

Somerset Waste Partnership reference – 2021-22 – 251
Enquiries relating to – LGV Driver Shortages
Date of response: 26.08.2021

Dear XXX

Freedom of Information Request

I am writing regarding your recent request for information from Somerset Waste Partnership, which has been dealt with under the provisions of the Freedom of Information Act 2000. Somerset Waste Partnership (SWP) is a partnership of Mendip, Sedgemoor, Somerset West and Taunton, and South Somerset District Councils, and Somerset County Council. This response covers all those partner authorities.

I confirm we hold the information you request. In response to your questions: -

- *If there is a shortage of LGV Drivers, notwithstanding those who are self isolating from Covid, why did they bid for a contract when they didn't have the right number of staff to fulfil their full contractual obligations?*

A contract such as the waste collections contract for the Council requires the new contractor under regulations designed to safeguard the workforce (TUPE) to continue to employ the workforce already engaged in providing the service. Some minor differences will be proposed to the make-up of staff providing the service, but the vast majority of the workforce will already be in place when the new contract begins but will be subject, as was the incumbent contractor prior to the change, to the employment market and national conditions prevalent at the time.

- *Who at Council level agreed to the contract if the company didn't have the full compliment of staff?*

Please see above but ultimately this would be a decision for the Somerset Waste Board made up of democratic members of the partner Councils.

- *Did they have a full compliment of staff to fulfil their contract obligations as they expanded their operation from area to area? If not why not?*

We are not sure what you mean by this, but we continue to engage with the market place to recruit and retain staff and use any available agency provision to bolster the local and national shortfall. This is true across all our services and during any planned changes to it.

- *How many staff do they currently have How many vacancies do they have to bring their workforce up to full capacity?*

Currently 22 vacancies but fluctuates and can change on a daily basis, full capacity approx. 530 although again this will fluctuate during roll outs of new services and other changes to service and circumstances but a good guide to the general requirement.

- *How many staff as a percentage of their total current workforce are self isolating?*

At this time 3 but as you will be aware this is a very volatile situation and we have had upwards of 30 in the contract isolating during the pandemic.

- *Is there a penalty clause built into the contract to mitigate for missed collections and sub standard company performance?*

Yes, there are defaults built into the service for missed collections.

- *Given that the service is being disrupted what percentage of council tax can we as the public expect to be reimbursed from the Council next year?*

As you rightly point out these services are funded through taxation and relief from this obligation will not be affected by the current situation.

- *How often does not collecting refuse become a health hazard which needs investigating by the Environmental Health agency?*

You would need to contact the Environmental Health department at the local council but a carpet declaration covering such a wide range of the population would not be possible. However, whilst it is no doubt unpleasant and difficult the current level of collections and service disruption does not, we believe constitute a health hazard.

If you feel your request has not been answered in sufficient detail or if you wish to clarify the information given, please contact me and I will be happy to address the issues you raise.

If you are not satisfied with the way in which your request has been dealt with, or the information you have received, you can ask for an internal review of our decision.

Please send your request to:

Lucy Wilkins
Information Governance Team
Somerset County Council
County Hall
Taunton
TA1 4DY or email informationgovernance@Somerset.gov.uk

An internal review will then be carried out and we will write to you with the results of our investigation. If you are not content with the outcome of our review, you may then apply directly to the Information Commissioner's Office (<https://ico.org.uk>) for an appeal: The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF Tel: 0303 123 1113

Please quote the reference numbers at the top of this correspondence in any future correspondence with Somerset Waste Partnership.

Yours sincerely