



CIWM Briefing Note: This document draws on the latest guidance and measures introduced in the four UK countries as at 3 April 2020 and will be updated and reissued as appropriate. Updates on previous versions are highlighted for ease of reference

## Coronavirus update: UK waste management sector

1. Status of business and workers in the waste management sector
2. Health & Safety information and guidance
3. Waste Collection
4. Regulation and Compliance
5. Business support schemes and announcements (incl. Landfill Tax flexibility)
6. Public sector- procurement support for suppliers
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### 1. Status of business and workers in the waste management sector

There has been some confusion around the meanings of ‘critical businesses’ and ‘critical workers’ and what this means for people making decisions about whether they (a) can access schooling children, (b) are allowed to operate as a business under the current rules and (c) whether they can operate safely given the nature of their work and the measures which can be implemented.

1. The definition of an ‘critical worker’ only relates to whether the children of defined critical workers can continue to go to school and the waste disposal workers are included in the [guidance](#) from the Department of Education:

*“Utilities, communication and financial services*

*This includes staff needed for essential financial services provision (including but not limited to workers in banks, building societies and financial market infrastructure), the oil, gas, electricity and water sectors (including sewerage), information technology and data infrastructure sector and primary industry supplies to continue during the COVID-19 response, as well as key staff working in the civil nuclear, chemicals, telecommunications (including but not limited to network operations, field engineering, call centre staff, IT and data infrastructure, 999 and 111 critical services), postal services and delivery, payments providers and **waste disposal** sectors.*

*If workers think they fall within the critical categories above, they should confirm with their employer that, based on their business continuity arrangements, their specific role is necessary for the continuation of this essential public service.”*

This critical worker definition does not affect whether or not you can travel to work - if you are not a critical worker, you may still travel to work provided you cannot work from home –

see government guidance on 'Staying at home and away from others (social distancing)' [here](#)

2. The definition of 'critical worker' is not related to the rules regarding which businesses are allowed to operate and those that have been instructed to close, which are listed [here](#)
3. People are instructed to work at home unless it is essential for their work to be done away from home - this is not the same as saying that they can only work if the business is essential.

## 2. Health & Safety information and guidance

The protection of both waste management workers and the general public means that it is essential that the **highest levels of health and safety** are observed, including providing adequate and hygienic washing facilities for personnel, updated risk assessments, deployment and use of appropriate PPE, and clear procedures in the event of a suspected or confirmed case of COVID-19 in the workforce.

### 08.04.20 Social distancing in the workplace during coronavirus (COVID-19):

updated sector guidance

The Department for Business, Energy and Industrial Strategy (BEIS) has also updated guidance on [Social distancing in the workplace during coronavirus \(COVID-19\)](#) for a range of sectors including waste management.

### 07.04.20 Updated guidance on the use of face masks in public

Updated [guidance on use of face masks in the community](#). The UK does not currently advise use of face masks outside of care settings, in line with [PPE guidance](#). Therefore, PHE does not advise masks in public places and for those working in supermarkets, waste collection, schools and similar settings.

[Read more](#)

### 07.04.20 The new Coronavirus Status Checker will help the NHS

A new [Coronavirus Status Checker](#) will help the NHS coordinate its response. It is open to anyone in the UK to use on the NHS website and in its initial phase the NHS is particularly keen for anyone who thinks they may be displaying potential coronavirus symptoms, no matter how mild, to complete it.

[Read more](#)

### 03.04.20 The Waste Industry Safety & Health Forum COVID-19 information

WISH has developed, consulted on and issued (2 April 2020) specific information for the waste management sector which can be found [here](#).

### 02.04.20 The Waste Industry Safety & Health Forum Northern Ireland COVID-19 information

WISH(NI) has issued two COVID-19 advice documents for the waste management sector:

- [COVID-19 and waste management activities \(MRFs, Transport and CA sites\)](#)

- [COVID-19 and waste management activities Sheet 2 Employee showing symptoms](#)

In the coming days these and further documents will be available on the HSENI website or via the WISHNI LinkedIn page which is available at <https://www.linkedin.com/company/wishni/>

### 3. Waste Collection

#### **09.04.20 – NHS England – guidance on the waste management approach for healthcare facilities in England and Wales**

This [standard operating procedure document](#) sets out the waste management approach for all healthcare facilities including primary care facilities and testing facilities in England and Wales during the Covid-19 outbreak.

The standard operating procedure (SOP) aims to take simple and pragmatic approach to ensure that waste is managed in a safe manner. The document covers Trusts, ambulance trusts and community care by healthcare professionals.

The SOP outlines the waste streams and routes they should take to ensure treatment facilities can identify and treat in the correct manner.

#### **08.04.20 Defra - guidance for Local Authorities on waste collection prioritisation**

Defra have issued guidance on [waste collection prioritisation](#) to assist local authorities. The message from Defra states:

“We know that Local Authorities are doing all they can to maintain waste collection services during the coronavirus (COVID-19) pandemic. However, we also recognise that the coronavirus outbreak brings with it unprecedented challenges for the waste sector and LAs may not be able to offer their full range of services during this time. As a result, and in response to requests from some LAs, today, we published waste collection prioritisation guidance for Local Authorities.

This is not statutory guidance and the recommendations in the document may not apply to all LAs - Local Authorities are best placed to know what will work best in their area - but this guidance should help Local Authorities when making service prioritisation decisions during the pandemic.”

[A link is also provided to guidance](#) from Public Health England (PHE) which LAs will find helpful.

### 4. Regulation and Compliance

#### **07.04.20 Environment Agency issues an RPS on storing waste**

The Environment Agency has issued a regulatory position statement (RPS) on when you can temporarily store more waste than your permit allows during the COVID-19 (coronavirus) outbreak. If conditions in the RPS are followed waste storage conditions can be exceeded without a permit variation.

[Read more](#)

#### **03.04.20 Natural Resources Wales COVID-19 Regulatory Decisions:**

- [RBB-C19-004: Providing signatures on waste documentation during the Coronavirus pandemic](#) covering the safe completion of critical waste paperwork and cover waste transfer notes, hazardous waste consignment notes
- [RBB-C19-007 Transfrontier Shipments \(TFS\) documentation](#) covering TFS documentation.

These Regulatory Decisions extend to Wales only and will be published on the NRW website in the near future, along with further information on our response to the COVID-19 pandemic.

#### **02.04.20 Scottish Environment Protection Agency COVID-19 - Waste Management**

SEPA has issued a [regulatory Position Statement](#) covering Duty of Care transfer notes, hazardous waste compliance, and Transfrontier Shipment of Waste paperwork. It also underlines the importance of operators discussing any compliance issues they might face with SEPA as soon as possible and recognises some of the common issues/matters likely to be faced by licensed and permitted site operators. This is a live document and will be updated next week.

#### **27.03.20 COVID-19 Environment Agency cleansing waste Regulatory Position Statement**

The Environment Agency has issued a Regulatory Position Statement entitled [Storing or treating COVID-19 cleansing waste at a healthcare waste management facility: RPS](#)

#### **25.03.20 Environment Agency statement on Technically Competent Managers**

*There have been a number of queries around **Technically Competent Managers (TCMs)**. This is generic advice across all waste sectors and we appreciate some operators may be closing sites following the restrictions imposed by the Government. However, we are sure others will remain open.*

##### **TCM attendance during COVID-19 restrictions**

- *We understand that many operators will be concerned about how they can satisfy attendance requirements whilst sites are running on reduced staffing levels and staff may well be ill or self-isolating. We will be pragmatic in our approach.*
- *There is still a requirement to have a technically competent person as a requirement of the permit.*
- *The TCM attendance hours are within the guidance on GOV.UK and they are an indication that site activities are in being overseen by a technically competent manager.*
- *Where the TCM is self-isolating or sick and cannot attend the site. The operator should be able and capable of operating the plant or site safely through both their EMS and operations training.*
- *Operators should:*
- *Review their training and capability structure to ensure roles, responsibilities and accident plans are in place and reviewed to ensure that they are fit for purpose.*
- *Ensure that remote systems are operational. Alarms systems where required, are fully operational.*
- *Have a responsive duty roster to respond to incidents.*
- *Notify us here the site cannot be safely monitored.*

- Record if their nominated TCM(s) are self-isolating in the site diary.

### **Difficulties in taking Continuing Competence tests**

*In view of Pearson Vue test centres now being closed and Continuing Competence tests not currently available and until the current Governments advice changes, we will not regard the failure to complete a continuing competence assessment that becomes due after 16 March as being a failure to comply with the Wamitab Technical Competence scheme. If this applies to you or your Technically Competence Manager, please contact your EA local area team or account manager technical lead and Wamitab as soon as possible.*

### **25.03.20 Latest update on EPOC courses**

Environmental Permit Operators Certificate (EPOC) courses for March and April have been cancelled. Anyone booked on a cancelled courses will be accommodated on future courses and can use their booking confirmation/ rearrangement confirmations to “demonstrate intent” to take the course to the regulator.

Bookings are still being taken for May onwards and again booking confirmation is sufficient at the moment for the regulator. If these courses cannot go ahead, CIWM will keep a record of anyone who registers an interest in wanting to book a course as soon as the current situation allows.

The regulator will be provided with this list as a demonstration of the intent are anyone needing to complete an EPOC qualification as part of their demonstration of Technical Competence.

## **5. Business support schemes and announcements**

### **03.04.20 Coronavirus Job Retention Scheme**

Further detail and potential changes to the Coronavirus Job Retention Scheme have been emerging and CIWM will be running a webinar on furloughing and related issues next week. The current government guidance is [here](#) and a useful explanation of the current rules can be found here <https://www.bbc.co.uk/news/explainers-52135342>

### **02.04.20 Additional business support from Welsh Government**

In addition to the range of business support measures already announced by UK and Welsh Governments, including £1.4 billion to support Welsh businesses dealing with the coronavirus impact, Welsh Government has also announced a new £500 million fund aimed at supporting those firms who would not qualify from previously announced support packages.

The new £100m Development Bank of Wales fund will be available for companies who are experiencing cash flow problems as a result of the pandemic and will provide loans of between £5,000 and £250,000 at favourable interest rates. Businesses will also be able to benefit from a £400m emergency pot providing:

- Grants of £10,000 for micro-businesses employing up to nine people.
- Grants of up to £100,000 for small and medium sized firms with between 10 and 249 employees.

- Support for larger Welsh companies, which are of critical social or economic importance to Wales.

More details on the £500 million Economic Resilience Fund can be found [here](#).

## **02.04.20 HMRC letter on business support measures and Landfill Tax operational flexibility**

Further detail has become available on the Government's package of business support measures and changes that have been made to some of these measures in recent days. A round up of the measures circulated to businesses and organisations in a letter from HMRC, which states:

### *"1. Package to support public services, people and businesses*

*The Chancellor has set out a package of temporary, timely and targeted measures to support public services, people and businesses through this period of disruption caused by COVID-19. This includes a package of measures to support businesses including:*

- *a Coronavirus Job Retention Scheme*
- *deferring VAT and Income Tax payments*
- *a Self-employment Income Support Scheme*
- *a Statutory Sick Pay relief package for small and medium sized businesses (SMEs)*
- *a 12-month business rates holiday for all retail, hospitality, leisure and nursery businesses in England*
- *small business grant funding of £10,000 for all business in receipt of small business rate relief or rural rate relief*
- *grant funding of £25,000 for retail, hospitality and leisure businesses with property with a rateable value between £15,000 and £51,000*
- *the Coronavirus Business Interruption Loan Scheme offering loans of up to £5 million for SMEs through the British Business Bank*
- *a new lending facility from the Bank of England to help support liquidity among larger firms, helping them bridge coronavirus disruption to their cash flows through loans*
- *the HMRC Time To Pay Scheme"*

Further details of the package can be found [here](#)

HMRC has also set up a dedicated phone helpline to support businesses and self-employed people concerned about not being able to pay their tax due to coronavirus (COVID-19 on 0800 0159 559. For those who are unable to pay due to coronavirus, HMRC will discuss specific circumstances to explore options including agreeing an instalment arrangement, suspending debt collection proceedings, cancelling penalties and interest where you have administrative difficulties contacting or paying HMRC immediately.

### **2. Available Landfill Tax operational flexibility**

The letter states:

*"We are aware that coronavirus (COVID-19) is likely to have an operational impact on landfill sites. We have been discussing potential impacts with our customers and, based on these discussions, have provided clarification on available operational flexibility.*

#### **2.1 Weighbridges**

*If you are using a weighbridge to calculate Landfill Tax then in order to cut down on the handling of documentation it will not be necessary for weighbridge tickets to be signed by both the landfill site operator and the customer.*

*If you have a weighbridge and as a result of disruptions caused by Covid-19 it becomes impractical for this to be used, you can use an alternative method of calculating the weight. Section 9 of Excise Notice LFT1 specifies three alternative methods that can be used for sites without a weighbridge, and you may temporarily use one or a mixture of these, or instead can propose a bespoke method that will produce a fair and reasonable calculation of weight.*

*You must notify us via email if you intend to temporarily adopt one of the specified alternative methods for calculating the weight of material outlined in the published guidance. If you propose to use a bespoke method then you will need to seek prior agreement from HMRC.*

*Whatever method you adopt you should return to using the weighbridge to calculate Landfill Tax as soon as is practicable.”*

## **2.2 Qualifying fines and Loss on Ignition tests**

*For Landfill Tax purposes, fines are particles produced by a waste treatment process that involves an element of mechanical treatment.*

*For fines to be treated as qualifying fines for the lower rate of landfill tax certain conditions, as set out in Section 6 of Excise Notice LFT1 must be met. This includes pre-acceptance checks and on receipt at the landfill site visual inspection and a Loss on Ignition testing regime.*

*While landfill sites are able to remain open to receive material, we would expect landfill site operatives to be able to continue carrying out visual inspections and collecting samples in line with the published guidance contained within the Excise Notice LFT1.*

*However, we recognise that disruption to couriers may delay the delivery of samples to laboratories, who may themselves take longer than usual to carry out tests due to staff availability. Landfill site operators should look to demonstrate that samples have been submitted for testing in as timely a manner as possible. Landfill site operators should also look to demonstrate that appropriate action is taken by the landfill site operator upon receipt of results.*

*The requirement for Loss on Ignition retests to be carried out within a period of 21 days of the date of disposal of the material will be relaxed. If, as a result of the potential disruptions caused by Covid-19, you are unable to get the retest processed within this time frame, then this should be carried out as soon as is reasonably possible and you should retain evidence to demonstrate this.*

*If you have any further queries regarding landfill tax flexibility available in this period of disruption caused by Covid-19 please contact [alan.jones1@hmrc.gsi.gov.uk](mailto:alan.jones1@hmrc.gsi.gov.uk) or [helen.horton@hmrc.gsi.gov.uk](mailto:helen.horton@hmrc.gsi.gov.uk), or in the case of large businesses, your Customer Compliance Manager.”*

The full letter can be found [here](#)

## **6. Public sector- procurement support for suppliers**

The Cabinet Office has published a Procurement Policy Note [Procurement Policy Note](#) providing guidance for public bodies on payment of their suppliers to ensure service continuity during and after the current COVID-19 outbreak.

## 7. Transport and logistics

### **30.03.20** Department for Transport letter: Coronavirus (COVID-19) – Essential Work of the Logistics Sector

A [letter](#) has been sent to the Road Haulage Association and Freight Transport Association by the Department for Transport outlining that it considers it essential that the work of the logistics sector should continue to the greatest extent possible through the Covid-19 crisis.

### **20.03.20** Driving tests and MOTs for heavy vehicles suspended for up to 3 months

Driver & Vehicle Standards Agency has suspended MOT testing and suspended driver testing except for those working in critical sectors. More information [here](#).