed at the DJC, have now knowingly and wilfully placed Harrow Councils employees at considerable risk.

In regards to the WLWA and their safety contract, it is again your responsibility as one of the six boroughs contracted to the organisation to ensure that all sites used by Harrow Council fully comply with the contract safety specifications.

We would politely request a full and comprehensive response from you prior to this matter being escalated to Unison Branch Executive committee for a next stage approval.

Yours sincerely



Gary Martin
Branch Secretary
Harrow Unison LG

Cc John Rosenbaum RE Unison
Cc Michael Woodhead OLS
Cc Paul Welling Assistant OLS
Cc Steve Compton Assistant BS Unison
Cc Bob Thomas Harrow Unison LG Safety Official

One is a lonely number, join UNISON and you're one in a million.....
Harrow UNISON: An award winning Branch



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Email: info@harrow-unison.org.uk
Web: www.harrow-unison.org.uk

Branch Secretary: Gary Martin

LONDON BOROUGH OF HARROW

HAZARD NOTICE — FORMAL NOTIFICATION OF HEALTH AND SAFETY HAZARD

Copies to: - Departmental Director, Deputy Chief Executive, Health and Safety Manager, Branch Secretary

To... John Edwards –Temporary Corporate Director Community and Enterprise.

Cc ~~Steve Compton, Steve Compton, Gary Hillman, Alan Whiting, Tom Whiting~~

Notice issued by (name).....Steve Compton Assistant Secretary
UNISON).....

Work Address.....
Central Depot, Forward Drive.....

Contact Tel. number...0208 424 1795.....

Date issued...3rd August 2012.....

DETAILS OF HAZARD AND ANY PROPOSALS (attach further sheets if needed)

Staff delivering waste material to the Seneca Waste Treatment Centre Wembley have complained about:

- Levels of dust in the atmosphere
- High humidity and temperature
- Slippery floors,
- Appalling smells and flies presenting a biological hazard.
- Dangers from breathing in dust,
- Immediate condensation on the windscreens affecting visibility when driving into the facility.
- Vehicles are slipping and sliding from what is effectively a skating rink.
- Danger to individuals slipping and falling when leaving the cab.
- Flies are a distraction to drivers as there appears no effective control and flies attach to clothing but fly off into the cab when driving out.

There is insufficient ventilation leading to high temperatures and humidity causing extreme condensation on windscreens affecting visibility.

High humidity is contributing to slippery floors with a danger of vehicle collisions. Even site vehicles such as fork lift trucks cannot properly control steering and braking.

One is a lonely number, join UNISON and you're one in a million.....

ONE TEAM MEETING

Thursday 16th August 2012
Unit 6, Central Depot
09:00 Hours

Notes & Meeting

Present: JH, AW, PH, SC, SB

Apologies:

#	Agenda item	Action
1	<u>Health & Safety</u> SENECA Seneca site closed until further notice from WLWA Asbestos incident Unison awaiting response from H&S PH to arrange for staff medical checks OH CA site incident investigation ongoing, Also discussed dropped curbs	PH
2	<u>PRISM.</u> Agreed t CSB TU raised concerns regarding the absence of a structure, JH stated that this detailed work would now commence	JH
3	<u>TU Forum Matters arising</u> Good attitude now at these meetings New issues to escalate to this meeting	Info
4	<u>Budget cuts next 3/4 years</u> TUs aware of the emerging budget cuts and the need to work together to find ways to mitigate this	All
5	<u>CA Site</u> Incident on site being investigated currently Further feedback of next meeting	AW
6	<u>T & Cs Update.</u> Raised concerns regarding who how staff will be informed of the changes	SC

	SC to discuss this with LC	
7	<u>Inter Authority Agreement</u> Discussions ongoing with Barnet Further updates to follow	JH
8	<u>Recruitment update</u> We currently have gaps through the internal process staff will move We will sit down and discuss this after the internal interviews to work out what external recruitment is needed with the PRISM project in mind	JH
9	<u>Purple pages</u> It would appear that that this is not working at the moment	Info
10	<u>AOB</u> Collective agreement AW to discuss with GM Saturday working of supervision T/L JH to inform managers Squealing noise on some refuse vehicles – informed to detect vehicles to Fraikin	AW JH AW

Breakdown at waste disposal plant causes huge stink over Wembley

Aug 23 2012 by ~~XXXXXXXXXX~~, Harrow Observer

A PUTRID smell is lingering over Wembley even though a waste company has been warned to clean up its act.

The Environment Agency has been monitoring Seneca waste disposal plant in Hannah Close, Neasden, and has warned it risks losing its permits or prosecution.

A spokesperson for the agency, which has received numerous complaints about the smell, said: "We do not feel that the site operators are showing proper regard for their local communities.

"Please be assured that we are continuing to actively consider the next steps in line with our enforcement and prosecution policy; this could include issuing further enforcement notices, prosecuting the operators or even revoking their environmental permits." The odour can be smelled from inside trains on the Jubilee and Metropolitan lines that run alongside the waste facility near Wembley Stadium.

An enforcement notice was served on Friday, August 3, but the operator has not complied with the notice.

~~XXXXXXXXXX~~, operations director for Seneca, said: "The materials build-up in the facility was due to a mechanical breakdown in the plant. The material in question is being removed in complete compliance with the requirements of the Environment Agency.

"Our continued efforts will see all of this material removed from the facility by this weekend. We take our obligations very seriously and apologise for any inconvenience we have caused."

A Brent Council spokesman said officers have made regular visits to the premises, passing their findings to the Environment Agency.

Members of the public are encouraged to report new smells to the Environment Agency's 24 hour incident hotline on 800 80 70 60.

Steve Compton

From: Steve Compton
Sent: 29 August 2012 07:23
To: 'John.Edwards@harrow.gov.uk'
Cc: Gary Martin; Michael.Christie@harrow.gov.uk; Sanjay.Karia@harrow.gov.uk
Subject: RE: Environment Health and Safety Meetings

Dear John,

Thank you for your response. I objected to an item record after being given a briefing on the meeting by the Branch Secretary and our Health & Safety Officer. It became clear that there were discrepancies in the minutes of the meeting supplied by you, therefore the reason for the e-mail. As there have been discrepancies in minutes of previous meetings chaired by you I wished to request that the meeting minutes be amended to give a true reflection of what occurred. The sarcasm inferred in your response is completely unwelcome and, I would have thought, beneath a senior officer of Harrow Council.

Kind regards,

Steve.

Steve Compton
Assistant Branch Secretary
Unison Harrow Local Government Branch
020 8424 1795

From: John.Edwards@harrow.gov.uk [mailto:John.Edwards@harrow.gov.uk]
Sent: 28 August 2012 12:04
To: Steve Compton

Cc: Gary Martin; [REDACTED]@harrow.gov.uk; Sanjay.Karia@harrow.gov.uk
Subject: RE: Environment Health and Safety Meetings

Dear Steve,

Let me see if I have this right.

You wish to object to an item record in the notes for a meeting that you were not present at, and which was dealt with before the Branch Secretary arrived late to the meeting, meaning no-one from Unison was present for the item. At the next meeting, I am happy to ask those who were present if this was an accurate note

John

From: Steve Compton [mailto:s.compton@harrow-unison.org.uk]
Sent: 28 August 2012 07:56
To: John Edwards
Cc: Bob Thomas; Gary Martin; [REDACTED] Sanjay Karia
Subject: RE: Environment Health and Safety Meetings

Dear John,

I have been in contact with the Branch Secretary regarding the minutes of the H&S meeting that occurred on the 1st June 2012. It is evident from point 1 of the minutes that you have orchestrated the Seneca issue in order to distance yourself from the closure of this site by the environment agency. At no stage did you state that this site was to be monitored, what you actually stated was 'this matter was closed' and you paid more interest into why Bob Thomas was at the meeting again stating 'I will have you physically removed'. Your minutes do not reflect a true version of events but appear to be designed to cover your own inabilities which you fail to be responsible for. This matter is now becoming both tiresome and irritating especially when you have knowingly distanced yourself from the facts of the matter. Your reluctance to hold your hands up to what actually occurred is becoming derisory to the extent that even [REDACTED] did not go to these lengths to avoid responsibility.

Unison would formally request that the minutes are amended to reflect the true version of events

29/08/2012

in that you arbitrarily closed the Seneca issue without debate. We would also request that in future that all written notes of these minutes are copied and given to the TU side at the end of each meeting to ensure that these ridiculous versions we are now in receipt of may become a thing of the past.

I would also take the opportunity to remind you that if and when these services were accepted as an ADM then minutes such as these would be entered into a board meeting, with the likely outcome of a conduct investigation.

Steve Compton
Assistant Branch Secretary
Unison Harrow Local Government Branch
020 8424 1795

From: Gary Martin
Sent: 28 August 2012 06:40
To: Steve Compton
Subject: FW: Environment Health and Safety Meetings

From: John.Edwards@harrow.gov.uk [mailto:John.Edwards@harrow.gov.uk]
Sent: 24 August 2012 16:43
To: [REDACTED]@harrow.gov.uk; [REDACTED]@harrow.gov.uk; [REDACTED]@harrow.gov.uk;
[REDACTED]@harrow.gov.uk; Sanjay.Karia@harrow.gov.uk; [REDACTED]@harrow.gov.uk;
[REDACTED]@harrow.gov.uk; [REDACTED]@harrow.gov.uk; Gary Martin
Cc: [REDACTED]@harrow.gov.uk; [REDACTED]@harrow.gov.uk
Subject: Environment Health and Safety Meetings

Hi,

The dates for the next Environment Health and Safety Working Group Meetings are:

11 September 10.00 to 11.30 Committee Room 3 Civic Centre

26 November 10.00 to 11.30 Committee Room 6 Civic Centre

That will complete the meetings for the calendar year – it is anticipated that meetings for 2013 will be Environment and Enterprise meetings.

If you have any items for the agenda for the meeting on 11 September 2012, please let me know by 4 September 2012. It is noted that at the last meeting a number of items were raised at the last meeting as AoB that could have been notified in advance allowing a better consideration of the points.

I attach a copy of the notes for the meeting held on 1 June 2012.

John Edwards

Divisional Director Environment Services
Harrow Council
Civic Centre
Station Road
Harrow
HA1 2XF
020 8736 6799

Mail FROM London Borough of Harrow:

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Mail TO London Borough of Harrow:

John Edwards
Divisional Director
Environment and Enterprise
Middlesex Suite
Civic 1
Civic Centre
Harrow
Middlesex

4th July 2012.

Dear Mr Edwards,

Re: Social Enterprise (ADM) Prism

Unison formally writes to you regarding the above business case and the meetings that have been duly attended by this Union. It is now completely evident that both Capita and the Project Leads from the authority are seeking to adopt new role profiles for sections of the incumbent council workforce prior to possible transfer to the ADM.

This situation which was discussed at yesterdays meeting is no more than an attempt by both parties to avoid the Acquired Rights Directive known as TUPE. This is clearly identified within the 33 page Bevan Brittan legal report received by this Union.

I would draw you attention to section 17.2 of the report which appears to suggest that ETO measures may and possibly will be adopted in the proposed transfer of incumbent council employees. Therefore to propose a change T/C's prior to transfer is an unlawful attempt to avoid the European directive.

Also this Union requested information regarding which party would be responsible for the substantial cost of the new technology and what the possible cost would be? You stated that this may be undertaken with a capital loan from the Local authority but you failed to identify what the % cost of the new technology the social enterprise would be responsible for. Also you failed to state how the extra cost of a private company i.e. vehicle taxation premises rent etc etc would be covered? Would this be added to the capital loan?

Again allow me to draw your attention to section 10.1.1 of the Bevan Brittan report, entitled finance, where it clearly states that any new organisation has no trading history and as such it will be extremely difficult to gain capital funding on affordable terms. Harrow Council would not in our opinion enter into such a high risk financial commitment, especially when the directorate has failed year on year to provide any service or business plan which is a basic requirement in any organisation.

The proposed departmental structure or TOM (target operating model) identifies some form of perverse protectionism for a select group of employees, who will remain under the council umbrella as client officers, one of which appears to be heavily involved in the design of this project. It appears that the management team yourself

included have failed to take any notice of the Less than Satisfactory reports from two separate corporate directors regarding the last business case debacle.

On the surface the business case appears to significantly contribute to Capita's known £2 billion profits, as they would receive an unknown sum for the new and untested technology you desire to implement as well as the cost of producing a business case that actually fails to meet the requirements of a social enterprise company. It also appears that the majority of those attending these meetings will be retained as client officers employed directly by Harrow Council. This fails to comply with the executive summary in the Bevan Brittan report section 2.4 and certain options provided by this legal organisation 5.1.1.

It now appears that the progression internally fails in all aspects to comply with the legal advisors both capita and the council have jointly appointed. The drive to pursue this proposal fails to take into account who will be the eventual owners of this company i.e. the employees. Again I refer you to the legal report section 20.2 which you appear to be totally oblivious to, this statement is fully supported by the very fact that no employee who will be affected by this matter has been afforded the common courtesy of any up-date meetings regarding their future employment or the proposals (a news letter will not suffice). This statement is a damning indictment on how you view frontline operational staff.

Unison now formally requests a full comprehensive response from you regarding this matter.

Yours sincerely

Gary Martin
Branch Secretary
Harrow Unison LG

Cc [REDACTED]
Cc [REDACTED]
Cc [REDACTED]

Community and Environment Directorate Health and Safety Meeting

2.00 pm **1 JUNE 2012** Committee Room 3 Civic Centre

AGENDA

- 1 Introductions and apologies
- 2 Notes of previous meeting/ issues outstanding
- 3 Q4 Accident statistics (attached)
- 4 Issues to be escalated to Corporate Group Meeting
- 5 Other business