

CODE OF PRACTICE FOR HOUSEHOLD WASTE RECYCLING

Introduction

Under section 44ZZA of the Environmental Protection Act 1990, the Scottish Ministers must prepare and publish a Code of Practice that sets out the standards expected of, and steps to be taken by, local authorities in carrying out their waste management functions in so far as they relate to the collection and recycling of household waste. This document is that statutory Code of Practice.

This Code of Practice for Household Waste Recycling will play a key role in improving recycling performance, increasing public participation and delivering more consistent and effective services for residents. The Code seeks to:

- (a) improve performance by increasing household recycling and reducing contamination, and
- (b) reduce local authority costs through lower processing and disposal costs of both recyclable materials and residual waste.

This Code of Practice details relevant statutory duties and policy requirements relating to household waste collection and recycling. The Code also sets out the standards and actions that local authorities are expected to follow in order to comply with those statutory duties, and includes recommendations and examples of good practice which are intended to support local authorities in improving service performance, increasing consistency and delivering high-quality recycling services.

Local authorities need to set out, in their Integrated Waste Management Plan, how they intend to carry out their waste disposal and collection functions, as far as they relate to the collection and recycling of household waste, consistently with the standards and guidance contained within the Code. Where services do not align, local authorities should explain the reasons for this and any planned actions to achieve alignment where appropriate.

1. Core recyclable materials

Materials which local authorities must collect

Under the Environmental Protection Act 1990, local authorities must collect a defined set of core recyclable materials from households across Scotland, unless otherwise exempted under the 1990 Act. These materials are as follows:

- Paper
- Card
- Plastics (including plastic film)
- Metals
- Glass
- Food waste (unless otherwise exempted)

Local authorities do not have a legal duty to provide a receptacle for recycling if:

- the property is in a rural area, and the authority considers that the separate collection of dry recyclable waste from the property would not be environmentally or economically practicable; or
- the authority considers that dry recyclable waste, if not presented in a receptacle, will be deposited at a bring site.

A local authority does not need to comply with their duty to provide receptacles if:

- it considers that
 - such non-compliance will not affect the potential of the waste to undergo preparing for re-use, recycling or other recovery operations, and
 - the resulting output will be of comparable quantity and quality to that achieved if the duty to provide receptacles were complied with, and
- it is satisfied that dry recyclable waste will not be mixed with other waste that cannot be recycled.

Other materials

Although not on the list of recyclable materials set out in the 1990 Act, it is strongly recommended that local authorities also collect cartons (or fibre-based composites) for recycling.

Local authorities may also collect additional materials alongside core materials, and are encouraged to do so where it supports local priorities or delivers environmental and/or economic benefits. This could include items such as batteries, vapes, small Waste Electrical and Electronic Equipment (WEEE), mattresses and furniture, textiles or other materials.

Consistency of collections

Consistency in accepted materials is more important than consistency in collection method. For that reason, the Code recommends that local authorities include the following subfractions of each material set out in the table below as part of their collections of materials.

Material stream	Accepted in collections	Not accepted in collections
Paper and card	Newspapers, magazines, catalogues, envelopes, office paper, greetings cards, cardboard boxes, corrugated cardboard, paper packaging, paper bags.	Laminated paper, heavily contaminated paper, wallpaper, nappies, tissues, kitchen roll, photographic paper, paperback and hardback books (where reuse routes exist), paper with food residues.
Glass	Glass bottles, glass jars, cosmetic glass containers.	Drinking glasses, Pyrex and ovenware, mirrors, window glass, sheet glass, vases, ceramics, crockery, light bulbs, fluorescent tubes.

Metal	Steel food cans, drinks cans, aluminium cans, empty aerosols, metal lids, foil trays, aluminium foil (where clean), metal jar lids.	Gas cylinders, paint tins containing residues, engine oil containers, kettles, pans, cutlery, metal furniture, construction metal. Electrical items and batteries, if collected, should not be included with the metals material stream.
Plastic packaging	Plastic bottles, pots, tubs, trays, cosmetic containers, detergent bottles, food containers, dairy pots, ready-meal trays, plastic packaging tubes, beverage cartons where collected with containers.	Garden furniture, plastic toys, buckets, plastic plant pots (unless specifically accepted), DIY materials, hosepipes, rigid non-packaging plastics, compostable plastics, biodegradable plastics, packaging containing hazardous residues.
Plastic film packaging	Polyolefin plastic film packaging and plastic bags which contain a minimum of 90% by weight of mono-polyethylene, mono-polypropylene, or both, including any polyolefin plastic film that has been metalised through vacuum or vapour deposition. These include carrier bags, bread bags, produce bags, wrapping film, toilet roll wrap, shrink wrap, plastic mailing bags.	Any polyolefin plastic film which contains aluminium foil or paper. Compostable film, biodegradable film, heavily contaminated film, agricultural film, non-packaging film.
Food waste	All cooked and uncooked food, meat, fish, bones, dairy products, fruit and vegetables, bread, rice, pasta, tea bags, coffee grounds.	Packaging, liquids in significant quantities, oils and fats in bulk quantities, garden waste (unless mixed organics system), pet litter.
Garden waste	Grass cuttings, leaves, weeds, hedge trimmings, flowers, plants, small branches and prunings.	Soil, stones, rubble, turf, invasive species where prohibited, treated timber, fencing, plastic plant pots, food waste (unless mixed organics system).

Fibre-based composite cartons	Food and drink cartons (milk, juice, soup and similar packaging).	Cartons containing residual contents, non-packaging composite materials.
-------------------------------	---	--

Local authorities may also collect additional materials alongside core materials, and are encouraged to do so where it supports local priorities or delivers environmental and/or economic benefits. Local authorities should consider provision for items both accepted and not accepted in collections at household waste recycling centres.

2. Dry recycling collections

Twin-stream

Local authorities should provide a consistent recycling service that separates paper and card from other dry recyclable materials.

This should be achieved through households having access to separate recycling containers for:

- paper and card
- plastics, plastic films and metals (together with cartons, where collected)

Collection and processing arrangements should maintain the separation of these streams and ensure the quality of recyclable materials. Twin-stream recycling collection is associated with reduced contamination and better quality of recycling that keeps material value high and in circulation for longer. This also has the effect of maximising the economic opportunity for local authorities and reducing carbon emissions.

Local authorities must provide a capacity to ensure that their statutory duties to collect core recyclable materials are met. The following are suggested minimum per household capacities for each material:

Material stream	Suggested minimum capacity
Paper and card	40 litres per week
Plastics, plastic films, metals and cartons	60 litres per week
Glass	20 litres per week (or 10 litres per week if provided through bring banks)

Glass

Local authorities may collect glass in a way that best suits local circumstances. This may include:

- separate kerbside collections;
- collections in the same container as plastics, plastic films, metals and cartons; or
- bring bank provision.

In line with the [statutory guidance on the waste hierarchy](#), glass should not be collected in the same container as paper. Separating paper and card from glass is associated with the greatest reduction in contamination so the Code recommends that any co-mingling of glass to be with the container stream and not with fibres.

Where communal containers or bring banks are considered, local authorities should ensure that this achieves the same quality and quantity of glass that would otherwise be collected from kerbside collection.

Local authorities should prioritise “closed-loop” recycling for glass that is collected and only use “open-loop” where closed-loop is not technically possible or economically practicable. Closed-loop recycling is when the glass collected is used for new glass containers of the same quality and purpose. Open-loop recycling is when the material is used for other purposes.

3. Residual waste capacity

Recommended capacity

Local authorities are expected to provide a maximum average capacity of **60 litres per household per week**. This recommendation does not apply to households that use communal bins or do not have access to a food waste service.

Local authorities may choose whether to achieve this through:

- smaller containers
- less frequent collections
- a combination of both

Under s.46(11) of the Environmental Protection Act 1990, local authorities are not obliged to collect waste that has not been placed within the confines of the provided receptacle. This includes the situation where a residual waste bin has reached its capacity and waste has been placed outside it. Local authorities should use their discretion and not collect excess waste at the kerbside, as this would indirectly enable households to exceed the recommended maximum capacity.

Additional Capacity

The Code recognises that some households require additional waste capacity or a variation to normal frequencies. Local authorities should maintain arrangements for households that generate additional waste due to:

- larger household size
- medical needs
- disability-related requirements
- absorbent hygiene products
- exceptional circumstances

Local authorities should regularly review additional capacity arrangements. Local authorities should design local application processes that reflect local needs.

4. Food and garden waste

Food waste

Under section 45 of the Environmental Protection Act 1990, local authorities must provide a dedicated food waste collection service to all households, unless otherwise exempted by the rural food waste exemption. This means that the duty to provide a dedicated food waste collection service does not apply to premises in a remote small town, accessible rural area or remote rural area as described by reference to postcode units in table 2 of [Defining Rural Areas and Non-Rural Areas to support Zero Waste Policies](#), published by the Scottish Government on 13 March 2012. The Scottish Government is exploring changes to the rural food waste exemption, including removing remote small towns (classification 4) from the exemption.

Where dedicated food waste collection is required, it is expected that:

- separate food waste collections are provided, but co-mingled food and garden waste collection is acceptable if it does not affect the amount of food waste collected.
- preferably food waste collection is provided weekly, but no less than fortnightly.

Food waste collections may be co-mingled with garden waste collections if it does not affect the amount of food waste collected. Where a local authority allows for co-mingled food and garden waste, and also charges for garden waste, households must be informed that they are entitled to a food waste-only collection for free in a smaller receptacle.

Garden waste

Garden waste, where the duty has arisen on a local authority to collect it following a request from the householder, is to be recycled or composted in accordance with [statutory guidance on the waste hierarchy](#). Local authorities should not routinely direct households to dispose of garden waste within residual waste collections.

It remains the case that local authorities may charge for garden waste collections if they choose to, under section 45(3) of the 1990 Act and the Controlled Waste Regulations 1992.

It is recommended that:

- Existing free garden waste collections are retained where they exist, as introducing charges has the potential to reduce recycling performance.
- Local authorities should take opportunities to expand food waste collections if introducing garden waste collection charging. This is because savings can be used to fund service expansion and the increase in food waste collected will offset the impact on the recycling rate.
- Charged garden waste collections are preferable to no garden waste collection being provided, as they improve recycling performance cost-effectively.
- Local authorities should provide information to householders on the availability of home composting and community composting opportunities.

5. Communications

Local authorities should maintain and review annually a recycling and waste communications strategy which supports household recycling and waste services and reflects local circumstances and community needs. This may set out differing approaches for different parts of an authority.

Local authorities should ensure residents have access to clear, accurate information regarding local recycling and waste services, including service changes and accepted materials, and communicate with households about service changes using a combination of online and print resources and in-person interactions.

6. Waste receptacle colours

Greater consistency in container colours may help householders understand and increase their use of recycling services. However, the Code does not recommend the replacement of existing containers solely to achieve colour consistency.

When replacing containers or when delivering a service change, local authorities should align with nationally recommended colours:

Material Stream	Recommended Colour
Non-recyclable (residual) waste	Grey
Paper and Card	Blue
Plastics, Cartons and Metal Containers	Green
Food and Garden Waste	Brown
Glass (where collected separately)	Purple (caddy/box)

The recommended colours take account of:

- colour schemes currently used by Scottish local authorities
- established practice across the UK and Europe
- commonly recognised recycling communications conventions; and
- European work on waste visual identification systems

7. Flexibilities

Local authorities should aim to deliver services to all households consistently with the provisions set out in this Code of Practice, regardless of property type, location or local circumstances, unless otherwise stated in the Code. A local authority should consider the application of the following tests when considering whether there is a need to deviate from the provisions of the Code:

- It would not be **technically** possible (for example: physical space constraints or vehicle access)
- It would be prohibitively **expensive or inefficient** (for example: to the extent that it is not viable to deliver the service)

- It would result in perverse **negative environmental outcomes** (for example: implementing the Code would result in materially worse recycling or other environmental outcomes)

This is sometimes referred to as a 'TEEP test'.

Where standard collection arrangements cannot reasonably be provided, authorities should consider alternative service models that would **deliver equivalent recycling outcomes** in adherence to their duties to deliver the waste hierarchy. For example: where twin-stream collection containers cannot be provided due to space constraints, the local authority must consider if waste streams can be sorted post-collection to result in the same quantity and quality of recycling.

Local authorities should keep a record of derogations and be able to provide on request of the householder the justification for why a service is not provided to household or households consistently with the Code.

The application of any derogations should be informed by the below.

Alternative Service Arrangements

In designing and delivering recycling services, local authorities should adapt collection arrangements for different property types, including communal properties, flats, city centre locations, rural areas, island communities and properties with restricted access, to deliver the provisions of the Code. Alternative arrangements may include communal containers, shared collection points, recycling hubs, bring facilities, modified collection frequencies or other locally appropriate solutions.

Equivalent outcomes

In addition to delivering its responsibilities to collect waste under the Environmental Protection Act 1990, if it is not possible to provide a service to a household consistent with the Code, the local authority should seek to deliver equivalent service arrangements that maximise recycling participation and collect high-quality recyclable materials so far as is reasonably practicable. Where these alternative arrangements are used, local authorities should aim to provide levels of access, participation and recycling performance that are broadly equivalent to those achieved through collection provisions set out in the Code.

Recording decisions and monitoring

A local authority decision to deviate from the provisions of the Code, should be recorded in writing and supported by evidence that sets out:

- the reasons why consistency with the Code cannot currently be achieved
- the alternative arrangements that will be provided to households
- the steps being taken to move towards consistency with the Code, or why these are not possible
- the proposed duration of the derogation before it is to be reviewed

Derogations should be subject to periodic review by the local authority.

Legal duties

While local authorities may derogate from the provisions of this Code of Practice, they remain obliged to meet their duties to collect waste (including recyclable waste) in line with the Environmental Protection Act 1990.

8. Accessibility

Services should be designed so that all residents can participate in recycling. Local authorities should continue to consider:

- assisted collections
- accessible containers
- support for residents with mobility issues
- alternative communication formats
- practical barriers to participation

Authorities retain the flexibility needed to respond to individual circumstances.

9. Staff training and safety

Local authorities must provide appropriate training and support for staff operating systems consistent with their existing responsibilities to staff.

Training should cover:

- health and safety
- contamination management
- customer interaction
- vehicle operation
- recycling service requirements

Local authorities should ensure staff have access to ongoing support and refresher training.

10. Contamination management

Contamination

Improving recycling quality is a shared responsibility between householders and local authorities.

Local authorities should use a staged approach to managing contamination, which may include:

- information and advice
- bin tags and feedback
- direct engagement

- education
- enforcement where necessary

The Code recognises that local circumstances differ and that councils should retain discretion over how best to manage persistent contamination issues.

Enforcement

Under section 46 of the Environmental Protection Act 1990, local authorities are not obliged to collect household waste that is placed for collection in contravention of requirements relating to receptacles for household waste. For example where a householder consistently contaminates a waste stream by putting the wrong materials in the wrong container.

Where a person fails to comply with these requirements without a reasonable excuse, they are liable to conviction and a maximum fine of £1,000.