

## **MANAGING ACCESS TO LARGE WASTE AND RECYCLING BINS**

This guidance has been developed by the Waste Industry Health and Safety (WISH) Forum to help control safety and health risks in the waste management industry associated with people sheltering in large commercial or communal domestic bins. The Health and Safety Executive (HSE) was consulted in the production of this publication. It endorses the sensible, proportionate, reasonable and balanced advice to owners on managing the risk from this guidance during the waste-related activities as set out in the guidance.

This guidance is aimed at helping prevent death or serious injury when people shelter in large commercial or communal domestic bins used for storing waste or recycled materials. There have been numerous cases where people were inside when the bins were emptied into collection and compaction vehicles. Some have been seriously injured and at least eleven killed between 2009/10 and 2014/15 – their presence sometimes only being discovered at the waste site. If you use large commercial or communal domestic waste bins, manage bin storage areas or collect these bins then this guidance is for you.

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## 1. Introduction and background

This guidance aims to help those who use or collect large commercial and communal domestic bins, and those who manage storage bin areas, to reduce the risks of people being able to get into these bins and being injured or killed. Some of the issues covered will require cooperation and coordination between the organisations involved (eg between those producing and collecting the waste). This guidance cannot cover every foreseeable situation and is not comprehensive. Note: The term 'waste' used in this guidance also includes materials intended for re-use or recycling.

There have been many reports from the industry and in the press of people being found alive in waste bins before, or as, the contents were tipped into the collection vehicle. Fortunately, in most of these cases, no one was significantly hurt. However, some people have been found with injuries caused by falling when bins are lifted and/or crushing by the collection vehicle's compaction machinery. There have also been cases where people have been killed – sometimes only discovered later when the collection vehicle has been unloaded (eg at a transfer station). The types of bins involved are normally the larger ones (typically of at least 660 litres capacity with four wheels) used for commercial and communal domestic collections, euro carts, front-end loader containers, paladins and skips. Cases involving smaller wheelie bins (typically 120 litres with two wheels) are exceptionally rare.

## 2. The law

All employers and the self-employed are required by section 3 of the Health and Safety at Work etc Act 1974 to ensure, so far as reasonably practicable, that their work activity – and the way they carry it out – does not put any members of the public at risk of harm. A simple definition of 'so far as is reasonably practicable' is given at [www.hse.gov.uk/risk/faq](http://www.hse.gov.uk/risk/faq).

This duty applies to all businesses that produce commercial waste, manage a waste bin storage area, or collect waste as part of their work activity – and where it is reasonably foreseeable that someone could get into a bin and be injured as a result.

These businesses also have duties under the Management of Health and Safety at Work Regulations 1999, particularly those about assessing and managing risks, cooperation and coordination, and providing information. Further information about assessing risks can be found at [www.hse.gov.uk/risk](http://www.hse.gov.uk/risk) and sensible risk management at [www.hse.gov.uk/risk/principles.htm](http://www.hse.gov.uk/risk/principles.htm).

## 3. Managing the risks

Businesses should take reasonably practicable precautions to ensure members of the public are not harmed. What precautions are required depends on how foreseeable it is that people can gain access and get into the bins in the first place and how likely they are to be found if they have got in. Factors increasing foreseeability include:

- The bin storage area:
  - Being quiet and isolated
  - Being dark and unlit, especially at collection times
  - Being open and unsecured permitting easy access to the bins
  - Making bin lids easy to reach by their position and/or leaving items to climb on
- The bins:
  - Having lids that are not secured and easy to open
  - Having large openings that are easy to get through
  - Being stored for long periods unemptied and undisturbed
  - Containing dry, comfortable waste (paper, card, textile and other similar dry wastes are more likely to attract those seeking shelter than mixed, residual or wet waste)
- The environment:
  - Rough sleepers, drug abusers, alcoholics and vagrants known to be in the area
  - Known instances or people being found in the bins or in the storage area
  - Periods of wet or cold weather (people are more likely to seek shelter, and for longer in these conditions)

Key issues to address are:

- Reducing the likelihood of people getting into bins
- Checking there is nobody inside before emptying
- Stopping the compactor quickly as soon as employees realise someone has been tipped into the collection vehicle

## 4. Reasonably practicable control measures for waste producers and bin storage area managers

Waste producers and businesses managing bin storage areas have the primary responsibility for ensuring people do not get into bins. They should:

- Fully inform relevant employees involved in waste bin use/storage of the risk of people getting into bins and the action required to prevent/minimise the
- Supervise employees appropriately and sufficiently to ensure they understand and are applying the necessary actions correctly
- Where practicable, locate bins in a secure area
- Ensure employees watch out for and report any signs of people getting, or trying to get, into storage areas and especially into bins
- Where there are signs of people getting or trying to get into bins and/or other risk factors suggest it is reasonably foreseeable then use types of bin most suitable to minimise risks, (eg with bin-lid locks, lid-opening restrictors, fixed or lockable grilles or other access-restrictors)
- Follow the supplier's instructions for bin security devices and ensure they are properly maintained used at all time
- In any case, ensure employees check bins regularly (see below), especially before a collection is due (the appropriate frequency of checks depends largely on what other controls are in place – if it was impossible for people to get into bins these checks wouldn't be needed at all

## 5. Control measures for waste collectors

Those responsible for waste collections should:

- Ensure collection drivers and loaders are fully aware of the potential for there to be people in bins and are adequately informed about checking the bins before emptying them, including what to do if a person is found (see below)
- Ensure the compactor stop switches are readily accessible, clearly marked and that employees know where they are and how to use them
- Supervise employees appropriately and sufficiently to ensure they understand and are applying the necessary actions correctly

## 6. Checking bins

Checking bins for people inside should be simple and straightforward. A quick visual check of the bin contents should be enough. This can simply mean being aware of what waste should be there, looking for obvious signs of disturbance and checking for unexpected items, such as bags, blankets etc. Physically disturbing and rummaging around in the contents is not necessary and should be avoided. Where bins are being emptied by front-end loaders, tapping/banging the bin on the floor using the lift mechanism is also recommended before emptying.

## 7. Supplementary measure: use of warnings

Where warning labels or stickers are used on bins, users, managers and collectors should still apply the controls outlined. However, the use of warnings may serve a dual purpose – to remind people about the dangers of occupying bins, and also to remind collection drivers and loaders about the need to carry out a check on the bin contents before lifting. Where warning labels or stickers are used, it is recommended that pictures are used to overcome language and literacy difficulties.

## 8. What to do if people are found in bins

The waste producers and other waste businesses concerned should:

- Give their relevant employees clear information and instructions on the risks and what to do if a person is discovered inside a bin (or collection vehicle). This should include:
  - How people are likely to behave, especially the potential for becoming aggressive and possibly violent (see advice at [www.hse.gov.uk/violence](http://www.hse.gov.uk/violence) and in HSE's leaflet '*violence at work: a guide for employers*')
  - **Not** to try restraining the person, especially if they attempt to escape
  - How to help people get out of the bins or the vehicle
  - How to report any incidents where people have been found in bins
- Report any fatalities or serious injuries to people needing treatment in hospital in accordance with the reporting of injuries, diseases and dangerous occurrences regulations (riddor) 2013 ([www.hse.gov.uk/riddor](http://www.hse.gov.uk/riddor))
- Record brief details of all incidents involving people found getting into storage areas and/or bins (even if non-reportable under RIDDOR 2013)

- Share this information with other relevant parties (eg between those producing and collecting the waste)
- Take the information into account when deciding whether the existing control measures are adequate and whether any improvements are needed

## 9. Further reading and information

Research into the issues, risks and prevention of people sleeping in waste containers, BIFFA, CWIM and Street Links, February 2014

[www.ciwm.co.uk/web/FILES/Technical/Streetlink\\_CIWM\\_Biffa\\_rough\\_sleepers\\_report\\_Feb\\_2014.pdf](http://www.ciwm.co.uk/web/FILES/Technical/Streetlink_CIWM_Biffa_rough_sleepers_report_Feb_2014.pdf)

Waste and recycling vehicles in street collection WISH WASTE 04

Safe transport in waste management and recycling facilities WISH WASTE 09

Health and safety training: Guidelines for the waste management and recycling industry Waste 21(rev1) HSE 2013 [www.hse.gov.uk/pubns/waste21.pdf](http://www.hse.gov.uk/pubns/waste21.pdf)

In addition: The list below is not comprehensive, but does provide an overview of useful documents you may wish to consider. Other guidance is available – you should ask your competent advisor:

HSE website: [www.hse.gov.uk](http://www.hse.gov.uk)

HSE's waste website: [www.hse.gov.uk/waste](http://www.hse.gov.uk/waste)

HSE's worker involvement website: [www.hse.gov.uk/involvement](http://www.hse.gov.uk/involvement)

## Disclaimer and WISH

Nothing in this guidance constitutes legal or other professional advice and no warranty is given nor liability accepted (to the fullest extent permitted under law) for any loss or damage suffered or incurred as a consequence of reliance on this guide.

The guidance is not a substitute for duty holder judgment and/or professional safety advisor's judgment, Notwithstanding the good practice in this guidance, duty holders are responsible for ascertaining the sufficiency and adequacy of their internal and independent procedures for verifying and evaluating their organisation's compliance with health and safety law. The Waste Industry Safety and Health (WISH) does not accept any liability (to the fullest extent permitted under law) for any act or omission of any persons using the guidance

The WISH Forum exists to communicate and consult with key stakeholders, including local and national government bodies, equipment manufacturers, trade associations, professional associations and trade unions. The aim of WISH is to identify, devise and promote activities that can improve industry health and safety performance.

## Further information

This guidance is issued by the WISH Forum. Following the guidance is not compulsory, unless specifically stated, and you are free to take other action. But if you do follow the guidance you will normally be doing enough to comply with the law. Health and safety inspectors seek to secure compliance with the law and may refer to this guidance. Some parts of the guidance represent good practice and may go further than the minimum you need to do to comply with the law.

This guidance is available free to download at the WISH web site. This publication is based on guidance previously published by the Health and Safety Executive (HSE) known as Waste 25, which was withdrawn in 2015. © Crown copyright 2010

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