



"Working for our members to be the voice of government on waste minimisation and recycling issues"

LOCAL AUTHORITY RECYCLING
ADVISORY COMMITTEE

Andrew Sullivan
National Operations Waste Unit
SEPA Corporate Office
Erskine Court
Stirling FK9 4TR

14 September 2011

Dear Sir

SEPA Consultation on the Provision and Assessment of Technically Competent Management at Licensed Waste Management Facilities

I am writing to present the LARAC response to the above Consultation, which is contained below, and I thank you for the opportunity to respond.

The responses below are sent on behalf of the Local Authority Recycling Advisory Committee (LARAC). LARAC is an association of around 380 local authorities across England, Scotland, Wales and Northern Ireland whose waste management and recycling professionals' co-ordinate and operate waste management services. Membership is drawn from all types of authority including statutory Waste Collection (WCA), Waste Disposal (WDA) and Unitary.

Our response has been peer reviewed by members of LARAC's policy team and executive committee. LARAC members have also been invited to comment on the consultation through the members' discussion forum on our website. All contributions received have been taken into account in drafting the response below.

Overall, LARAC members support maintenance of the statutory requirement for proof of technical competence prior to issue of a licence. However, LARAC feel that there is now an opportunity for other alternatives to be considered and/or recognised as proof of technical competence subject to certain caveats. Our detailed comments are set out below.

If you have any queries on this response then please contact me at larac@armagh.gov.uk or 028 37529624.

Yours faithfully,

Ms Liz Drew
LARAC Policy Team

cc. Mr Stratton McDonald, LARAC Scotland Representative



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GREEN GLASS

SUMMARY OF CONSULTATION QUESTIONS

1. Do you agree that SEPA should continue to recognise COTC's issued by WAMITAB as evidence of technical competence?

LARAC has always supported, and will continue to support, continuing professional development for waste management and recycling professionals across the UK. We believe that the current system for attaining recognised competency has played a significant role in raising levels of awareness, skill and competence in the waste industry as a whole, and has been a valuable tool for developing staff and achieving necessary learning outcomes.

LARAC members believe that that the Technical Competence element of the "fit and proper person" test underpinning waste licensing has been a major contributor to improved standards across the industry since its introduction in 1994, with the CoTC being a key tool in laying down a recognised route for responsible facility managers to take in order to achieve competency in operating licensed waste management facilities in both a legal and compliant manner. The current CoTC scheme enables waste industry personnel to achieve standards that are recognised across the UK, whilst also being flexible enough to enable operators to meet the very specific legislative and policy requirements of their region, and the speciality, in which they work.

The waste industry is currently going through a period of rapid technological and ideological change, moving further from a disposal culture to a Zero Waste resource management industry. We feel that the demand for competent management at all points in the chain of responsibility will increase, and that continued professional development should be key to ensuring that developments are understood in the context of legislation, and that standards across the industry continue to improve.

As such, LARAC supports maintenance of the statutory requirement for proof of technical competence prior to issue of a licence. We feel that any removal of a requirement for a Certificate of Technical Competence would be a retrograde step, potentially demeaning the hard work and effort undertaken by individuals to date and also:

- Potentially leading to the deskilling of operators, and an attendant downturn in industry standards over time
- Potentially reducing the competitive advantage of both Scottish organisations and individuals wishing to operate in Wales, England or Northern Ireland. Beyond licensing requirements, evidence of technical competence also sends a valuable signal to others that wastes are being handled, stored and transferred by appropriately knowledgeable and trained persons, as per Duty of Care and more general resource management objectives. CoTC is currently the only consistent recognised competence benchmark across the UK.



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- Potentially leading to technical competence being considered solely as a means of meeting future licensing compliance requirements, rather than as key to operating safe, best-practice processes from the outset

However, whilst the existing Certificate of Technical Competence issued by WAMITAB has become the "gold standard" in the sector, we recognise that it is not the only method of assessment available and feel that there is now an opportunity for other alternatives to be considered and/or recognised as proof of technical competence.

For example, candidates in Scotland currently achieve an S(N)VQ in their relevant area of waste management which then leads to their CoTC certification. As this is due to cease, we feel that there is now an opportunity for consideration of the recognition of, for example, school courses, university degrees, and/or alternative assessments for particular areas of the wastes management industry so long as such assessments are applicable, in harmony with SEPA and Scottish waste industry needs, and potentially transferable across the UK.

Members would also welcome improvements in the system for evaluating technical competence, such as making it more responsive to different learning styles/needs of candidates and processes, including greater risk based assessment, and ensuring that it is linked to a requirement for continued professional development and update in order to maintain proof of competence. This would also align Scottish practice with the Continuing Competence requirements in other regions of the UK.

2. Are you likely to seek SEPA's approval for another scheme for demonstrating technical competence?

No

However, if other schemes for demonstrating technical competence are considered LARAC would welcome guidance and clarification regarding who will manage and approve such schemes, how the new scheme(s) will be achieved and to what standard, how the environmental risks will be evaluated, monitored and enforced, as well as on what sort of continuing checks will be put in place to ensure that the schemes meet, at the very least, the standards achieved by the current CoTC system.

Members also feel that any other schemes must reflect the needs of SEPA, provide consistency for the waste industry in Scotland, recognise the importance of on-going continued technical competence, and, as far as is possible, be in harmony with schemes operated elsewhere in the UK. Any new scheme should also be put in place promptly and be flexible enough to enable current CoTC holders to continue their professional and technical development smoothly.

3. Do you agree that statement of experience needs to assess knowledge and experience independently of each other?

Where possible, LARAC would support knowledge being demonstrated through evidence of appropriate formal qualifications and through evidence of practical application of the legislation applying to waste management sites (rather than "knowledge may be demonstrated through



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evidence of appropriate formal qualifications, or through evidence of practical application of the legislation applying to waste management sites").

4. Do you consider the format for the referees statements to be appropriate?

Yes

However, for Question 4 of the referee form members would welcome clear guidance as to what SEPA means by "skills", alongside what criteria will be used to determine if the skills information provided demonstrates that a person is competent. We would welcome clear guidance on the key skill areas being assessed in order to make completion of the form as straightforward and comprehensive as possible. For example, the skills that you think they have in respect of waste management activities may include:

- Safe reception, handling and storage of wastes
- Awareness and compliance with Health and Safety requirements
- Awareness and knowledge of key waste legislation, and training received whilst working with you, etc.