

Norfolk County Council

Record of Executive Director Decision

Responsible Executive Director: Tom McCabe (Executive Director of Community and Environmental Services)

Background and Purpose: As detailed in the attached report.

Decision: As detailed in the attached report.

Is it a key decision? No

Is it subject to call-in? Yes

If Yes – the deadline for call-in is: 4pm, Friday 21 January 2022

Impact of the Decision: As detailed in the attached report.

Evidence and reason for the decision: As detailed in the attached report.

Alternative options considered and rejected: As detailed in the attached report.

Financial, Resource or other implications considered: As detailed in the attached report.

Record of any conflict of interest: None

Background documents: As detailed in the attached report.

Date of Decision: 10/12/2021

Publication Date of Decision: 14 January 2022

Signed by Executive Director: 10/12/2021

I confirm that I have made the decision set out above, for the reasons also set out.



Print name: Tom McCabe

Date: 10/12/2021

Accompanying documents:

- Sharps Waste Collection Service report

Once you have completed your internal department clearance process and obtained agreement of the Cabinet Member, send your completed decision notice together with the report and green form to committees@norfolk.gov.uk

Executive Director Decision

Item No:

Report Title: Sharps Waste Collection Service

Date of Meeting: N/A

Responsible Cabinet Member: Cllr Andy Grant (Cabinet Member for Environment & Waste)

Responsible Director: Tom McCabe (Executive Director of Community and Environmental Services)

Is this a Key Decision? No

If this is a Key Decision, date added to the Forward Plan of Key Decisions: N/A

Executive Summary

Sharps waste, such as hypodermic needles, requires special handling. Sharps waste from residents who administer their own injected medication is classed as household waste which local authorities are legally responsible for dealing with.

Historically however, Norfolk residents have returned their sharps waste to surgeries and pharmacies where it was instead disposed of through NHS waste contracts. The NHS made clear that local authorities must deal with this waste.

To address this issue, a procurement exercise was run in 2019 to appoint a collection and disposal contractor. However, no companies bid for the work due to the lack of any reliable data from the NHS on expected service volumes.

An interim contract was then directly awarded to Rentokil Initial in 2019, under an exemption from Contract Standing Orders, to deal with Norfolk residents' sharps waste, with pharmacies hosting the service.

The contract was intended as a short-term measure to gather data on the required service levels, with a view to putting the service out to tender later. However, the impacts of Covid-19 delayed the implementation of the service.

To secure the service until 2023 and allow more time to collate data and to build up operational knowledge and experience of the service, it is recommended that the contract with Rentokil Initial is extended until 31 March 2023.

Recommendations:

- 1. To extend the Sharps Waste Collection and Disposal Contract with Rentokil Initial until 31 March 2023.**

1. Background and Purpose

- 1.1 Sharps waste refers to any object that is used to puncture or lacerate the skin, such as hypodermic needles. It is hazardous waste that needs special handling.
- 1.2 Self-medicating patients have historically returned their sharps waste to surgeries and pharmacies for disposal, but it is actually the legal responsibility of local authorities, not the NHS, to provide this service.
- 1.3 The NHS wrote to local authorities in January 2018 to make clear its expectation that local authorities step in and provide a service to deal with sharps waste for residents who treat themselves at home.
- 1.4 The Norfolk Waste Partnership agreed to put in place a countywide sharps waste collection service in partnership with pharmacies, with the County Council leading the process.
- 1.5 An attempt to procure the service was unsuccessful due to the lack of any NHS data on service volumes. Consequently, an exemption from Contract Standing Orders was granted in November 2019 to work directly with Rentokil Initial to put in place an interim collection and disposal service to establish indicative service volumes to inform a subsequent procurement. A contract with Initial was signed in January 2020 which allows annual opportunities to terminate or extend.
- 1.6 The impacts of Covid-19 delayed the implementation of the service. However, a pilot service was launched in Broadland and South Norfolk in October 2020 and a full service was rolled out in over 60 pharmacies across Norfolk in 2021.
- 1.7 Consequently, the full extent of the sharps waste collection and disposal capacity needed remains unclear. For example, some pharmacies report high demand and request larger bins while others do not.
- 1.8 More work is needed to improve awareness of the service amongst the public, pharmacy staff and the various healthcare bodies in the area which could also affect demand. Therefore, it is considered premature to end the current contract and begin a competitive procurement.

2. Proposal

- 2.1 A further extension to the contract, until 31 March 2023, is recommended.

3. Impact of the Proposal

- 3.1 The extension of the contract would secure the sharps waste disposal service for a further year, allowing residents to dispose of their household sharps waste free of charge, and in a safe and secure manner.
- 3.2 By extending the contract, more operational data and experience can be compiled and a modest communications strategy implemented so that, when the contract is put out to competitive tender, bidders could plan collection schedules, driver recruitment, transport, bin sizes and disposal capacity efficiently.

4. Evidence and Reasons for Decision

- 4.1 The current paucity of robust data and operational experience would lead to a vaguely specified service which would be unappealing to potential bidders.
- 4.2 The current contract with Rentokil Initial is flexible and considered good value for money in the short term despite the inability to benchmark costs. This consideration takes into account the costs of the alternative of providing doorstep collections for each individual resident that requires a service.

5. Alternative Options

- 5.1 The contract could be allowed to expire, and the service could be put out to tender straightaway with a vague specification and compromised process.
- 5.2 The contract could be allowed to expire and Waste Collection Authorities (WCAs) left to make their own arrangements without the leadership of the County Council and with the added risk of fragmenting the support of the pharmacies.

6. Financial Implications

- 6.1 The cost of extending the contract for one year, to be shared amongst the eight Norfolk councils, ranges from £30,000 to under £50,000 per year depending on bin size and based on 70 pharmacies hosting a service. This is to be funded within the existing Waste budget.

7. Resource Implications

7.1 Staff: None

7.2 Property: None

7.3 IT: None

8. Other Implications

8.1 Legal Implications:

The seven borough, city and district councils are the Waste Collection Authorities (WCAs) for Norfolk and are legally responsible for arranging the collection of household waste in their respective areas under Section 45 of the Environmental Protection Act. Norfolk County Council is the Waste Disposal Authority (WDA) for Norfolk and is legally responsible for arranging for the disposal of household waste collected by the WCAs under Section 51 of the Environmental Protection Act (1990). The contract with Rentokil Initial deals with both of these legal obligations in respect of household sharps waste.

8.2 Human Rights Implications: None

8.3 Equality Impact Assessment (EqIA):

An EqlA was not considered appropriate for this specific decision because the extension of the contract refers to only one component of the overall service that residents are legally entitled to. Any EqlA should be directed at the examining how the wider legal obligation to collect residents' clinical waste is fulfilled, including the continuing provision of doorstep collections where these remain necessary. Such an assessment would be WCAs to undertake.

8.4 Data Protection Impact Assessments (DPIA):

A Data Protection Impact Assessment is not required because the contract does not require the collection of personal data.

8.5 Health and Safety implications:

The contract is carried out by trained collection operatives with appropriate training in the handling of hazardous sharps waste. Hazardous waste consignment notes are required for each collection. Disposal of the sharps waste is undertaken using a specialist high temperature incineration process. By providing a safe and effective sharps waste service with clear messaging that residents must present their waste in a standard sealed sharps disposal unit, the risk of needlestick injury to residents is reduced. The risk to operatives in waste facilities from sharps waste being disposed of incorrectly in kerbside collected waste is also reduced.

8.6 Sustainability implications: None

8.7 Any Other Implications: None

9. Risk Implications / Assessment

- 9.1 Sharps waste is hazardous waste which requires specialist handling and disposal to mitigate risks associated with needlestick injury and blood borne infections.

10. Select Committee Comments

- 10.1 None

11. Recommendations

- 1. To extend the Sharps Waste Collection and Disposal Contract with Rentokil Initial until 31 March 2023.**

12. Background Papers

- 12.1 Original contract exemption briefing note and form.

Officer Contact

If you have any questions about matters contained within this paper, please get in touch with:

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If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.