

## What is your Duty of Care?

Every organisation and business has a **Duty of Care** (a legal responsibility) for waste they generate. This means, you must:

- Store your waste securely so it does not cause litter or attract vermin.
- Ensure your waste is transferred to an authorised collector such as your local authority or a reputable waste contractor.
- Complete a waste transfer note for any transfer of waste and retain a copy of this note for two years.
- If carrying your own waste to recycling facilities you should be appropriately registered with us. This registration is free and the simple application form is available on our website<sup>1</sup>.

Plus, recent waste regulations require that all business and organisations in Scotland (big and small) present the following materials for recycling:

- glass (including drinks bottles and rinsed food jars);
- metal (including rinsed cans and tins);
- plastic (including drinks bottles and rinsed food containers);
- paper;
- cardboard.

Food businesses<sup>2</sup> (such as cafés, restaurants or food takeaways) which produce over 50kg of food waste per week also have to present food waste separately for collection unless excluded by a rural location.



If a food business (in an urban area) produces more than 5kg per week, they will also be required to segregate food waste for collection by **1 January 2016**.

<sup>1</sup> [www.sepa.org.uk/regulations/waste/waste-carriers-and-brokers/](http://www.sepa.org.uk/regulations/waste/waste-carriers-and-brokers/)

<sup>2</sup> Food business is defined as an undertaking, whether for profit or not, and whether public or private, carrying out any activity relating to the processing, distribution, preparation or sale of food.

## 5 easy steps to stay within the law

### 1 Speak with your local authority or waste contractor.

They should be able to offer advice and a service that enables you to comply with your Duty of Care. Putting all your waste in a single bin is not compliant if any recyclables are present – any contractor that offers such a service should be reported to SEPA.

### 2 Do not contaminate recyclables or food waste.

Your waste contractor may refuse to uplift recyclables or food waste (or charge extra) if they are contaminated by other materials. Use clear bags to collect recyclables, black bin bags should only be used for general waste.

### 3 Train your staff and make sure they know how to recycle in the workplace.

Label bins stating clearly what should be recycled and ensure staff know what goes where. Use the free online poster creator tool to help staff to recycle effectively [www.resourceefficientscotland.com/PosterCreator](http://www.resourceefficientscotland.com/PosterCreator)

### 4 Use the rural postcode search tool to check if your business is rural and therefore exempt from the requirement to segregate food waste.

[www.resourceefficientscotland.com/resource/waste-scotland-regulations-faq-rural-postcode-finder-tool](http://www.resourceefficientscotland.com/resource/waste-scotland-regulations-faq-rural-postcode-finder-tool)

### 5 Try to reduce waste.

Look at what you are paying to have waste collected and think about how to reduce the amount of waste you produce.

Seek advice from your waste contractor, local authority or contact Resource Efficient Scotland on **0808 808 2268** for free specialist advice and support.