

Report of the Scrutiny Task and Finish Group on Operational Resilience following Waste Service disruption in January/February 2024

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1. Introduction

Uttlesford District Council's cross-party Scrutiny Committee meeting on 13 February 2024 held a lengthy discussion on the recent disruption suffered by residents and businesses to their waste and recycling collections. The Committee resolved to establish a task and finish group to consider these matters in more detail, and to produce a report on their findings for consideration by the Scrutiny Committee and then for discussion at full Council.

This task and finish group's brief was to look into what went wrong, how it came about, how the recovery from that situation was managed, and most importantly, what positive lessons can be learned and applied. The group's brief was extended beyond looking merely at the waste service disruption to consider resilience across the council generally, particularly in relation to 'never events' (ie to spot and mitigate

single points of failure which if triggered would lead to other such consequential negative service impacts).

In establishing the group, it was recognised that the Council's policies require, in line with both employment law and good practice, that any formal management action in relation to any individual staff members' accountabilities are matters for the Head of Paid Service [the Chief Executive] and not matters falling within the proper remit of Councillors. As such, the task and finish group was established with this clear boundary in place.

It was accepted that the maximum possible amount of its work should be in open session, with the maximum amount of evidence also published – but also accepting that there may be some specific elements of evidence or discussion that necessarily needs to be in confidential, private session – e.g. around sensitive commercial matters.

The Scrutiny Committee appointed us to the task and finish group: Councillors Chris Criscione [Conservative], Bianca Donald [Residents for Uttlesford], Geof Driscoll [Residents for Uttlesford] and Geoffrey Sell [Liberal Democrat], with Cllrs Criscione and Donald as co-chairs.

Our task and finish group was empowered to finalise our own terms of reference, meeting schedule etc. [see Appendix B].

We met as the task and finish group on three occasions in public and on one occasion informally in private, where no new information was shared and the only officer present was the one taking notes. At our public meetings we considered a substantial volume of detailed evidence [all herewith republished, as Appendices A to G]. These accompanying papers set out issues such as the chronology which led up to the operational interruption [Appendix C], specifics of the operational response [Appendix D], the costs of the stand-in solution quickly assembled [Appendix H] and the level of complaints, so we refer readers interested in that level of detail to the appendices rather than aiming to cover that same ground here in our report.

We as a group received full cooperation from the Leader of the Council and the Cabinet Member for Environmental Services, as well as from the Chief Executive and the Director of Environmental Services, for which we are very grateful, as we are to the Director of Corporate Services who assisted us in collating our findings and recommendations for the future, into this unanimous report. We would like to acknowledge the Chief Executive has been open and transparent in bringing to light the fact that there could be weaknesses not yet identified in other departments.

All those conclusions are pulled together and supplemented by a series of recommendations for action, so as to draw and apply learning from this service failure, in Appendix A.

Conclusion A: Uttlesford District Council is right to have unreservedly apologised to all residents and businesses whose waste was not collected during this disruption to service.

2. Severity of the Waste Service disruption

Having bins emptied is the most universal service received by households, and is central to many residents' perception of what they get in return for their Council Tax.

Waste crew members are amongst the hardest working and are the council staff most appreciated by residents, doing a difficult job at comparatively low pay, and this disruption was no fault of theirs.

The Council's fleet of 10 main waste collection trucks, two commercial waste vehicles and one smaller truck used for narrower lanes, was, because of the licensing issue, off the road for two weeks, from Wednesday 24 January to Tuesday 6 February. For the first three days, the residual waste bins and food caddies for three quarters of the district were not emptied, and thus began a substantial backlog.

By the following week, a 'patchwork quilt' of alternative providers began to come online, increasing in volume day by day until a peak of nine big trucks and crews were on the road on some days. Some of these crews worked full (and long) days, while others came over to Uttlesford in the early afternoon at the end of their shifts in Braintree. Various of these crews and trucks also worked on Saturdays, Sundays and Mondays (which are not normal Uttlesford collection days).

Many of these vehicles were smaller than our trucks, and most were only single compartments, meaning that their capacity was lower and also that separate food caddy collections were needed, using smaller vehicles. On many occasions, Uttlesford crews preceded the waste vehicles operated by others to pull out the bins onto the street, particularly when the waste was being collected on non-normal days, and not everyone had got the message to leave their bins out.

In total, the patchwork quilt was able to operate on nine days over this fortnight (compared to the eight normal Uttlesford collection days that would have been worked had there been no loss of licence) – which was virtually every day possible as soon as it was stood up after the first few days of no collections at all.

Once the Uttlesford crews and vehicles were back on the road on Thursday, 8 February, additional capacity from the patchwork quilt of alternative provision was maintained until 17 February, so as to assist with the backlog generated over the previous two weeks. This was important, as although waste collections of the usual bins on the usual days was reinstated immediately on restart of Uttlesford's service, some households had not had a normal collection at that time for several weeks, and every effort was made to collect those without them having to wait for their next usual collection day. In addition, the normal bin rounds quite naturally contained more waste which meant that the vehicles filled up more quickly and had to be taken to the transfer station more often, meaning that in the first couple of weeks of return to normal service, many rounds were not completed on their usual day, with an estimated average of 15-20% of most rounds needing to be finished the following morning.

In practice, although normal collection days re-commenced after the initial two-week gap, it took a further two weeks until service returned fully to normal because of the need to clear this accumulated backlog.

The majority of households missed out on two weekly collections, with a substantial further number missing out on one weekly collection. A smaller number of households missed out on three collections, with a much smaller number in isolated cases missing out on four or more collections.

Conclusion B: The task and finish group concluded that this was a serious disruption of service, of the council's own making, and experienced by nearly all residents and many businesses in the district.

Conclusion C: Many people worked long and hard both to fix the problem and to put in place the patchwork quilt solution as quickly and thoroughly as possible, and they deserve our recognition and genuine thanks. Uttlesford District Council is particularly grateful to Widdington Waste Ltd and Braintree District Council for their help.

3. How this happened

We explored this matter extensively, considering a substantial volume of background information and noting that many pages of correspondence and documentation has been released in response to Freedom of Information Act requests.

Our considerations took place almost entirely in open, public session. We were careful to follow our terms of reference, and in line with Council policies and procedures (and good employment practice and law), we stayed out of any individual management procedures relating to individual staff, but we were aided by the opportunity to be briefed in confidence on certain staffing matters which provide important context to understanding both what happened and what might happen more effectively in future.

Rather than re-telling the story in detail of how the Council came to be without a staff member holding the necessary qualification on which the authority's Operators' Licence relied after the previous postholder abruptly left, we resolved explicitly to focus on drawing and applying the important lessons for the future which flow from this episode.

Conclusion D: There was a significant failing in the proper management of the process to cope with the unplanned and immediate departure from the council of the previous staff member who held the necessary professional qualification on which continued permission to hold an Operator's Licence from the Office of the Traffic Commissioner is dependent. This failure to ensure a timely replacement was due to human error, and happened in the complex context of mitigating factors. However, this situation underlines the absence of a systemic solution to managing such major risks and critical service dependencies.

We were advised that there were several discussions between senior staff and councillors in the second half of 2023, including a presentation and debate on waste services at the Scrutiny Committee and an all-member briefing, after the qualified staff member had left, underlining the importance of ensuring he was promptly replaced. We were also advised of a range of serious attempts during that period to resolve the licensing situation, each of which did not succeed for reasons outside of local control, and each of which was followed by a fresh approach to resolve the matter, until ultimately the clock ran down without a resolution, and the licence was revoked on 13th January.

We noted that while the Council has a wide range of policies and procedures in place across the whole organisation, these have not been focused into a document with an Environmental Services-specific focus.

4. Operational Response

The specifics of the operational response to the revocation of the Council's Operators' Licence are covered in the already-published papers we considered, and are again appended to this report.

We would like to reiterate our thanks to colleagues from other waste providers who stepped in to provide a 'patchwork quilt' of waste collection over the two weeks we were without a licence, and then for a short while whilst we caught up with the backlog once our trucks and crews were on the road again, under our new Operator's Licence.

Conclusion E: We noted that some of the colleagues from other waste collectors stepping in to help us out were not familiar with our area, its villages and its roads, and that this led at times to some being missed out, or approached in a sub-optimal/counter-intuitive order.

We would like to acknowledge the hard work of colleagues in Environmental Services who worked long days to pull together this operational response so quickly and also their colleagues from other parts of the Council who provided additional support during this time.

We noted that the department urgently explored a wide range of potential additional providers, but that some of these were not pursued for a range of reasons, which we explored and accepted without any negative inference – e.g. the costs of those partners we did work with represented good value for money (essentially we were recharged at, or close to, cost).

Other than that, our conclusions in relation to the operational response phase in particular are covered in separate sections of this report above and below.

5. Communication and Engagement

The papers we considered during our review provide a huge amount of detail on the number of customer complaints received during these few weeks of service disruption, and we commend those to you in Appendix E for the details.

We note in particular the efforts made to provide at the end of every day of the period of peak disruption an update on the council's website repeated in an email sent to all councillors and all parish councils and published on social media setting out which types of bins were going to be collected in which villages and towns the following day.

We also discussed modern methods of communication and how these could be adopted by the Council to aid the dissemination of information in the future.

In addition we explored the role of councillors generally, and leading councillors in particular, in times of operational disruption.

Conclusion F: Councillors bring a wide span of professional knowledge and skills to their roles which needs to be better respected and harnessed, and councillors can be useful conduits in communicating with residents, and can be more actively used in future as a positive resource rather than treated as a stakeholder to be periodically updated.

6. Cost – and Refund/Rebate Considerations

We noted the estimated cost to the Council Taxpayer of this situation net out at approximately £60,000-£70,000, which is close to (but less than) the estimate given by the Chief Executive during the period of disruption itself. We feel that it is important to note that the exact final cost will only be able to be calculated once our partners have submitted their final invoices to us over coming weeks for the support they provided, at which point the final cost table will be republished. The estimated costs are at Appendix H.

We noted that some residents have talked online about demanding refunds or rebates, but that as the average weekly cost of emptying bins works out at about 50 pence per week, the work involved in refunding one or two pounds on average per household would be disproportionate in its cost of administration. the paper on refund considerations is Appendix F.

Conclusion G: the cost to the taxpayer of this waste disruption is serious, and must not be repeated, but we do not recommend any further consideration of a refund or rebate.

7. Broader questions of resilience for the Council

We welcome the fact that the Chief Executive, after discussions with the Leader and Cabinet, had already begun a wider review of resilience across the Council before the Scrutiny Committee tasked us with exploring this in our work.

We strongly believe that for positive good to come from this unfortunate episode, lessons learned around operational resilience across the whole council will provide that greatest benefit.

We were keen to extend and apply the learning from the narrow specifics of the waste disruption to the wider council – both in identifying ‘essential workers’ and beyond across the full range of all key council functions on which so many people rely.

Our discussions focused extensively on the systematic identification of critical service single points of failure; the risk-based prioritisation of those issues to be addressed; the documentation of resilience and mitigation measures to address those priorities; the introduction of council-wide systems to monitor triggers that would give rise to the need to implement an intervention to avoid any future critical service failure; and the greater embedding of business continuity and risk management culture at all levels of the council, including at Member level.

We are particularly concerned about consistency across the Council’s departments with regard to risk management and business continuity processes and cultures.

Subject to the agreement of the Scrutiny Committee, we will review the result of this work to ensure the necessary improvements have been made.

Conclusion H: we strongly support the current exercise to identify, and then prioritise and mitigate, key service resilience risks across the whole organisation, and welcome that a senior colleague from a neighbouring council has agreed to quality-assure that exercise. We believe that this is a key action, and must be reported up for consideration at Member level, not only in regards to this focused exercise, but also on an ongoing basis in relation to assurance of business continuity measures. We equally strongly welcome the clear indication given by the Leader and Cabinet Member for Environment and the Climate Change that the whole Cabinet is taking a clear set of actions to liaise directly with their respective chief officers about major service provision risks.