



## The Waste (England and Wales) Regulations 2011 (UK) Amended: The Waste (England and Wales) (Amendment) Regulations 2012

### 1 What the law covers:

- Rules to comply with The Revised EU Waste Framework Directive (2008/98/EC), which sets out five steps for dealing with waste (i.e. the Waste Hierarchy)
- New requirements for dry recyclable materials – waste paper, metal, plastic and glass – to be collected separately from other waste as of 1 January 2015
- Provisions to facilitate or improve the recovery of waste where it is technically, environmentally and economically practicable

### 2 What is the Waste Hierarchy:

A five step approach (in order of preference) to dealing with waste, according to its environmental impact.

#### Step

1. **Prevention** – use less material in design/manufacture of product, such as less packaging
2. **Preparing for re-use** – checking/ refurbishing used equipment or parts for direct re-use
3. **Recycling** – turning waste into a new material or product
4. **Other recovery** – using the waste in a productive way, such as in anaerobic digestion and energy from waste plants
5. **Disposal** – landfill or incineration without energy recovery

### 3 Who must adhere to the regulations:

Any business that imports, produces, collects, transports, recovers or disposes of waste, or has control of waste as a dealer or broker.

### 4 How Waste Hierarchy applies to information management:

Businesses must demonstrate that their waste retention and destruction procedures are sufficient and comply with Waste Hierarchy duties.

In relation to paper and card, government guidance\* states that “the majority of published studies indicate that recycling is preferable to other waste management options with respect to greenhouse gas emissions, resource depletion, acidification, ozone creation, and water savings”.

This guidance also indicates that there are no re-use activities for paper and card products so, after prevention, recycling is the next best option.

As well as complying with this legislation, businesses must also ensure they adhere to other important regulations during the appropriate course of confidential waste disposal – most notably, the Data Protection Act which protects personal data against unauthorised use and disclosure.

\*[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69404/pb13529-waste-hierarchy-summary.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69404/pb13529-waste-hierarchy-summary.pdf)

## 5 How to comply:

- When you transfer waste, take all reasonable measures available to apply the Waste Hierarchy (i.e. prevent waste where you can, re-use things as the next preference, recycle if you cannot re-use, etc.)
- Ensure applicable waste transfer notes contain confirmation of compliance

## 6 Offences/penalties for non-compliance:

Charged with improving the environment and promoting sustainable development, the Environment Agency (EA) can implement the following for non-compliance.

- Enforcement or prohibition notices
- Suspension or revocation of environmental permits and licences
- Criminal and civil sanctions

The new powers given to the regulator in 2011 now permit the Environment Agency to also fine businesses up to £250,000 for serious offences.

## 7 Recommended inclusions for a secure document management/disposal policy:

- Obligations regarding regulatory compliance, e.g. Data Protection Act, Waste Hierarchy, etc.
- Categories of documents, format (electronic or hard copy) and how long they should be kept
- Methods of secure storage and retrieval
- Members of staff designated to deal with the document management system
- Methods of document destruction, including those carried out by third parties
- Requirements when contracting a third party supplier, e.g. registration with the EA, etc.
- Procedures for completing and retaining waste transfer notes
- How to keep an accurate record of documents destroyed that provide proof of compliance

## 8 How Shred-it can help:

Every Shred-it location is a registered waste carrier with the EA (or SEPA in Scotland or NIEA in Northern Ireland), and will provide you with the necessary waste transfer notes.

Shred-it provides solutions tailored to your organisational needs that will:

- Contribute to an effective waste management strategy in compliance with Waste Hierarchy regulations
- Protect you and your customers' confidential information

Our secure destruction of paper and card products ensures that any personal data can no longer be accessed before it then enters the designated recycling stream.

- Secure end-to-end chain of custody
- Certificate of Destruction after every service
- Trained experts in information security
- Helpful resources available at [shredit.co.uk/resource-centre](http://shredit.co.uk/resource-centre)

We can also advise on implementing a 'shred all' policy for all of your paper documents, improving security and ensuring compliance with the Waste Hierarchy duties.

**For peace of mind,  
contact Shred-it today**

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