

Instruction

Waste Management

Mandatory action required

Overview	This Instruction covers all the key legal aspects which affect waste management. Storage, disposal, transport, and management of waste including all the relevant paperwork such as Duty of Care, Waste Transfer Notes, Consignment Notes and registering permitted activities are covered. A material becomes waste when the holder discards or intends to discard it. Once it is determined as waste, the holder managing the waste must comply with relevant waste legislation and align with the National Trust's Climate and Environmental Policy commitments. This Instruction applies to all staff with accountability and responsibility for managing waste..
Rationale	There is a substantial range of detailed legislation which covers many aspects of waste management. This Instruction sets out the key elements of that legislation with links to guidance which sets out specific minimum requirements which will help staff operate within the law.
Implications	The penalty for failure to comply with the legal aspects of this Instruction may lead to prosecution, resulting in unlimited fines, a term of imprisonment, adverse publicity or Improvement and Stop Notices. Failure to act correctly could result in fly tipping, and other illegal waste activities for which the Trust could be held responsible. Non-compliance with this Instruction by an individual will be dealt with as a performance management issue.

Duty of Care

- The Duty of Care applies to anyone who produces, imports, transports, brokers, stores, treats or disposes of controlled waste from business or industry. Commercial, industrial and household wastes (including hazardous wastes) are classified as 'controlled waste'.
- You must dispose of all National Trust waste through a contract with a licensed waste contractor or via the local authority contract provided you have a written agreement to use that service. Trust waste must not be disposed of through the domestic waste collection for residents at a property.
- You must check on the Environmental Regulator's online public register that anyone that you pass your waste on to is a licensed waste carrier. If you don't

check that they are authorised and it is illegally disposed of, you could be held responsible.

- Specific responsibilities for managing business waste are set out in the '[Waste Duty of Care Code of Practice](#)' for England and Wales, and [Duty of care for waste in Northern Ireland](#)
- Our duty of care for waste has no time limit. It extends until the waste has either been finally disposed of or fully recovered.

Applying the waste hierarchy

- We have a legal duty to apply the waste hierarchy when we are managing waste and must declare that we have done this each time we transfer waste to our waste carriers. This means we prioritise waste prevention, preparing for reuse and recycling ahead of other recovery such as incineration with energy recovery and finally disposal to landfill. For more information, visit the UK [waste hierarchy guidance](#).
- Evidence that the hierarchy has been applied to the way waste is managed at the National Trust is required.

Storage of waste

- The storage of waste must conform to rules set for three categories which cover the temporary storage of waste at the place of production, temporary storage at a place controlled by the waste producer and temporary storage at a collection point. Specific details and restrictions for these can be found on the [Storage of waste Acorn pages](#).

Waste documentation

- Specific [waste documentation](#) is needed to provide evidence that we have handled waste according to the law.
- All non domestic waste must be accurately described using [waste transfer notes](#) or [consignment notes](#) (for hazardous waste) and passed on to the next holder of the waste. The waste transfer note can be completed either in a paper format or on-line with [GOV.UK](#)
- These must be kept for two years for waste transfer notes and three years for consignment notes and must be made available to the Environmental Regulator up on request.
- An [example Waste Transfer Note](#) which includes information specific to the National Trust's registrations and SIC codes is available.
- The National Trust is a registered waste carrier to allow staff to transport waste. All staff carrying waste in either Trust vehicles or their own vehicle must have a copy of the Trust's [Lower Tier Waste Carrier's License](#) on every occasion when waste is carried. For those carrying waste in England and Wales, use this [lower tier waste carriers document](#), and for those carrying waste in Northern Ireland, use this [lower tier waste carriers document](#).

Registering permitted or exempt waste activities

- An environmental permit or exemption must be registered with the Environmental Regulator for various waste activities that take place at Trust properties.

- There are many different types of waste activity which commonly take place with in the Trust and cover the use, treatment, storage and disposal of waste.
- There are conditions and thresholds which will determine whether activities must have a permit or must be exempt.
- General/ Property Managers must be responsible for ensuring the relevant exemptions for properties are registered under their control and must ensure the detailed terms and conditions relating to each exemption are adhered to. A [questionnaire](#) is available to help identify relevant exemptions for groups of properties.
- To register a waste exemption in England and Wales, currently these are free. However, there are plans to bring in charges in England and Wales in 2025 for some higher risk exemptions. In Northern Ireland there is a charge. These must be renewed every 3 years if the waste activity continues.
- Exemptions must be registered on line. For further information on how to register an exemption, go to the [Waste exemptions](#) page on Acorn which has a step by step guide and links to further information.
- Failure to register or to adhere to the conditions of the exemptions could result in an unlimited fine or a term of imprisonment.
- If the limits set out in the exemptions are exceeded, an [Environmental Permit](#) may be needed, or the activity needs to change or stop. There are substantial charges and other onerous administration procedures required for an environmental permit.

Construction waste

- It is best practice that anyone carrying out a construction project prepares a site waste management plan (SWMP) stating how waste will be reduced, reused or recycled, and how waste will be removed from the site in compliance with the waste duty of care code of practice. For more information on managing construction waste, visit the [construction waste Acorn page](#).

Animal by-products

- Animal by-product regulations cover the safe disposal of former foodstuffs, animal by-products (including that from catering) and parts to control the risk of spreading disease.
- When disposing of all animal by-products and parts, a commercial document must be used to accompany the waste to its point of disposal.
- Detailed recommended practice can be found on the [Disposing of catering waste and animal by-products](#) Acorn page.

Confidential waste

Confidential information must be kept according to the [retention schedule](#). When it is no longer needed, it must either be cross shredded using a P4 grade cross shredder, or disposed of as confidential waste through a specialist confidential waste contractor and shredded to P4 grade. For more information visit the [confidential waste page on Acorn](#).

Hazardous waste

- Properties in Wales disposing of hazardous waste must identify the need to [register as a hazardous waste producer](#) with Natural Resources Wales.
- A [consignment note](#) must accompany every movement of hazardous waste.
- See [classifying hazardous waste](#) and the [consigning waste guide by Northern Ireland Environment Agency](#).
- In addition to completing a consignment note, the [hazardous waste log](#) must be completed and kept with consignment notes for 3 years. These may be requested at time of audit.
- More detailed recommended practice and the hazardous waste log can be found on the [Hazardous waste](#) Acorn page.

Chemical and pesticide containers

- Surplus or unwanted pesticides and chemicals may be classified as hazardous waste; you must dispose of these via a licensed waste disposal contractor for high level incineration. Refer to [Disposal of pesticides and chemicals Acorn page](#)

Fly tipping

- The Trust is responsible for clearing any fly tipped (illegally dumped) material from its land. All fly-tipping incidents must reported using the on-line incident reporting system
- More detailed guidance on dealing with fly tipping and extreme littering is available on the [fly tipping and extreme litter Acorn page](#).

Waste Electronic and Electrical Equipment

- All UK businesses, including the Trust, that use electrical and electronic equipment must comply with the Waste Electrical and Electronic Equipment (WEEE) Regulations 2013
- The disposal of IT equipment must comply with the [IT Disposals and collections Acorn guidance](#)
- Further guidance is available on the [Waste and Electronic and Electrical Equipment Acorn page](#)

Packaging waste.

National Trust Enterprises is part of the Valpak compliance scheme for packaging waste, and a return must be made to the Environment Agency each year. This is managed through the central retail team and distribution centre.

Monitoring of compliance with this Instruction is the responsibility of line management in conjunction with the Operational Risk team.

For further information about this topic please contact Camilla Timms, Senior National Consultant for Sustainable Resources Camilla.Timms@nationaltrust.org.uk