



Llywodraeth Cymru
Welsh Government

GUIDANCE

Workplace recycling regulations: integrated impact assessment

Includes what action the Welsh Government is considering and why, the Conclusion, as well as the Children's rights assessment and Welsh language assessment.

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What action is the Welsh Government considering and why?

Introduction

1.1 The Welsh Government is introducing workplace recycling regulations that, subject to the will of the Senedd, are expected to come into force on 6 April 2024, and will require all non-domestic premises (including businesses, the public and the third sector) to separate key recyclable materials in the way the majority of Wales' householders already do.

1.2 The regulations propose:

1.2.1 The separation requirements:

- Require the occupiers of non-domestic premises (including businesses, charities and public sector bodies) to present specified recyclable materials for collection separately from each other and separate from residual waste;
- Require those that collect the specified recyclable materials to collect them separately from other recyclable materials;
- Require those separately collected recyclable materials to be kept separate and not mixed.

1.2.2 Incineration and landfill bans

- Ban specified separately collected recyclable materials from non-domestic and domestic premises from incineration and landfill;
- Ban all wood waste from non-domestic and domestic premises to landfill.

1.2.3 Ban on the disposal of food waste to sewer from non-domestic premises

- Commence a ban on disposal of food waste to sewer from non-domestic premises.

1.3 The following materials will need to be separated for collection, collected separately and not mixed thereafter:

- glass;
- paper and card;
- metal, plastic, and cartons;
- food produced by premises producing more than 5kg of food waste a week;
- unsold small waste electrical and electronic equipment (sWEEE); and
- unsold textiles.

Long term

1.4 In line with the Well-being of Future Generations (Wales) Act, these reforms are about improving the long term social, economic, environmental, and cultural well-being of Wales. Given the climate emergency, these regulations will support workplaces to take action by keeping materials in circulation, which in turn is a key part of the move to a circular economy.

1.5 While workplaces have expressed that the implementation of these regulations may initially result in extra expenses for businesses and organisations to accommodate separated recycling, the reforms will not only support action on the nature and climate emergency but will help to achieve long term economic opportunities and savings as what was previously waste material is retained as a commodity with further long-term benefits for the resilience of supply chains.

1.6 As found with household recycling in Wales, as businesses and organisations separate out their wastes into different containers it will highlight how much of each waste type is produced, which encourages action to reduce these wastes. This helps business save money on collection and disposal costs and improves resource efficiency.

Prevention

1.7 Municipal recycling rates have grown to over 65% in 2021-22, contributing savings of around 400,000 tonnes of CO2 emissions per annum. Every household in Wales plays its part, showing how small steps can lead to fundamental change.

1.8 The reforms will increase the quality and rate of recycling of waste materials produced in non-domestic premises in Wales, and in doing so, support Wales' commitments to reach zero waste and net zero carbon emissions by 2050. In addition, it will support our progress towards a more circular economy and delivering positive benefits for the economy and jobs.

1.9 By being proactive we will:

- provide greater security of supply of resources to our manufacturing sector;
- accelerate progress towards a circular economy for Wales through the use by Welsh manufacturing businesses of recyclate collected in Wales;
- increase the quantity of recycling from non-domestic premises;
- reduce greenhouse gas emissions;
- reduce pollution.

1.10 A circular economy, which moves away from single use, decreases our emissions, and helps to prevent further damage to the Welsh environment and economy by improving supply chain resilience. This is because collected materials are recycled back into the economy which reduces our dependency on raw materials extracted from overseas. This in turn reduces the associated damage to nature, biodiversity and the environment globally caused by the extraction and processing of the raw materials.

Integration

1.11 These reforms are a key part of how we are delivering on our Programme for Government (PfG) commitments to build a stronger, greener economy based on the principles of sustainability and the industries and services of the future as well as being an essential component of action to decarbonise and respond to the climate and nature emergency. In doing so, they recognise the need for the integration of economic and environmental action in tackling the climate and nature emergency.

1.12 By commencing these regulations, we will be more closely aligning the systems for household and workplace recycling. To achieve this, Natural Resources Wales (NRW) will be responsible for regulating the separation requirements except for the ban on the disposal of food waste to sewer, which will be regulated by Local Authorities [1]. Both will provide guidance and information for those affected, including tools and resources on the enforcement regime that will be introduced to ensure all affected are aware of the requirements and comply. As found with household recycling, workplaces must comply with the regulations by separating their waste in different containers, and by doing so will be further encouraged to take action to reduce their waste.

[1] Local Authorities have a 'public service' duty under section 45(1)(b) of the Environmental Protection Act 1990 to collect any commercial waste from a premises if requested. Local Authorities will also be legally required to meet all of the separation requirements for the wastes they are asked to collect from commercial waste-producing premises.

Collaboration and Involvement

1.13 The Welsh Government has consulted and engaged extensively on these reforms and have continued to engage regularly with stakeholders and key partners (including Natural Resources Wales and Local Government) in the

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development of the underpinning policy and regulations. A recent representative survey confirmed widespread public support for the reforms (at 77% of respondents), including among decision-makers at organisations who will be affected by these regulations [2]. Collaboration with stakeholders has provided an opportunity for them to provide integral input on the approach, phasing in of certain waste streams, views on the coming into force date and proportionality of the enforcement regime. For example:

- 2009 Towards Zero Waste consultation: This consultation's aim was to achieve a high level of recycling and to make sure all recyclates are separated at source so that they are clean and high value.
- 2013-14 - Environment Bill White Paper consultation: included a consultation on the separation duty.
- 2019-2020 - Consultation on Beyond Recycling, the Circular Economy Strategy for Wales: This consultation included the commitment to the reforms with approximately 40 face-to-face events tailored to specific audiences and a formal public consultation to promote higher recycling in all non-domestic settlements.
- 2019 Consultation on Increasing Business Recycling in Wales: This public consultation set out the preferred policy option to bring forward statutory instruments (SIs) to increase recycling from non-domestic premises such as businesses and the public sector in Wales. [3]
- 2022-23 Consultation on the Workplace Recycling Legislation: The Welsh Government conducted a 12-week public consultation on the draft code of practice and enforcement proposals, face-to-face meetings and public consultations with workplaces. Feedback from the consultations indicated affirmative support for the introduction of these regulations.

[2] Welsh Government, [Public attitudes on the changes to workplace recycling and the ban on single use plastics \(summary\), 2023](#)

[3] Welsh Government, [Consultation – summary of response. Increasing Business recycling in Wales, 2021](#)

Impact

1.14 The climate and nature emergencies affect everyone, but the negative impacts will be felt disproportionately by particular groups such as older people, disabled people, young people and low-income households. [4] Implementing the legislation will have a direct positive impact on our environment, health, and the economy in the short term and for future generations.

1.15 In its assessment of the Collections Blueprint, Eunomia [5] found that the capturing of high-quality material through the separate collection of waste is likely to support retention of material within the Welsh and UK economies – resulting in social and economic benefits in line with the objectives of the Well-Being of Future Generations (Wales) Act 2015. These reforms will also result in the following benefits:

- Creating opportunities for jobs and training in the waste management sector.
- Alongside the cost of energy, the cost of materials is impacting the cost-of-living crisis and so more effectively capturing high quality material that can go back into the Welsh economy is an integral way in which we can improve the resilience of our domestic supply chains supplying key materials to businesses.
- It is expected that more job opportunities resulting from the implementation of the legislation will benefit lower income households. The broader benefits to the economy will result in greater sustainability and resilience which will lead to a positive impact on low-income households.

[4] [“Health and wellbeing impacts of climate change”](#), 2021.

[5] Joe Papineschi, Emma Tilbrook, and Luke Emery, [Review of the Welsh Government Collections Blueprint](#), Eunomia, 2016.

Costs and Savings

1.16 The evidence shows that these reforms will deliver overall savings to the Welsh economy modelled to be £186.9 million net present value (NPV) over 10 years – 2024-2033 [6], through securing higher costs for high quality materials captured. These reforms will ensure that we can capture a resilient supply of high-quality recycled materials, which can then be returned into the economy. This in turn will help unlock the benefits of the circular economy and support business resilience through the transition to a decarbonised economy.

1.17 The budget provided to support the implementation of the regulations includes grants, support for innovation and delivery partner organisations. This includes the expansion of the Circular Economy Fund, a key commitment within Beyond Recycling and Net Zero Wales, which supports businesses to adapt their processes to use more recycled content in manufacturing processes in Wales.

[6] Welsh Government, Regulatory Impact of Options to Increase Workplace Recycling in Wales, 2023 Table 26, [Workplace recycling](#).

Mechanism

1.18 The regulations and the Code of Practice are being laid before the Senedd in autumn 2023 and the duties will take effect from 6th April 2024.

1.19 The outcomes of the regulations will be monitored by a combination of quantitative and qualitative methods, depending on the nature of the outcome and the availability of an appropriate data source. The Waste tracking system will, from 2025 onwards, be used as a primary data source to track recycling levels for industrial and commercial waste in Wales.

1.20 Additional data sources exist and may be used in the interim and include:

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- WasteDataFlow
- Extended Producer Responsibility Scheme for packaging
- National Resources Wales (NRW) waste and recycling surveys
- NRW 'site return' data.

Conclusion

8.1 How have people most likely to be affected by the proposal been involved in developing it?

8.1.1 Throughout our extensive engagement on this policy of source separation, the Welsh Government has actively involved businesses, public sector and third sector organisations, many of whom are interested groups and representatives of people with protected characteristics under the Equality Act 2010; Welsh speakers and Welsh language specialist groups; children and young people; and other people who will be affected by these reforms.

8.1.2 Our engagement to-date includes more than a decade of consultation and ongoing engagement to come to our preferred policy option, data gathering and analysis and stakeholder engagement. The Welsh Government has engaged with a range of stakeholders on source separation policy development on an ongoing basis dating back to at least 2009.

8.1.3 Collaboration with stakeholders has provided an opportunity for them to provide integral input on the phasing in of certain waste streams, views on the coming into force date and the proportionality of the enforcement regime.

- 2009 Towards Zero Waste consultation: The aim of this consultation was to achieve a high level of recycling and to make sure that all recyclates are separated at source so that they are clean and of high value.
- 2013-14 - Environment Bill White Paper consultation: included consultation on the separation duty.

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- 2019-2020 - Consultation on Beyond Recycling, the Circular Economy Strategy for Wales: included the commitment to the reforms with approximately 40 face-to-face events tailored to specific audiences and a formal public consultation to promote higher recycling in non-domestic settlements.
- 2019 Consultation on Increasing Business Recycling in Wales: consultation on the preferred policy option to bring forward statutory instruments (SIs) to increase recycling from non-domestic premises such as businesses and the public sector in Wales [7].
- 2022-23 Consultation on the Workplace Recycling Legislation: a 12-week public consultation on the draft code of practice and enforcement proposals, face-to-face meetings and public consultations with key stakeholders across target groups. Feedback from the consultations indicated affirmative support for the introduction of these regulations.

[7] “Consultation – [summary of response. Increasing Business recycling in Wales](#)”, [Welsh Government, 2021](#), .

8.2 What are the most significant impacts, positive and negative?

8.2.1 These reforms will increase the quality and level of recycling from non-domestic premises in Wales. In doing so, this will represent a key step forward in Wales’ commitment to reaching zero waste and net zero carbon emissions by 2050. This also reflects the fact that in order to tackle the climate and nature emergencies, moving to a circular economy – where materials are kept in use and waste is avoided - is essential and an important element of being a globally responsible Wales. In line with the Welsh Government’s Well-being objectives [8] the reforms directly support building a greener economy based on the industries of the future and embedding our response to the climate and nature emergency in everything we do.

8.2.2 A circular economy, which moves away from single use, decreases our

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emissions, and improves supply chain resilience, benefits the economy as well as the environment, as collected materials are recycled back into the economy whilst reducing our dependency on raw materials extracted from overseas. This in turn reduces the associated damage to nature, biodiversity and the environment globally caused by the extraction and processing of the raw materials.

8.2.3 For individual businesses and organisations, the reforms will support the move away from a situation where the disposal of waste is a significant cost, to one where that waste material is instead effectively captured and returned into our economy as important commodities. Alongside increased resource efficiency and tackling the cost of living, this will also help to support business productivity and competitiveness in a decarbonising global economy. These reforms bring benefits by creating overall savings to the Welsh economy, securing higher prices for high quality materials captured, whilst creating opportunities to derive greater added economic value in Wales and creating additional jobs in the circular economy – crucial to a more prosperous and resilient Wales. The reforms also create alignment between the recycling behaviours of households and businesses, reducing the complexity of the system for all users.

8.2.4 Through tackling the climate and nature emergencies, these reforms will bring important environmental, economic and health benefits to people in Wales (a healthier Wales). People will benefit from reduced carbon emissions impacting air quality, and recycling has become a point of national pride which generates opportunities to bring people together e.g. through repair and reuse (a Wales of cohesive communities, a Wales of vibrant culture) and by doing so creates opportunities for the Welsh Language.

8.2.5 For individual citizens, the regulations will provide:

- less confusion and greater consistency in terms of what and how they recycle. In relation to recycling in the workplace, this will largely be the same as how they do it at home;
- a greater sense of self-satisfaction / agency for their efforts to tackle the nature and climate emergencies;

- greater empathy for their employers doing their bit.

[8] “[Programme for government 2021 to 2026: Well-being statement](#)”, *Welsh Government, 2021*.

8.3 In light of the impacts identified, how will the proposal:

- maximise contribution to our well-being objectives and the seven well-being goals; and/or,
- avoid, reduce or mitigate any negative impacts?

8.3.1 The Welsh Government is taking an active role promoting biodiversity, children’s rights, equalities and the Welsh language with these reforms.

8.3.2 To date, the Welsh Government has invested over £1 billion in household recycling, which has transformed Wales from a nation that recycled less than 5% of its municipal waste to over 65% in 2021-22 and is already contributing savings of around 400,000 tonnes of CO2 emissions a year. These regulations promote the shift to a circular economy, reducing resource extraction and limiting the generation of waste, which helps to accelerate decarbonisation and reduce biodiversity loss. Continued action in this area is essential to our response to the climate and nature emergency, supporting the objective of embedding it in everything we do, whilst helping to build a stronger, greener economy as we make progress towards net zero and zero waste, creating a green and prosperous Wales for future generations.

8.3.3 The Welsh Government supports businesses to implement sustainable best practices through Business Wales, Food and Drink Wales, WRAP Cymru and the Biodiversity Partnership, and is developing sector-specific guidance on the implementation of these reforms with WRAP. A variety of support tools will be developed to help businesses and organisations to implement the changes, such as best practice case studies, guides and downloadable signage and

resources. To mitigate a potential increase in the use of diesel vehicles in the waste sector, as it may not always be possible for waste collection to collect multiple streams simultaneously, leading to more trips, the Welsh Government is assisting with the transition to greener vehicles with grants to local authorities for electric collection vehicles and charging infrastructure. [9] Moreover, the negative impact of any expansion to existing waste management facilities or new facilities is more than mitigated by the saving in emissions from the material substitution of the recycled material collected replacing raw materials.

8.3.4 There are no significant negative effects on the Welsh Government's statutory public sector equalities duties and implementation of the regulations will be fully compliant with the Equality Act 2010, with the provision of guidance and materials in accessible formats and targeting different languages. All legislation, correspondence and publicity will also comply with the Welsh Language (Wales) Measure 2011. The reforms contribute towards a more equal Wales as they bring about positive action to address the climate crisis which is anticipated to hit the most vulnerable communities hardest and it will also create a cleaner, greener and more sustainable environment with associated jobs and investment in the circular economy. The Welsh Government is working to minimise the cost impact on micro-businesses, which are the only businesses predicted to face a small increase in costs, [10] by incentivising the co-collection of household and non-domestic waste. All other businesses are predicted to make savings.

8.3.5 The Health Impact Assessment concludes that, overall, the circular economy approach (which underpins the regulations) will have a positive impact on the wider determinants of health and wellbeing for the general population. In particular, through reduced emissions of CO₂ and NO₂ and mitigating the impact of climate change, which is disproportionately harmful for certain groups.

8.3.6 Children and young people are stakeholders directly affected by these reforms who will reap the many positive benefits. We want to harness the passion and enthusiasm of our young people, utilising the levers at our disposal such as our environmental education programmes, to ensure we involve children and young people early in our future thinking and influence positive behaviour

change and creative thinking amongst our next generation.

8.3.7 We will provide the tools to enable community action. This includes support tools to help to implement the changes, such as best practice case studies, guides, downloadable signage, bin signs and posters, online webinars, and other resources. By supporting local actions, it will collectively make a big difference. We will engage with our schools and communities, working with citizens to support local initiatives and resource efficient actions. In addition, Welsh Government is taking action to promote the procurement of receptacles with recycled content for the public sector. A key priority of this agreement is to increase recycled polythene content within the products supplied. This approach will allow participating organisations to make a decision that is aligned to their environmental and commercial strategy.

[9] “[Local transport fund, resilient roads fund and ultra low emission vehicle transformation fund: guidance to applicants 2023 to 2024](#)”, Welsh government, 2022, 1 and “[£15m ‘boost’ will increase the number of Welsh electric vehicle charging points](#)”, Welsh Government, 2023.

[10] “RIA, Welsh Government, 2023, Table 22.

8.4 How will the impact of the proposal be monitored and evaluated as it progresses and when it concludes?

8.4.1 The outcomes of the regulation implementation will be monitored with a combination of quantitative and qualitative methods, depending on the nature of the outcome and the availability of an appropriate data source. The waste tracking system will once implemented, from 2025 onwards, be used as a primary data source to track recycling levels for industrial and commercial waste in Wales, as it will provide information allowing measurement of the amount of waste sent for recycling, landfill, or incineration, and where it is disposed.

8.4.2 In addition, a number of other data sources that will be used in the

interim include: WasteDataFlow, National Resources Wales (NRW) waste and recycling surveys, along with NRW 'site return' data.

8.4.3 The outcomes relating to reduced disposal of food waste to sewer will be monitored during the inspections carried out by Local Authority Environmental Health Officers, who will report the premises disposing of food waste to sewer.

8.4.4 The Welsh Government will explore the need for specific commissioned surveys to further monitor the extent of compliance and any potential barriers to the successful implementation of the proposals or add regulation-specific questions to the already planned future business surveys. Moreover, qualitative data gathered during the NRW, LA and Welsh inspections of non-domestic premises and waste handlers will further provide information about the impacts of the regulations on businesses.

Children's rights impact assessment

1. Policy objectives

What decision are you impact assessing?

1.1. The Welsh Government is introducing new regulations that are expected to come into force on 6 April 2024 and that will require all non-domestic premises (including businesses, and the public and the third sector) to separate key recyclable materials in the way the majority of Wales' householders already do. This will include all schools and colleges, and other business and public sector premises that young people visit.

1.2. The regulations will:

- require the occupiers of non-domestic premises (including businesses, charities and public sector bodies) to present specified recyclable materials for collection separately from each other and from residual waste;

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- require those that collect the materials to collect them by means of separate collection and to keep them separate;
- ban certain separately collected recyclable materials from incineration and landfill;
- ban all wood waste from landfill;
- commence a ban on disposal of food waste to sewer from non-domestic premises.

1.3. The regulations deliver against two overarching Programme for Government (PfG) commitments:

- to build a stronger, greener economy as we make maximum progress towards decarbonisation; and
- to embed our response to the climate and nature emergency in everything we do, which is absolutely critical to supporting children and young people.

1.4. The reforms are a core element of the Welsh Government's action to deliver its commitment to zero waste and contribute to significant carbon savings by bringing non-domestic recycling in line with the successful Welsh domestic recycling system. These reforms will benefit everyone in Wales, especially those vulnerable and future generations, by tackling waste reduction, creating carbon savings, and providing the materials necessary to drive progress towards a circular economy.

1.5. For Wales to tackle the climate and biodiversity crises, as well as implement a green recovery from the pandemic, we must take a no-regrets approach to investment in the green economy and climate-proofing now. [11] Extracting and retaining greater economic benefit from the materials collected from non-domestic premises in Wales will improve supply chain resilience whilst reducing our reliance on raw materials from overseas. These reforms are therefore a key action to tackle resource efficiency and reduce the consumption of raw materials, thereby addressing root causes of the climate and nature crisis.

[11] Welsh Government, Beyond Recycling Integrated Impact Assessment, 2021, [beyond-recycling-integrated-impact-assessment.pdf](https://www.gov.wales/beyond-recycling-integrated-impact-assessment.pdf) (gov.wales).

2. Gathering evidence and engaging with children and young people

What existing research and data on children and young people is available to inform your specific policy? Your policy objective may impact on other policy areas – discussions with other policy teams will be an important part of the impact assessment process ensuring you have gathered a range of information and evidence.

2.1. The foundations of the workplace recycling legislation stretch back to before the Environment Wales Act. In 2010, Towards Zero Waste [12] formally set out a long-term plan to reduce the impact of waste in Wales by aiming to eliminate residual waste and recycle any waste that is produced. It stated that “To achieve a high level of recycling, we need to make sure that all our recyclates are separated at source so that they are clean and of high value.” The consideration of children and young people the wellbeing of future generations is a strong theme throughout the strategy and is reviewed in the Towards Zero Waste Progress Report [13].

2.2. A review of existing literature, for example the Welsh Youth Parliament’s Littering and Plastic Waste Committee published a report in 2020, ‘Reduce, Reuse, Recycle’, found that:

- 87% of Welsh youth think that reducing, reusing and recycling waste is important to them;
- a large proportion of those surveyed felt it was important to reduce, reuse and recycle litter and plastic waste at home (87%), when out with family or friends (84%), and at school (84%);
- 85% are confident that they know what they can recycle;
- 67% of young people know of other ways to reduce littering and plastic waste aside from recycling;

- 38% would choose items with less packaging;
- 12% would file a complaint or shop elsewhere if a company/ organisation did not handle its waste responsibly.

2.3. They also saw written survey responses that young people wanted to see shops and producers doing more to respond to reuse and recycling. There was reference to the need to reduce packaging, for shops to offer refilling stations and use biodegradable packaging.

2.4. These responses align strongly with broader stakeholder opinions regarding reuse and recycling and feedback that has led to these reforms.

Using this research, how do you anticipate your policy will affect different groups [14] of children and young people, both positively and negatively? Please remember policies focused on adults can impact children and young people too.

2.3 The climate and nature emergencies affect everyone, but the negative impacts will be felt disproportionately by our children and young people and future generations. [15] Climate change has been identified as one of the biggest threats facing our future generations; implementing the legislation will have a direct positive impact on our environment, health and well-being, and the economy in the short and long term. In its assessment of the Collections Blueprint, Eunomia [16] found that the capturing of high-quality material through the separate collection of waste is likely to support retention of material within the Welsh and UK economies – resulting in social and economic benefits in line with the objectives of the Well-Being of Future Generations (Wales) Act 2015.

2.4 The regulations present an opportunity to create parity between households and non-domestic premises. Presenting recycling in separated recycling streams and separate from residual waste is the current practice of most households in Wales. The regulations will be promoting greater equality

and consistency by now requiring non-domestic premises to separate their recycling the way householders do. It will provide equal opportunities for everyone to participate in recycling.

2.5 Article 12 of the UN Convention on the Rights of the Child denotes the right of children and young people to voice opinions on all issues that affect them and for that opinion to be taken seriously. In addition, the Well-being of Future Generations Act (2015) sets out seven Well-being Goals and the requirement to involve people with an interest in achieving the well-being goals as one of its five ways of working. Children and young people being stakeholders directly affected by these reforms who will reap many positive benefits.

2.6 We want to harness the passion and enthusiasm of our young people, utilising the levers at our disposal such as our environmental education programmes, to ensure we involve children and young people and influence positive behaviour change and creative thinking amongst our next generation.

2.7 We will provide the tools to enable community action. This includes support tools to help to implement the changes, such as best practice case studies, guides, downloadable signage, bin signs and posters, online webinars, and other resources. By supporting local actions, it will collectively make a big difference. For example, the Welsh Government is promoting and supporting the procurement of receptacles with recycled content for the public sector. A key priority of this agreement is to increase recycled polythene content within the products supplied. This approach will allow participating organisations to make a decision that is aligned to their environmental and commercial strategy. We will engage with our schools and communities, working with citizens to support local initiatives and resource efficient actions.

What participatory work with children and young people have you used to inform your policy? If you have not engaged with children and young people, please explain why [17].

2.8 Our engagement to-date includes more than a decade of consultation and ongoing engagement to come to the final policy position, underpinned by data gathering and analysis and stakeholder engagement. The Welsh Government has engaged with a range of stakeholders on source separation policy development on an ongoing basis dating back to 2009 at least.

2.9 2009 Towards Zero Waste consultation: The consultation on this policy document included the aim “To achieve a high level of recycling, we need to make sure that all our recyclates are separated at source so that they are clean and of high value. We aim to develop an efficient and effective collection system to separate mixed commercial and industrial waste.”

- Three consultation events took place across Wales - stakeholders came from the public, private and voluntary or third sectors.
- A consultation for young people.
- Formal online consultation open to all.

2.10 2013-14 - Environment Bill White Paper consultation: The separation duty was consulted on in the Environment Bill White paper consultation through:

- four regional consultation events were held for the public;
- stakeholder holder workshops;
- formal online consultation open to all.

2.11 2019-2020 - Consultation on Beyond Recycling, the Circular Economy Strategy for Wales:

This consultation included two specific objectives related to these reforms “To promote higher recycling of business and public sector waste, our aim is to

require recycling in all non-domestic settings, separating waste in the way households already do...” and “We will legislate to ensure that separated key recyclables are banned from energy recovery or landfill.” The following engagement activities took place as part of the consultation:

- Approximately 40 face-to-face events were carried out, including open invitation sessions and regional events tailored to specific audiences which included young people, local authorities, businesses, the waste sector, environmental groups, regulators, and academics.
- The official consultation events had many held in communities and schools. Those who attended were not only asked what they thought about the consultation as drafted, but what their ideas were for a Wales to achieve zero waste, net zero carbon and a more circular economy.
- Formal online consultation which included for the consultation the aim: “To promote higher recycling of business and public sector waste, our aim is to require recycling in all non-domestic settings, separating waste in the way households already do.”

2.12 2019 Consultation on Increasing Business Recycling in Wales: A formal consultation in late 2019 set out proposals to bring forward statutory instruments (SIs) to increase recycling from non-domestic premises such as businesses and the public sector in Wales. [18] A total of 100 responses were received from 96 different organisations.

2.13 2022-23 Consultation on the Workplace Recycling Legislation: Between 2022 and 2023 the Welsh Government engaged stakeholders and the public on the legislation in the following ways:

- Formal public consultation on both the draft Code of Practice and enforcement proposals 2022-23, receiving 95 responses from 79 different organisations on the Code of Practice and 39 responses from 33 organisations on the enforcement regime.
- Informal meetings with a range of stakeholders over three years.
- Five virtual consultation events with a range of sectors including the voluntary and community sector, businesses, local government and the

wider public sector.

2.14 Throughout our extensive engagement on this policy of source separation, the Welsh Government has not found evidence of specific negative impacts for children and young people.

2.15 Through the development of this policy, until the coming into force date of 6 April 2024, the Welsh Government and stakeholders will continue its engagement activities to continue to identify emerging issues for children and young people. Children and young people will play a prominent role in driving our circular economy forward. We will continue to support our current and future generations through education, training and our environmental programmes. This is crucial to growing awareness of recycling and building an understanding of climate change, emissions, energy use and waste generation.

[12] [Welsh Government, Towards Zero Waste, 2010](#) (gov.wales).

[13] [Welsh Government, Towards Zero Waste 2010-2050 Progress Report, 2015](#) (gov.wales).

[14] You may, for instance, consider how your policy would affect the following groups of children and young people differently: early years, primary, secondary, young adults; children with additional learning needs; disabled children; children living in poverty; Black, Asian and minority ethnic children; Gypsies, Roma and Travellers; migrants; asylum seekers; refugees; Welsh-language speakers; care experienced children; LGBTQ+ children. Please note that this is a non-exhaustive list and within these cohorts there will not be one homogenous experience.

[15] “[Health and wellbeing impacts of climate change](#)”, 2021.

[16] [Review of the Welsh Government Collections Blueprint, Eunomia, 2016](#).

[17] Article 12 of the UNCRC stipulates that children have a right to express their

views, particularly when adults are making decisions that affect them, and to have their opinions taken into account.

[18] [Welsh Government, Consultation – summary of response. Increasing Business recycling in Wales, 2021.](#)

3. Analysing the evidence and assessing the impact

Using the evidence you have gathered, what impact is your policy likely to have on children and young people? What steps will you take to mitigate and/or reduce any negative effects?

3.1 Children and young people play a critical role in supporting Wales' commitments to reach zero waste and net zero carbon emissions by 2050, as well as supporting our progress towards a more circular economy. These reforms are critical to tackling the climate and nature emergency which is not only key to driving up the quantity and quality of recycling from non-domestic premises but is also a vital component in the delivery of Wales' commitments to reach zero waste and net zero carbon emissions by 2050. They will also help us to reduce environmental pollution and the impact we have outside of Wales through the extraction of raw materials for the goods we consume.

3.2 To date, the Welsh Government has invested over £1 billion in household recycling, which has transformed Wales from a nation that recycled less than 5% of its municipal waste to over 65% in 2021-22 and is already contributing savings of around 400,000 tonnes of CO2 emissions a year. These reforms to improve our business, public and third sector recycling will see us taking the next step in our journey as a recycling nation. Continued action in this area is key to our commitments to embed our response to the climate and nature emergency in everything we do and build a stronger, greener economy as we

make maximum progress towards decarbonisation; creating a green and prosperous Wales for future generations.

How does your proposal enhance or challenge children's rights, as stipulated by the UNCRC articles and its Optional Protocols? Please refer to the articles to see which ones apply to your own policy.

UNCRC Articles or Optional Protocol	Enhances (X)	Challenges (X)	Explanation
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Article 12 Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.	X		
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Children and young people are indirect stakeholders affected by these reforms, however, they will benefit immensely from the many economic and health benefits.

Children and young people will be directly affected as these reforms cover schools and colleges and other places that they visit. They will be expected to place their rubbish in the right recycling bin.

Article 13 Children have the right to get and to share information as long as the information is not damaging to	X		
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We will be supplying information and tools to support all non-domestic premises and the waste sector to comply with the regulations, such as best practice case studies and guides and downloadable signage and resources. In addition, the gov.wales content will be updated, and there will be a national campaign focused on social media, engaging

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UNCRC Articles or Optional Protocol	Enhances (X)	Challenges (X)	Explanation
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them or to others.

with traditional media and working with our partners.

All summary data on how waste is managed in Wales published on the internet, for all to access. More detailed data is available on request.

Article 24
 Children have the right to good quality health care and to clean water, nutritious food and a clean environment so that they will stay healthy. Rich countries should help poorer countries achieve this.

X

The climate and nature emergency are a pressing issue affecting current and future generations. These reforms directly promote Article 24 and will help to alleviate significant concerns relating to a clean environment. These regulations will see business, public and third sector recycling being brought into line with the successful household recycling system in Wales which contributes savings of almost 400,000 tonnes of CO₂ emissions a year, ensuring a cleaner, greener, and healthier Wales for children and young people.

3.3 Consider whether any EU Citizens Rights (as referenced in the Equality Impact Assessment) relate to young people up to the age of 18.

3.4 These proposals include exemptions to ensure our policy does not impact upon any of the articles in the Human Rights Act. Guidance will be issued to support the implementation of the proposals. The intention is to provide information which will ensure there is clarity for enforcing officers, suppliers, retailers and members of the public. It will be published and available to all

citizens in a range of formats to ensure it is accessible to all. For more information, see the Equality Impact Assessment.

4. Communicating with Children and Young People

If you have sought children and young people's views on your proposal, how will you inform them of the outcome?

4.1 The consultations that led to and informed these reforms have actively engaged young people. Young people's views on the detailed and technical specifics of the workplace recycling reforms have not however been additionally sought outside of the general consultation. This is because the content of the workplace recycling reforms are 'workplaces' specific and technical in nature. The impacts will benefit children and young people positively, and children and young people will engage with the reforms when they are in workplaces, they are not the primary objective of the reforms. That said, children will be affected by this policy in terms of the benefits, and impacted as they will need to put their rubbish in the correct bins when they visit workplaces such as schools, leisure centres, cafes etc in the same way in which they will already do at home.

4.2 Eco-Schools and Size of Wales are the main platforms Welsh Government has to engage directly with children and young people on sustainable behaviours, climate change and natural resource priorities. The programmes have developed an eco-aware generation who are not simply focussed on waste reduction and recycling but on how schools and communities can contribute towards improving wider outcomes within their communities whilst reducing emissions. [19] Many schools are already engaging in this work by taking action to reduce their waste, creating local partnerships with businesses and other organisations to improve their local communities and find further uses for the materials.

4.3 Welsh Government will additionally brief children and young people once the legislation is put forward to the Senedd and keep them informed of developments. In order to do so, we will be providing an easy read of the summary of the code of practice, communications, tools and guidance materials. There will also be a national communications and social media campaign to raise awareness of the requirements. We will also use the WRAP iconography produced to help visitors to workplaces understand what rubbish goes in which bin. This will be using simple images, designs, and consistent colours to aid people in their understanding and to ensure compliance. In addition, we will be supplying information and tools to support non-domestic premises (including schools and colleges) and the waste sector to comply with the regulations, such as best practice case studies and guides and downloadable signage and resources. The intention is to provide information which will ensure there is clarity for enforcing officers, suppliers, retailers and members of the public.

[19] “[Eco-Schools](#)”, [Keep Wales Tidy](#), .

5. Monitoring and Review

Please outline what monitoring and review mechanism you will put in place to review this CRIA.

5.1 The Welsh Government will publish a post implementation monitoring plan which will seek to measure the success of primary and secondary objectives of the reforms. The plan will require the Welsh Government to periodically review that the benefits of the policy will benefit future generations and children, to make sure they are being realised.

Following this review, are there any revisions required to the policy or its implementation?

5.2 The outcomes of the regulation implementation will be monitored with a combination of quantitative and qualitative methods, depending on the nature of the outcome and the availability of an appropriate data source. It is currently envisaged that the Waste tracking system will, from 2025 onwards, be used as a primary data source to track recycling levels for industrial and commercial waste in Wales, as it will provide information allowing measurement of the amount of waste sent for recycling, landfill, or incineration, and where it is disposed of.

5.3 In the event of any data gaps or delays with the deployment of the Waste Tracking system, a number of additional data sources exist and may be used in the interim: They include, WasteDataFlow, Extended Producer Responsibility Scheme for packaging, National Resources Wales (NRW) waste and recycling surveys, NRW 'site return' data.

5.4 The outcomes relating to the reduced disposal of food waste to sewer will be monitored during the inspections carried out by Local Authority Environmental Health Officers, who will report the premises disposing of food waste to sewer.

5.5 In addition to the above, the Welsh Government will explore the need for specific commissioned surveys to further monitor the extent of compliance and any potential barriers to the successful implementation of the proposals or add regulation-specific questions to the already planned future business surveys. This could include consideration of how well children and young people can understand and comply with the requirements to sort their waste in the non-domestic premises they visit. Moreover, qualitative data gathered during the NRW, LA and Welsh inspections of non-domestic premises and waste handlers will further inform about the impacts of the regulations on businesses and will be used to identify the ways of lifting potential barriers.

5.6 The above constitutes an extensive but not exhaustive list of the wider

benefits that the regulations will help to achieve. The success in achieving these outcomes will, however, depend on the range of policies currently in place and/or introduced in the future. The exact scale and scope of potential wider benefit measurement actions will be determined based on the availability of resources. The need for wider benefit post-implementation monitoring will be included in the Welsh Government's business planning and budget setting process, which has to balance priorities with the available resources.

Welsh language impact assessment

Details

1. Welsh Language Impact Assessment reference number (completed by the Welsh Language Standards Team, email: Safonau.Standards@gov.wales):
01/08/2023

2. Does the proposal demonstrate a clear link with the Welsh Government's strategy for the Welsh language? – Cymraeg 2050 A million Welsh speakers and the related Work Programme for 2017-2021?

2.1 The regulations deliver against two overarching Programme for Government commitments:

- to build a stronger, greener economy as we make maximum progress towards decarbonisation; and
- to embed our response to the climate and nature emergency in everything we do.

2.2 The reforms are also a core element of the PfG commitment to introduce an Extended Producer Responsibility (EPR) scheme to incentivise waste reduction by businesses. This is because they facilitate and improve the separation and collection of materials from all non-domestic premises, a key component of delivering a complete EPR system.

2.3 The Extended Producer Responsibility Programme also contributes to other well-being goals, by ensuring that bilingualism is an integral part of life in Wales. As such, all communications relating to the regulations and their implementation will be bilingual. This includes the national awareness campaign relating to the regulations and information and tools to support non-domestic premises and the waste sector to comply with Regulations.

2.4 The recent public consultations held from November 2022 – February 2023 requested feedback on the Code of Practice and the proposed Enforcement regime and were published in both Welsh and English. A majority of respondents (79%) felt that there would be no positive or negative impacts on the Welsh language. Two respondents noted that the requirement for the regulations and associated communication to be in both English and Welsh, stressing the importance of the Welsh translations being very clear for technical aspects of the regulations. The Code of Practice will undergo equivalence checking for quality assurance purposes which addresses this feedback.

2.5 These reforms are a core, enabling element of the Welsh Government's commitment to zero waste and contribute to significant carbon savings by bringing non-domestic recycling in line with the successful Welsh domestic recycling system. Furthermore, these reforms will bring important environmental, economic and health benefits to Welsh and English speakers in Wales. There are no foreseeable impacts on Welsh speakers or on the Welsh language. The regulations, the Code of Practice, correspondence, sector guidance and support tools and publicity will fully comply with the Welsh Language (Wales) Measure 2011.

3. Describe and explain the impact of the

proposal on the Welsh language, and explain how you will address these impacts in order to improve outcomes for the Welsh language

How will the proposal affect Welsh speakers of all ages (both positive and/or adverse effects)? You should note your responses to the following in your answer to this question, along with any other relevant information:

3.1 There are no adverse impacts anticipated on the Welsh language. In terms of helping to improve outcomes for the language, all communication from the Welsh Government, its agents and the regulators relating to the regulations and its implementation will be bilingual. This includes the national awareness campaign relating to the regulations and information and tools to support non-domestic premises and the waste sector to comply.

3.2 Consultation feedback indicated that there was one respondent concerned the regulations could reduce Welsh language use by increasing demand for private service collectors that may not have capabilities to deal with enquiries in Welsh, or because they are dealing with collectors/brokers based outside of Wales. However, there is no evidence to suggest that this policy will significantly change the pattern of demand for private versus Local Authority waste service collections. Occupiers of non-domestic premises will have the option of contracting with their Local Authority for the waste collection service. LAs have an existing duty to collect any commercial waste from the premises in its area if requested by the occupier and a duty to comply with The Welsh Language (Wales) Measure 2011.

4. How will the proposal affect the sustainability of Welsh speaking communities [20] (both

positive and/or adverse effects)?

4.1 There will be no adverse impacts on the sustainability of Welsh speaking communities – they will have the same high level of recycling service provision as any other community in Wales.

4.2 The recent consultations provided insight into the effects our policy would have on the Welsh language and how stakeholders felt about it. The majority of consultation respondents (79%) felt there would be no positive or negative impacts on the Welsh language. Two respondents additionally thought there may be a positive impact in terms of generating an opportunity to talk with customers in Welsh.

4.3 Many respondents noted the requirement for the regulations and associated communication to be in both English and Welsh, with one respondent stressing the importance of the Welsh translations being very clear for technical aspects of the regulations. We are ensuring that all communication relating to the regulations and its implementation will be bilingual. This includes the national awareness campaign relating to Regulations and information and tools to support non-domestic premises and the waste sector to comply with the regulations.

[20] These can be close-knit rural communities, dispersed social networks in urban settings, and in virtual communities reaching across geographical spaces.

5. How will the proposal affect Welsh medium education and Welsh learners of all ages, including adults (both positive and/or adverse effects)?

5.1 There will be no adverse impact on Welsh medium education and Welsh

learners of all ages. We have strongly considered feedback from recent consultations, with many respondents noting the requirement for the regulations and associated communication to be in both English and Welsh. One respondent made a point to stress the importance of the Welsh translations being very clear for technical aspects of the regulations. Keeping this in mind, Welsh Government has ensured that all translations are very clear for technical aspects of the regulations given the complex subject nature requiring translation, utilising approved Welsh Government translation services for Welsh Government produced documents, website content and Ministerial announcements. We are also taking the additional step of equivalence checking the Code of Practice for quality assurance purposes. The Statutory Instruments will also be equivalence checked using the approved Welsh Government legal services translation service. All communication and guidance relating to the regulations and its implementation will be bilingual. This includes the national awareness campaign relating to the regulations and information and tools such as sector guides and case studies to support non-domestic premises and the waste sector to comply with the regulations.

6. How will the proposal affect services [21] available in Welsh (both positive and/or adverse effects)? (e.g. health and social services, transport, housing, digital, youth, infrastructure, environment, local government etc.)

6.1 The Welsh Language Strategy aims to increase the range of services offered to Welsh speakers, and to see an increase in use of Welsh-language services. We have strongly considered feedback from recent consultations, engagement with stakeholders and focus groups. All regulations, correspondence and publicity will comply with the Welsh Language (Wales) Measure 2011 so there is no impact on the Welsh language.

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6.2 Local Authorities are key partners, integral to the delivery of the regulations, as waste collectors, as regulators of food waste to sewer ban, as occupiers of non-domestic premises. They are committed to promoting the Welsh language and all communications, social media and marketing is applied bilingually. The Local Authority waste department also employs a significant number of Welsh speakers. [22] There was a couple of respondents who provided feedback indicating concern that the regulations could reduce Welsh language use by increasing demand for private waste collectors that may not have capabilities to deal with enquiries in Welsh, or because they are dealing with collectors/brokers based outside of Wales. There is no evidence to suggest that this policy will significantly change the pattern of demand for private versus Local Authority waste service collections. Occupiers of non-domestic premises have the option of contracting with Local Authorities for their waste collection service and Local Authorities have a duty to provide bilingual services. LAs have an existing duty to collect any commercial waste from the premises in its area if requested by the occupier and a duty to comply with The Welsh Language (Wales) Measure 2011.

6.3 The majority of respondents (68%) felt there would be no adverse impacts on the Welsh language. Two respondents also stated that they felt the regulations would bring about a positive impact in terms of inclusion by generating an opportunity to talk to Welsh customers.

[21] The Welsh Language Strategy aims to increase the range of services offered to Welsh speakers, and to see an increase in use of Welsh-language services.

[22] **Welsh Government, Separate collection of waste materials for recycling – a code of practice for Wales**, 2023,

7. How will you ensure that people know about services that are available in Welsh and are able to access and use them as easily as they can in

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English?

What evidence / data have you used to inform your assessment, including evidence from Welsh speakers or Welsh language interest groups?

7.1 All regulations, correspondence and publicity will comply with the Welsh Language (Wales) Measure 2011. In addition, Welsh Government's public consultations on the Code of Practice and the proposed Enforcement regime during November 2022 to February 2023, were bilingual to ensure we canvassed views from stakeholders as broadly as possible.

7.2 All formal Welsh Government communication relating to the regulations and its implementation is bilingual, and if contacted in Welsh we have a mandate to facilitate Welsh responses. The national communications campaign relating to the bringing into force of the regulations and information and tools to support non-domestic premises and the waste sector to comply is fully bilingual. Focus groups and small business omnibus surveys were carried out in both Welsh and English language to ensure the inclusion of Welsh speakers. All subsequent comms materials are continually tested with and quality assured by Welsh speakers. Sector specific guidance and information seminars will also be available in Welsh and English. We also welcome correspondence and telephone calls in Welsh relating to the regulations. Large print, Braille, British Sign Language and alternative language versions of all related documents are also available on request.

7.3 As key partners to the implementation of the regulations, Natural Resources Wales (NRW), Local Authorities and WRAP Cymru will be indispensable to providing bilingual tools and resources. NRW will be responsible for regulating the requirements except for the ban on the disposal of food waste to sewer. Local Authorities will regulate the ban on the disposal of food waste to sewer from non-domestic premises. Both will provide guidance and information for those affected, including bilingual tools and resources on the enforcement regime that will be introduced to ensure all affected are well aware of the requirements and comply. Similarly, Business Wales is a key stakeholder

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supporting the disbursement of information about these reforms that provides business support in the medium of Welsh if a business requests a Welsh speaking advisor.

8. What other evidence would help you to conduct a better assessment?

8.1 Welsh language speakers are directly positively affected by these reforms, and will benefit immensely from the many environmental, economic, and health benefits once the reforms come into force. From the engagement to-date it is evident that there doesn't appear to be a need for additional targeted engagement with Welsh speakers.

8.2 A national communications campaign is being launched which will raise awareness of the requirements of what workplaces must do to manage their waste. This will include advertising across a range of channels (TV, radio, out of home, digital, and social), targeted direct marketing, case studies developed from a range of sectors, webinars, partner toolkits and using existing Welsh Government owned channels and stakeholder networks. The communications campaign will be bilingual and includes targeted engagement with Welsh speakers. It will also enable businesses, including waste collectors, to advertise their business and services through the medium of Welsh, thereby increasing the visual presence and use of the language in the business community.

9. How will you know if your policy is a success?

9.1 All non-domestic premises (including businesses, and the public and the third sector) separate key recyclable materials in the way the majority of Wales' householders already do. In addition, that Welsh language speakers are able to

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seamlessly engage with the regulations once it has been implemented, using the tools and resources available to them, in the same way that English speakers in Wales do.

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