

Written evidence from the Institute of Environmental Management and Assessment (IEMA) on the UK and Devolved Governments' Consultation on Reforming the Producer Responsibility System for Waste Electrical and Electronic Equipment

Executive summary

The IEMA Circular Economy Network brings together skilled and experienced experts, operating across a variety of economic sectors to share good practice and case studies, develop tools to assess maturity, and contribute to shaping policy, research, standards and guidance initiatives on the topics of sustainable resource use and waste management.

To help inform IEMA's position on this consultation, we have hosted individual discussions with members of the Circular Economy Network to collect perspectives that included practitioners, Chartered Environmentalists and IEMA Fellows who strive to develop and embed circular economy principles into their relevant sectors.

This submission recommends:

- That producers and distributors either run their own take-back service or finance collections of large and small EEE and WEEE from households.
- A new EPR system should be standardised for all producers and distributors, whether they are retailers, online marketplaces, or fulfilment warehouses.
- New reforms must have multiple options for consumers to ensure everyone has easy access to take-back schemes and free collections.
- We recommend the adoption of the R-Ladder¹ instead of the traditional waste hierarchy so as to prioritise mechanisms to rethink product design and keep products in their highest value for longer, such as, repair, remanufacture and reuse, with recycling further down the hierarchy.
- Consideration of the risks associated with kerbside collections, such as damage to reusable and repairable items, theft and environmental harm should be considered alongside mitigation options.
- A system should be developed to strengthen data and capture the quantity of different categories of EEE put on the market, by unit and weight, and the quantities of these categories in the waste collected recovered and put back into a closed loop system and disposed of.
- A consortium represented by all stakeholders instead of a producer-led Scheme Administrator should be established. Ensuring an inclusive approach to decision-making and governance, transparent data, and combining expertise and resources to drive innovation and help unlock the circular economy.

¹ <https://circulareconomy.europa.eu/platform/sites/default/files/pbl-2019-outline-of-the-circular-economy-3633.pdf>

Increasing collections of waste electrical and electronic equipment from households

6. Do you agree or disagree that producers (and distributors that do not provide their own take-back services for electric and electronic goods) should finance collections of small WEEE (for example, toasters, small toys and tools), from households? Please select one of the following options:

a. Agree

7. Please provide any evidence you have to support your answer to question 6.

IEMA supports the proposals that producers and distributors either run their own take-back service or finance collections of large and small EEE and WEEE from households. This approach should be standardised for all producers and distributors, whether they are retailers, online marketplaces, or fulfilment warehouses, and for all electronic and electrical equipment (EEE) products placed on the market. Only by having a standardised approach for all EEE will we achieve the much-needed outcomes, objectives, targets and responsibilities set out in Extended Producer Responsibility (EPR) principles and reduce unsustainable production and consumption. New reforms must have multiple options for consumers to ensure they have easy access to take-back schemes and free collections.

The production of e-waste (discarded products with a battery or plug) globally is growing with 53.6 million metric tonnes (Mt) of WEEE generated in 2019. According to the Global e-Waste Monitor 2020² the UK is the second highest producer of WEEE globally – producing 23.9kt e-waste per capita. Driven by higher consumption rates of electric and electronic equipment, shorter life cycles and fewer options for repair, e-waste is the fastest growing domestic waste stream in the world.

As stated by this consultation, the current WEEE system in the UK does not fully incorporate full net cost principles and does not support the drive towards a circular economy. Combined with a lack of public awareness and an inconvenience associated with the disposal of WEEE, it is clear that improvements are required in:

- the current collection system offered to householders
- awareness of the impact of WEEE which is incorrectly disposed of
- the management of incorrectly disposed WEEE
- and the UK recycling and reuse infrastructure to manage recovered WEEE.

² [GEM 2020 def july1 low.pdf \(ewastemonitor.info\)](#)

This EPR reform must not be weighted towards recycling. Where regulations reform focuses on products, we recommend the adoption of the R-Ladder³ instead of the traditional waste hierarchy as this prioritises mechanisms to rethink product design at the first instance and keep products in their highest value for longer, such as, repair, remanufacture and reuse, with recycling further down the hierarchy.

As quoted in this consultation, evidence shows that substantial quantity of WEEE is currently disposed of in residual waste and an estimated 15,000 fly-tipping incidents annually include WEEE (not white goods). Considering that many of these items will also contain batteries, the health & safety risks and environmental implications of this situation cannot be ignored. Further research⁴ by Material Focus on the recovery of Critical Raw Materials (CRM) from WEEE quantifies the impact of raw materials from substantial WEEE that is either hoarded by UK householders or inappropriately disposed of in residual waste. This work estimates that the WEEE which is being captured currently by UK recycling infrastructure includes an estimated £148m worth of CRMs. Considering the estimated quantity of WEEE which is not yet captured within the UK (due at least in part to a lack of infrastructure and/or knowledge), an extended collection system for WEEE could unlock nearly £1bn per year of CRM.

Further research by Material Focus indicates that barriers to household WEEE recycling are generally either due to how motivated householders are to recycle and how easy it is. According to this research, we have a way to go in the UK still to make WEEE recycling easier:

- Only a fifth of householders think that WEEE recycling is easy
- Only one quarter of kerbside residents know they have the service
- Only 12% of UK public know they can take back electricals to their local retailer
- It takes 22 mins on average for householders to get to nearest recycling point.

Offering a free to householders' collection for small WEEE at the kerbside which is financed via an EPR scheme and available to UK householders regardless of geography and level of urbanisation will go a long way to improving the UKs wasteful management of EEE and WEEE.

8. Recognising the need to balance frequency of service with efficiency, what frequency should a WEEE collection round be provided? Please select one of the following options:

Regarding a designated frequency of collection, whilst we do not believe that a single 'one size fits all' service provision is appropriate across the UK, we do believe that provision should be free to the householder at the point of collection, suits local needs such as demographics and housing stock, accessible for all and fully funded by the EPR scheme.

³ <https://circulareconomy.europa.eu/platform/sites/default/files/pbl-2019-outline-of-the-circular-economy-3633.pdf>

⁴ [Waste electricals: towards a circular economy - Material Focus](#)

9. Please provide any evidence you have to support your answer to question 8.

The Scottish Government equalities impact⁵ assessment related to this consultation clearly found that ‘the introduction of kerbside collections for WEEE and online take-back services should have a positive impact on particularly younger and elderly age groups (particularly single pensioner households).’

Many local authorities are already successfully delivering a kerbside collection of small WEEE. In instances where an existing, working collection exists, IEMA believes that there should be a requirement for the scheme administrator to liaise with the relevant local authorities with a view to funding this scheme either as it currently exists or preferably an expanded version of it. In all cases, there should be a minimum standard set for collection frequency rather than an on-demand service.

One of the core principles of a circular economy is to retain materials and products at their highest value whilst reducing environmental impact. There are risks attached to kerbside collections which must be considered and mitigated including damage to the item preventing repair/reuse, theft of the item, or risks of environmental damage or harm to wildlife or the public. In the case of EEE that has become WEEE because the consumer no longer has a need for it, or is unable to repair it themselves, it is important that collection of the item does not result in further damage or destruction. Education and awareness of what can be reused and repaired and what is waste, and where and how this can be presented for collection or takeback is paramount.

There are many organisations in the UK (e.g. Simply FixIt, The Restart Project, WEEE Scotland, CCL (North) Ltd) that offer repair and resale services for WEEE, keeping products in use for longer, creating job opportunities and boosting social value. These organisations should be engaged within a WEEE EPR Scheme.

11. What should items qualifying for this service be defined by:

In regard to whether items qualifying for this service should be defined by weight or quantity, there are clear issues which need to be considered. For example, like disposable vapes, which have represented the largest growing EEE product group in the UK (and now being banned). Some EEE and WEEE items can be lightweight and have a disproportionately higher value than some larger/weightier items.

We encourage the development of a system to capture the quantity of different categories of EEE put on the market, by unit and weight, and the quantities of these categories in the waste collected, recovered and put back into a closed loop system, and disposed of (both legitimately and inappropriately). Consideration could be given to the approach used in the German Electrical and Electronic Equipment Act which in its current version (ElectroG3)

⁵ [Key Findings - Waste electrical and electronic equipment reform consultation: equalities impact assessment - gov.scot \(www.gov.scot\)](http://www.gov.scot)

includes notification obligations to manufacturers, online marketplaces and fulfilment houses.

Parallels can be drawn from existing research. For example, Prognos⁶, research for the adoption of the EU single-use plastics (SUP) directive looked at how to establish the foundations for market activity around affected SUPs. Prognos took a three-step approach:

1. identifying the quantity of SUPs placed on the market (POM), the resulting weight of these products and the costs associated with the waste from these items
2. development of a cost model to determine the costs for each product group
3. testing of the cost model for different product groups and beneficiaries.

This approach allowed for variation in cost to be considered both geographically and at the product group level. The impact of this is to better account for variations in the impact of different product groups, so whereas some items (e.g. vapes) are smaller/lighter, they are POM in higher quantities than other larger/heavier items (e.g., computers), but they might have a disproportionately higher impact (e.g., higher levels of littering, reduced value from recycling, loss of valuable materials at together).

For adequate apportionment, there must also be adequate accounting for the cost of managing this WEEE (by private, public and third-sector operators) and the cost of informing the public of the options available to them and the impact of inappropriate disposal.

14. Do you agree or disagree that producers (and distributors that do not provide their own take-back services) should finance collection of large WEEE? Please select one of the following options:

a. Agree

15. Please provide any evidence you have to support your answer to question 14. Please see response to question 7.

The producers and distributors of large WEEE should be responsible for financing a collection of large WEEE direct from households. The resulting collection needs to have sufficient flexibility to work for householders. This might include take-back at the point of drop off, but it should include the option for householders to access collection after this point, for example in the form of existing bulky waste services.

Currently the only standard options available to householders for large WEEE recycling are: private transport, paying their local authority to collect or paying a retailer or distributor to

⁶ [Cost model for the implementation of the EU Single-Use Plastics Directive \(prognos.com\)](https://www.prognos.com/en/insights/cost-model-for-the-implementation-of-the-eu-single-use-plastics-directive)

take-back. The Scottish Government equalities impact⁷ assessment that is related to this consultation clearly found that the current system disproportionately affects poorer households and those with limited mobility.

16. Do you agree or disagree that a producer-led Scheme Administrator, approved by government, is best placed to determine the most practical and efficient delivery mechanism to manage producer obligations to finance small and large WEEE collections from households? Please select one of the following options:

b. Disagree

17. Please provide any evidence you have to support your answer to question 16.

A consortium represented by all stakeholders offers a more comprehensive and inclusive approach to decision-making and governance compared to a producer-led Scheme Administrator. WEEE is currently handled by a range of economic operators across the UK, from local authorities, commercial repair shops, waste and resources management companies, and WEEE contractors to charities dealing with second-hand goods and existing WEEE compliance schemes. In a consortium, stakeholders from these various sectors can, along with producers, contribute their perspectives and expertise. This diversity ensures that decisions are made with a broader understanding of the implications and needs of all involved parties and allows for the foundations of transparent cost apportionment being agreed by all parties.

According to a 2020 report by WEEE Forum⁸, total WEEE can only be accurately estimated if 'all actors having access to the WEEE have reporting obligations. According to the report, the evidence is clear that where responsibility for collection, recycling, recovery and disposal of WEEE sits only with producers and producer responsibility organizations (PROs), there is an inability to meet obligations and targets, due to a lack of access to all WEEE.

By including local authorities, the consortium can integrate community-specific insights, including the true cost of WEEE that is inappropriately disposed of and the costs of operating existing household and kerbside collections, better enabling implementation and compliance of the EPR regulation and making full and proper use of existing infrastructure and resources. Furthermore, involving the reuse and repair sectors will help drive the circular economy by encouraging strategies that extend the lifespan of products, reduce waste and add social value.

A producer-led Scheme Administrator may prioritise the interests of producers over those of other stakeholders and risk neglecting the needs and concerns of local authorities and the reuse and repair sectors. In the absence of these important stakeholders, opportunities for collaboration and innovation could be missed. A consortium model not only reduces these

⁷ [Key Findings - Waste electrical and electronic equipment reform consultation: equalities impact assessment - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/documents/2021/04/Key-Findings-Waste-electrical-and-electronic-equipment-reform-consultation-equalities-impact-assessment-gov.scot)

⁸ [EPR-and-the-role-of-all-actors final.pdf \(weee-forum.org\)](https://www.weee-forum.org/epr-and-the-role-of-all-actors-final.pdf)

risks but also uses the combined expertise and resources of all stakeholders to drive innovation and help unlock the circular economy.

18. Do you agree or disagree that the most efficient and cost-effective delivery of the obligation to provide a regular household collection service for small WEEE and bulky waste collections for large WEEE is likely to be achieved through partnerships between a Scheme Administrator and Local Authorities and their waste management partners? Please select one of the following options:

a. Agree

19. Please provide any evidence you have to support your answer to question 18.

Please see our recommendation under question 17.

25. Producers who place less than 5 tonnes of equipment on the UK market each year are exempt from financial obligations under the WEEE Regulations. Does that 5-tonne threshold remain appropriate? Please select one of the following options:

b. No

26. If you answered no to question 25, what tonnage threshold is appropriate? Please provide evidence in support of an alternative threshold

The impact assessment included in this consultation states that based on the assumption that turnover is correlated with the number or tonnage of EEE products placed on the market by a business, the current 5-tonne threshold must be reviewed. As it stands, the current system which excludes all businesses with less than 500 employees, would exempt producers handling almost two thirds of EEE from obligations in total.

New data collection methodology is required alongside the introduction of a requirement to record the number of EEE units, including the product category and as well as the tonnage of EEE placed on the market. Understanding more about these combined metrics will give a fair and accurate approach to an appropriate threshold where a business of a particular size is included in the EPR or is exempt. We recommend an approach set out in question 11 referencing the German Electrical and Electronic Equipment Act⁹.

⁹ <https://elektrogesetz.com/>

27. Are there alternative, non-regulatory approaches that could be established to increase separate collection of WEEE from households for re-use and recycling? If so, please describe what this might look like.

One of the key aspects to maintaining or increasing the reusability and recyclability of unwanted EEE is to ensure that functioning and repairable products are kept at their highest value. Leaving items at the kerbside can reduce this value and render items unrepairable due to exposure to the elements and/or damage during collection. Leaving potentially valuable items at the kerbside could also drive criminal activity.

Whereas it is vital that a free-to-the-householder kerbside collection, in an appropriate timeframe, is an essential part of the system, there are additional non-regulatory approaches which could be established to increase the reuse and recycling of household WEEE. These might include it being mandatory to make the public aware of opportunities to repair, sell or donate unwanted WEEE at the point of sale. Dedicated, secure WEEE collection boxes (e.g., those provided by The Edinburgh Remakery¹⁰) already exist in many locations, and access to these could be improved by funding additional donation boxes in key public locations including public libraries, schools, and community centres.

Increasing distributor collections infrastructure

28. Do you agree or disagree that internet sellers and retailers should provide a free of charge “collection on delivery service”, requiring the free takeback of large domestic appliances such as washing machines, dishwashers, fridges, freezers and TVs? Please select one of the following options:

a. Agree

29. If you answered agree to question 28, should there be a reasonable time frame stipulated in which the unwanted item should be collected to allow for circumstances where it is not available for collection at time of delivery? Please select one of the following options:

c. Unsure

It is unlikely many households will be able to hold on to large, unwanted items of WEEE for a long period of time. However, in some circumstances items such as a fridge-freezer may need to be collected later. The key driver for take-back schemes is to maximise reuse and repair. Ensuring this works for industry and the consumer is vital to find the right balance. IEMA recommends that consumer focus research is conducted to find the optimal solution.

30. If you answered yes to question 29, what should those timeframes be?

¹⁰ [The Edinburgh Remakery Tech Donation Box Map by TheEdinburghRemakery · MapHub](#)

As per our response to question 7, new reforms must have multiple options to ensure everyone has easy access to take-back schemes and free collections for all relevant items placed on the market.

31. If you answered agree to question 28, should this service be extended to collection of smaller items when a large item is collected? If so, should this be subject to reasonable limits in terms of how many items can be returned at once? Please select one of the following options:

a. Yes

47. Are there any other obligations we should place on retailers and/or internet sellers to increase levels of collections?

Please see IEMA's suggestion for a standardised system for all producers and distributors set out in question 7.

49. Do you agree or disagree that Online Marketplaces and/or fulfilment houses should have 'take-back' obligations where they facilitate the supply of the product to the householder? Please select one of the following options:

a. Agree

50. Please provide any evidence you have to support your answer to question 49. Further to our response to question 47, which also applies here.

Please see IEMA's suggestion for a standardised system for all producers and distributors set out in question 7. We recommend parallels and approaches to be drawn from the German Electrical and Electronic Equipment Act which in its current version (ElectroG3) includes an area threshold above which takeback of WEEE by online marketplaces is mandatory.

New producer obligations for Online Marketplaces and Fulfilment Houses

53. Do you agree or disagree that Online Marketplaces should be required to fulfil the producer obligations on behalf of their overseas sellers? Please select one of the following options:

a. Agree

54. Please provide any evidence you have to support your answer to question 53.

Please see IEMA positing for a standardised system for all producers and distributors set out in question 7.

55. Do you agree or disagree that fulfilment houses should be required to meet the producer obligations on behalf of their overseas sellers? Please select one of the following options:

a. Agree

56. Please provide any evidence you have to support your answer to question 55.

Please see IEMA's suggestion for a standardised system for all producers and distributors set out in question 7.

61. What other ways, if any, should government explore to tackle the issue of noncompliance with the WEEE Regulations by online sellers?

We recommend that holding multi-seller platforms accountable for managing system compliance will be an important component of a successful EPR system. The government should take note of research carried out around WEEE compliance through online marketplaces by Recolight¹¹ in 2019. This found an 'exceptionally high level of non-compliance with national WEEE requirements. For example, the research found that 'smaller products, such as LED lightbulbs, were particularly problematic, with non-compliance in the range of 78-100%'.

Dealing with the environmental impacts of vaping products

66. Do you agree or disagree with the principle of establishing Government approved, producer-led Scheme Administrator to carry out specified functions in the reformed WEEE system? Please select one of the following options:

b. Disagree

67. Please provide any evidence you have to support your answer to question 66.

Please see our answer to question 17 for further information.

68. If you answered no to question 66, please set out details of an alternative approach to the proposed functions of a Scheme Administrator.

Please see our answer to question 17 for further information.

[About IEMA](#)

IEMA are the global professional body for over 21,000 individuals and 300 organisations working, studying or interested in the environment and sustainability.

We are the professional organisation at the centre of the sustainability agenda, connecting

¹¹ [Disturbing EU-wide scale of WEEE non-compliance through online marketplaces - Recolight](#)

business and individuals across industries, sectors and borders.

We also help and support public and private sector organisations, governments and regulators to do the right thing when it comes to environment and sustainability related initiatives, challenges and opportunities. We work to influence public policy on environment and sustainability matters. We do this by drawing on the insights and experience of our members to ensure that what happens in practice influences the development of government policy, legislation, regulations and standards.

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[March 2024](#)