



**Smarter Regulation of Waste in Europe
(LIFE13 ENV-UK-000549)
LIFE SMART Waste Project**

Action B12:

**Barriers to Joint Working
- Issues affecting joint working in
tackling waste crime**

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1.0 Executive Summary

The LIFE SMART Waste Project is an innovative pan-European partnership between key bodies involved with addressing waste crime, led by the Scottish Environment Protection Agency (SEPA) and supported by EU funding. The aims of the project are to improve our understanding of waste crime and enhance the design and effectiveness of interventions to tackle and reduce this harm.

Waste crime is an issue that affects environmental authorities, law enforcement and industry alike, at a national and international level. Tackling waste crime, therefore, cannot be done effectively in isolation. Partnerships and joint intervention strategies are essential to approaching this issue and achieving a common goal of reducing criminality and environmental harm in the waste sector.

In order to achieve meaningful and effective partnerships, it is necessary to overcome the common barriers that have a detrimental effect on such collaborations. Identifying these barriers, between partner types and at national and international levels, is the first stage in overcoming them and is the aim of this report.

From the experiences of a wide range of individuals interviewed, from a variety of organisational backgrounds, this report identifies a number of common barriers to effective joint working.

The findings of this report categories these issues into various themes: People - which explores knowledge, behaviour and skills; Structures – which considers issues with group structures; Processes; Resources – which identifies a number of issues including money, time, staff and information; and finally External Influences – which explores issues with cultural differences, political and organisational priorities.

Not all the barriers identified are common to all the partner types and different experiences exist between and within EU member states, whether this is internally within organisations, at a national level or an international level. Of the various barriers that emerged, the three most significant common ones were: data exchange and sharing of intelligence; lack of knowledge/understanding of the roles, powers and responsibilities of partner organisations; and organisational priorities and their fluidity.

Identifying these barriers is the first stage in progressing to overcome them, which is essentially what this report will lead to in the next stage of the LIFE SMART Waste Project. On the basis of this report, further work will be carried out to identify and implement the best methods of overcoming the issues that affect successful partnerships for tackling waste crime.

2.0 Introduction

The LIFE SMART Waste Project, is an EU funded project led by the Scottish Environment Protection Agency (SEPA) and supported by partners Natural Resources Wales, Association of Cities and Regions for Recycling and Sustainable Resource Management (ACR+), and Institut Bruxellois pour la Gestion de l'Environnement. The aims of the project, which commenced in June 2014 and will complete in May 2019, are to improve our understanding of waste crime and enhance the design and effectiveness of interventions to tackle and reduce this harm through the development of innovative tool kits and collaborative partnership working.

Tackling waste crime is essential to provide a level playing field for businesses, as well as to support and protect the emergence of a robust resource efficiency strategy and sustainable economic growth. Embarking upon this requires the design of the most effective interventions possible and delivering these in collaboration with the most appropriate partners.

It is generally agreed that working in collaboration with partner agencies is the way forward to achieving effective interventions and the benefits to partners are numerous, not least of which is the pooling together of resources and powers to tackle waste crime, an issue that knows no borders and is global in nature. It is recognised that some of those individuals involved in serious waste crime are also involved in other forms of criminality and these individuals generally do not respond to "normal" intervention strategies from environmental authorities. Partnerships, therefore, can tackle these individuals more effectively.

Whilst some would agree that in theory partnership working is beneficial, there are doubts as to their effectiveness in the long term. This is evident in the current economic climate where questions have been raised as to the effectiveness of various task forces recently set up to tackle a variety of issues, e.g. The Refugee Task Force, The Environmental Crime Task Force and the Scottish Steel Task Force¹. Notwithstanding these doubts, providing a co-ordinated response to, for example, an environmental issue is deemed the way forward and ultimately "makes sense"².

It is clear that there are definite advantages and a real appetite among agencies for partnership working, however, before effective joint intervention strategies can be put in place, the common barriers must be identified in order that solutions to overcome these barriers can be progressed and this has been captured under a key action of the LIFE SMART Waste Project.

This report draws on the experiences of numerous individuals from various organisational backgrounds on the barriers to joint working. This is based firstly on a collaborative workshop hosted by SEPA in August 2015. This workshop featured an audience of practitioners from environmental authorities from the UK and Ireland, law enforcement, public sector agencies and industry who shared their experiences of the barriers to partnership working and the design of effective interventions in their own areas. The ideas and issues discussed at this workshop were then used as the basis for further exploration of the barriers to partnership working through subsequent one-to-one interviews, of which the results have formed this report.

3.0 Aims

The purpose of this report is to identify and explore the barriers to joint working that exist within agencies and between agencies, both nationally and trans-nationally, which make the carrying out of joint interventions on waste crime difficult. By analysing the responses from the participants of this study and identifying common issues experienced, the results will be used to lead further work in the LIFE SMART Waste Project by establishing common solutions to overcoming these barriers. This report, therefore, will form the basis of a further report which will specify the required group structures and responses that will allow for the carrying out of effective joint interventions.

4.0 Methodology

An invitation was extended to a number of individuals from various organisational sectors to request their participation in a one-to-one interview/discussion in relation to their experiences with barriers to joint and partnership working. A Terms of Reference document¹ was distributed to the participants, which included a list of questions that would be explored at the interview.

In order to get a broad range of perspectives, both nationally and internationally, participants were chosen from a variety of backgrounds: environmental regulatory; law enforcement/public body; industry; and European. In total, 19 participants took part in the interviews from the organisations listed as follows:

- Bruxelles Environnement, Belgium
- Environment Agency (England)
- Environment Protection Agency (Ireland)
- Federal Judicial Police, Belgium
- HMRC
- Human Environment & Transport Inspectorate (ILT), The Netherlands
- Interpol
- Natural Resources Wales
- NHS
- Office of the Traffic Commissioner
- Police Service of Scotland
- Scottish Environment Protection Agency (SEPA)
- Valpak

A series of open-ended questions were asked of the participants and their answers were noted and thereafter analysed to form the content of this report.

¹ Annex I - Terms of Reference

5.0 Findings

A number of significant barriers to joint working were identified from the stakeholder interviews. These barriers have been categorised into a number of themes: People; Structures; Processes; Resources; and External Influences.

5.1 People

Barriers related to 'People' are further categorised by Knowledge, Behaviour and Skills.

5.1.1 Knowledge

Understanding the legislative powers and roles and responsibilities that organisations possess is essential to building effective partnerships and carrying out effective joint interventions. The majority of the respondents from all sectors agreed that the existence of this lack of knowledge presents a barrier, however, overcoming this is perceived to be easy and can result in achieving stronger relationships and respect for each other's organisations. It is suggested that creating single points of contact within organisations, in conjunction with regular communication, would be one option to overcome this barrier.

One international environmental agency disagreed in the validity of this lack of knowledge as a barrier. In their experience, organisations are aware of each other's capabilities prior to entering into any partnership working.

5.1.2 Behaviour

In terms of management and governance, leadership is acknowledged as a key feature of effective partnership working. The lack of commitment and support at a senior management level is identified as a common hindrance to effective inter-agency partnerships by the environmental authorities, law enforcement (both in the UK and Europe) and industry sectors represented. The significance level at which this barrier is perceived is greater amongst the environmental authorities. In some cases there is a lack of understanding as to the value and benefit of collaborative working at a senior management level, which filters down to staff at ground level resulting in their lack of motivation to engage in collaboration.

It is suggested that one way to alleviate this barrier when entering into joint partnerships is by having clear lines of accountability and leadership, including formal reporting methods.

In contrast, non-environmental agencies (in the UK) did not experience this issue in their joint partnerships. This was also the case for one of the environmental agencies in Europe, signifying a contrast in experiences at a European level.

5.1.3 Skills

One of the major barriers to effective partnerships and explored within this report, is the exchange of data. Intrinsicly linked to this issue is the nature of the data and what to do with it, specifically, intelligence data. The lack of understanding, skills and experience in dealing with intelligence data causes blockages in the data exchange and leads to difficulties between partners in effectively working together. This issue is particularly evident amongst environmental authorities dealing with non-law enforcement/non-environmental organisations.

An improvement in the channels of communication between organisations is cited as one way to alleviate this issue. Perhaps a more formal method for improving this issue is increased training in intelligence, what it is and how it should be handled – a method that is

currently being adopted through an e-learning pilot programme by an environmental regulator within the UK.

5.2 Structures

Identifying the appropriate partners to work with at the initial stages of progressing joint working is fundamental to the achievement of the aims of the partnership. Those that are included in the group structures to tackle waste crime should have a clearly defined reason for membership within the group with clearly defined responsibilities and roles. A number of the respondents felt that the group structures in place for tackling waste crime, both within the UK and Europe, do not present a barrier to effective partnerships, however, the interaction between these groups is where the issues lie. Therefore, it could be argued that communication between organisations is more of a barrier than group structures themselves. The issue of improved communications arising previously in this report linked to the barrier category “knowledge”.

The environmental authorities within the UK recognise a number of appropriate waste crime group structures which focus on the sharing of intelligence, however, there is a lack of more formal *operational* group structures. From a European law enforcement perspective, the group structures available in tackling waste crime lacked logic and flexibility, hindering effective partnerships.

5.3 Processes

The processes involved in initiating partnership working can hinder effective collaboration.

5.3.1 Lack of Mutual Benefits

Respondents across all organisational sectors recognised that a lack of understanding of the mutual benefits of partnership working is a common barrier that should be addressed at the outset of the collaboration. Establishing what the mutual benefits are, if any, at this early stage is essential and avoids “mission creep”. Environment agencies within the UK in particular, felt that in some cases the involvement of other partners is not clearly defined which can lead to a lack of confidence in the benefit of the collaboration.

5.4 Resources

Resources, in terms of barrier issues, refers to money, time, staff and information.

5.4.1 Money

Not all the respondents agreed that the availability of financial resources was a barrier to partnership working in their own organisations, however, this correlated with those organisations with partnership working as a priority, according to the respondents.

When financial resources are seen as challenging, it is one of the first aspects to be considered prior to engaging in joint working with external partners. In addition, where costs are incurred through a joint partnership and the resultant outcomes do not justify the costs, this can have negative implications for future partnerships.

In circumstances where organisations are facing a reduction in resources, tackling environmental crime such as waste crime can be viewed as less of a priority by some law enforcement agencies, both nationally and internationally, due to the perception of it being a “victimless” crime.

5.4.2 Time

The investment in joint interventions with external partners can, in some instances, lead to operational staff being overloaded with work, which is not taken into consideration by management. This can result in a reluctance of operational staff to engage in partnership working.

5.4.3 Staff

It is recognised that carefully considered staff exchanges between partner organisations, by way of secondments, can have beneficial effects for partnership working in terms of improved intelligence collection, improved awareness and understanding of partners processes, roles and remits. However, this practice between relevant organisations typically depends on the financial capabilities and staffing levels of the organisations. In the absence of secondments between agencies, the co-location of staff from law enforcement and non-law enforcement has similar benefits to the agencies involved.

5.4.4 Information

The exchange of data and/or intelligence information has been identified as one of the key issues in partnership working at UK and European level. All respondents agreed that this is a particularly challenging area, whether the information relates to intelligence or data of an evidential nature.

Within the environmental authority sector in the UK, data exchange can be constrained by a lack of integrated and incompatible IT systems with no capacity to communicate across organisations. This is not restricted to the environmental sector but exists within all the other organisational areas of business.

Organisations are restricted in the exchange of data by strict guidelines and legislation, which in some cases can lead to confusion in the handling and storing of the information and a reluctance to share information, particularly with intelligence data although not exclusively. This is evident between law enforcement partners and non-law enforcement partners both within the UK and Europe. It is also evident when the data exchange is between law enforcement partners of different member states within the EU. Even further difficulties are encountered when the data exchange is with a non-European member state and in some instances there is no exchange, particularly with intelligence data.

In order to alleviate the barrier of data exchange difficulties Memorandums of Understanding (MOUs) are put in place by most sectors when there is no formal group structure to assist in the exchange.

5.5 External Influences

Effective collaborative working can at times be hampered by external, cultural and political influences.

5.5.1 Cultural

Cultural differences between EU member states and within member states can lead to barriers in effective partnerships. Language differences is evident both between and within member states. From a European perspective, within the same member states, there are clear cultural differences between law enforcement and competent authorities in waste crime, which is one of the main components to ineffective and inefficient partnerships.

In some member states, within the law enforcement sector, environmental crime is perceived as “victimless” and therefore commitment to partnerships in tackling this type of crime can prove difficult.

A general lack of trust between law enforcement and non-law enforcement sectors also hampers collaboration, both in the UK and Europe. This can, on occasion, be attributed to a lack of knowledge of the processes of the non-law enforcement organisation. It is suggested that building relationships between individuals can help in building up a trust between differing organisations.

5.5.2 Political

Some organisations are affected by the political climate of the day, leading to strategic and operational priorities changing and affecting key performance indicators (KPIs) and commitments to joint partnerships. This can also affect resources and funding available.

Political issues also factor when tackling waste crime in transit at an international level and EU member states are collaborating with non-EU members. MOUs go some way to alleviate these barriers, however, the issues are generally more complex than an MOU can solve.

5.5.3 Organisational Priorities

The delivery of organisational priorities, including KPIs, can result in a reluctance to commit resources to activities that fall outwith these defined areas. This includes partnership working where only the lead Agency may directly contribute to achieving organisational targets as a result of any joint working.

Changing priorities can lead to hastily arranged partnerships, resulting in a lack of direction and/or ineffective or compromised outcomes. In some cases, public perception, as opposed to environmental impact, plays a part in these priority changes.

5.5.4 External

The differences in legal systems causes barriers when evidential data is required to be exchanged cross-border between environmental authorities in the UK and other EU member states. Between and within EU member states differences in legislation and the interpretation of legislation also causes difficulties in effective partnerships within Europe. Legislative barriers are intrinsically linked to the previously discussed barriers related to the exchange of data.

5.6 Key Issues

From all the barriers identified through the experiences of the respondents, those that emerge as the most common and significant, both at a UK and a European level, are: data exchange; lack of knowledge/understanding of partners’ roles, responsibilities and powers and; organisational priorities. In addition, the lack of understanding of mutual benefits when joint working is embarked upon causes significant difficulties at a UK level, albeit this is somewhat less significant amongst European experiences.

6.0 Conclusion

This report has drawn on the experiences of inter-organisational partnerships from a range of partner types including the environmental sector, law enforcement, industry and other public bodies at national and European levels. Whilst in some respects the experience of these organisations has been divergent, a number of common themes have emerged in which the barriers to partnership working lie. These key barriers relate to:

- People, encompassing skills, knowledge and understanding of organisational roles and responsibilities, as well as commitment and support, or lack thereof, at a senior management level;
- Structures, or more accurately, the way in which existing group structures interact;
- External Influences, encompassing cultural differences between partner types and levels and organisational priorities affected by political climates and KPI driven behaviour; and
- Resources, including money, time, staff and, significantly, information.

The three major barriers which commonly emerged are lack of knowledge/understanding of partner organisations, organisational priorities and data exchange. Information resources, specifically the exchange of data and sharing of intelligence, is the significant barrier which affects all partner types, at all levels. This issue clearly impacts across the board when partnerships are initiated to tackle waste crime. Although organisations commonly utilise MOUs to alleviate some of the issues they have in this respect, it is a barrier that requires further attention and methods to resolve, albeit not the only barrier.

Some of these key barriers are less complex than others and perhaps could be less difficult to overcome. For example, in terms of knowledge and understanding of partner roles, an improvement in communication and training between partners may resolve such issues. Other issues are more problematic and perhaps require more focussed attention in developing methods to overcome them, for example, the exchange of data which is restricted by guidelines and legislation.

These factors which prevent effective joint interventions in partnerships will be addressed in the next stage of the LIFE SMART Waste Project and methods to overcome such issues will be explored to provide the best solutions for all partners.

References

- 1 <http://www.bbc.co.uk/news/uk-scotland-34647421>, accessed 12/11/2015.
- 2 <http://www.bbc.co.uk/news/uk-scotland-scotland-politics-34438051>, accessed 03/12/2015

Annex I - Terms of Reference

Background

The LIFE SMART Waste Project is an innovative pan-European partnership between key bodies involved with addressing waste crime. The Project is led by the Scottish Environment Protection Agency (SEPA) and supported by EU funding. This is a major project that will improve our understanding of waste crime and enhance the design and effectiveness of interventions to tackle and reduce this environmental harm.

The Project will run until 2019 and will deliver and pilot a series of practical toolkits and approaches that will improve our intelligence collection and analysis of waste crime and, therefore, our design and deployment of lasting and effective waste crime prevention and intervention strategies.

Objectives

The LIFE SMART Waste team seek to work in genuine partnership with key external agencies on the delivery of specific project actions. One such action is to identify the barriers to partnership working both from an internal and external perspective, as well as from a national and international perspective, in order to improve collaborative working in all sectors.

An External Steering Group (ESG) Meeting took place in August 2015 to identify the issues related to barriers to joint working and their solutions, as well as looking at designing effective interventions. A number of common “barriers” were identified from the range of participants.

The Project team has produced a summary report outlining barriers to joint working identified by the workshop participants. This is attached for your consideration and will be used as a basis for further investigation of these barriers and how best to design and deliver joint interventions. With this in mind, we would like to invite you to a follow-up meeting with a member of the project team in order to explore further the issues raised in the workshops.

We understand that you have many pressures on your time but your knowledge and expertise in these areas will be integral to the success of our work and we hope that you are able to help us. The sharing of your expertise in this area will greatly strengthen the overall value of the project.

Your contribution will be captured during a single interview lasting no longer than 90 minutes. The interviews will take place throughout October and early November and will be arranged at a time and place to suit you.

Issues to be Explored and Analysed

The questions and issues we'd like your help to explore are:

Barriers identified as the most significant:

- Lack of knowledge of other powers of organisations
- Senior management support
- Lack of understanding of mutual benefits
- Data exchange and sharing of intelligence

Further barriers identified were:

- Lack of knowledge of priorities
- Lack of confidence in benefit of collaboration

- Lack of co-ordination across organisations
- Lack of understanding of limitations of data
- Lack of protocols / processes
- Continuity of contacts
- Maintaining long term commitment
- Poor perception of other organisations and clarity in engaging with them
- Lack of knowledge of resources – people & equipment
- Organisational challenges
- Communication between agencies

Questions to consider:

1. Do you think partnerships can help achieve effective joint interventions?
2. What do you think are the benefits to joint partnership working?
3. How valid, and why, do you think the above mentioned significant barriers are to effective joint interventions with partners?
4. From the list of barriers above, what issues do you think are missing or would you include as significant, from your perspective?
5. Why do you think these missing barriers are significant?

6. How would you prioritise the significant barriers, in comparison to each other?
7. Where do you think the most barriers to joint working lie i.e. Internally within your own organisation; nationally; or internationally?
8. Are there any specific barriers that you have experienced at an international level when dealing with other EU member states?
9. Does your organisation share staff, e.g. seconded employees?
10. Do you think there is a requirement for seconded staff to/from your organisation?
11. What are your current inter-agency processes; or are they ad-hoc around specific operations?
12. Does your organisation have any strategic framework to support joint interventions?
13. Does your organisation have adequate resources to support joint interventions?
14. Why does tackling waste crime need joint working and interventions?
15. Do you think the barriers to effective joint interventions are the result of poorly defined group structures?
16. If so, would a different approach to building group structures enable us to better deliver joint interventions?
17. What recommendations would you offer to overcoming the barriers to joint working through joint interventions? E.G. leadership and governance; existing good practice; performance management; joint aims and objectives; joint training; sufficient time provided?