



# Household Waste Duty of care

## Communications toolkit





## Introduction

**This toolkit is designed to help local authorities communicate with the public about the household waste duty of care. It has content and guidance to help you write and promote your own local messages, and is accompanied by ready-to-use materials for raising awareness of the duty of care.**

**The information in this toolkit will help to avoid duplication, provide accurate facts and stats and ultimately help raise awareness of the household waste duty of care.**

**We hope you find it useful. Please let us know about any communications activity you run and future ideas you have.**

## What is the household waste duty of care?

**Occasionally, householders may need to use a private company to remove household, garden or construction waste. To avoid such waste being illegally fly-tipped, the Household Waste Duty of Care Regulations 2005 were introduced, amending section 34 of the Environmental Protection Act 1990.**

Under these regulations, individuals have a legal duty to take all reasonable measures available to ensure they only give household waste produced at that household to a person authorised to accept that waste.

Individuals risk a fine if they pass their waste to an unauthorised person or company. This typically comes up when that waste is illegally dumped by the illegal operator and traced back to them.

The household duty of care regulations are not there to scare people but merely to serve as a tool in the constant battle to eliminate fly-tipping and environmental crime. If people don't pay illegal operators to take their waste, the illegal operator won't be able to fly-tip it.

## Key messages

Below are some key messages you may find helpful if you are drafting your own communications around the householder's duty of care.

- Did you know: you are legally responsible for making sure you only give your household waste to someone registered to take it?
- If someone isn't registered to take your waste, they're less likely to dispose of it legally.
- When finding people or companies to remove your household, garden or DIY waste – always check they're registered
- Quick and easy checks before you hand over your rubbish can stop you from getting a fine
- Keep a record – pay by card and request a receipt for their service
- You can check whoever takes your waste is registered on the Environment Agency's public register or by calling the Environment Agency on 03708 506 506
- Ask for their waste carrier number. If they can't provide it or aren't registered, then look for an alternative company
- Don't be afraid to ask questions – check where they plan to take your rubbish and ask how they plan to dispose of it
- If you come across an unregistered waste carrier, report them to the Environment Agency

### Facts

### and

### stats

Waste crime  
cost the English  
economy around

**£600m**

in 2016

Local authorities  
dealt with nearly

**1 million**

fly-tipping incidents  
in 2017/18

Around

**2/3**

of fly-tipping incidents  
involve household waste

Local authorities  
spent an estimated

**£57.7m**

clearing up fly-tipping  
in 2016/17

Failure to adhere to  
the duty of care can lead to  
prosecution and a fine or a  
fixed penalty of between

**£150 and £400**





## Communications

## guidance and ideas

A recent Defra research project explored the most effective ways of raising awareness of the household waste duty of care. This research provided useful insight and information into the preferred look and feel for communications around the household duty of care. The ready-to-use materials provided with this toolkit are informed by this research. The research resulted in a communications guide which recommends that:

- communications about the duty of care should be integrated into other communications about how to dispose of waste e.g. any materials about rubbish collections dates or details
- communications should be targeted at relevant times or locations so people are more receptive to your messages e.g. when people are moving house, during the Christmas period, at the local council tip, in local DIY stores, via estate agents, or on local notice boards
- communications should use everyday language and present clear and simple steps that people can easily do for themselves
- communications should feature and use evidence of the impact of fly-tipping in your local area to instil a sense of relevance and responsibility
- communications should be framed as a collaborative effort in doing the right thing to protect the local community and environment rather than the threat of penalties
- communications should show concern about householders being penalised due to using unregistered waste carriers

## Suggested content

## for social media

Below are some suggested posts which can be adapted and used across your social media channels.

“

Help us stamp out fly-tipping. If someone takes your rubbish, always make sure they're a registered waste carrier <https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers>”

“

Don't get caught up in waste crime. Always use a registered waste carrier. If you don't you could be fined <https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers>”

“

Help keep our community clean. If someone takes your rubbish, ask for their waste carrier registration number and check it on the Environment Agency public register <https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers>”

“

If you'd never fly-tip don't give your rubbish to someone who would. Did you know it's your responsibility to make sure anyone taking your waste is a registered waste carrier? Check on the Environment Agency public register or by calling 03708 506 506”

## FAQs

### What does the household duty of care mean?

The duty of care means that you must take reasonable steps to ensure that anyone you give your waste to is appropriately registered to receive it.

### How does it affect me?

You have a legal obligation to make sure that you use authorised individuals/companies to dispose of your waste. Failure to do so could result in a fine. Waste could include rubbish, old furniture or appliances you want to dispose of, or similar.

### What reasonable measures do I need to take?

You should always check that the person/company you are using to dispose of your waste is registered. The Environment Agency has a list of all registered waste carriers on their public register or you can call them on 03708 506 506.

### Why do I need to dispose of my rubbish correctly?

Unregistered waste carriers are likely to cut corners to offer their services at lower prices. They may be tempted to illegally dump or 'fly-tip' your waste to avoid the charges of proper disposal. Not only does this have significant consequences on pollution and the environment, but council tax payers have to fund the clear-up costs.

### Surely if they dump it, then it is their fault, not mine?

If waste originating from your property is found to have been fly-tipped, you are obliged to provide details of who you gave it to so the matter can be taken up with that person directly. If you choose not to check that the person you gave your waste to was authorised to accept it, then you are partially responsible for what happens to that waste.

### What happens if I use an unlicensed company?

If your rubbish is found to have been fly-tipped and you did not check if they were authorised to take your waste, you could risk a fine.

### How are fines issued?

If you fail to meet your duty of care you can be taken to court and fined if found guilty. Alternatively, a fixed penalty notice can be issued by a local authority to an individual where it appears they have failed to meet their household waste duty of care. It gives the recipient the option to avoid the case going through the courts by admitting the offence and paying the fine.

### How much is the fine?

The fixed penalty notice (fine) is set by individual local authorities with a default of £200 and a maximum of £400. A lesser penalty of £120 can be made available for early payment.

## Further information

Further guidance on the household waste duty of care and how to meet it is in section 5 of the waste duty of care code of practice, available at <https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>

The Defra Duty of Care team can be contacted on [WasteDutyofCare@defra.gov.uk](mailto:WasteDutyofCare@defra.gov.uk)

The final report and guide of the underpinning research project is available at <http://randd.defra.gov.uk/Default.aspx?Module=More&ProjectID=20158>