

WEEE Advisory Body (WAB) – Operational and Governance Framework

Roles and responsibilities

- **WAB**

The WAB is responsible for the achievement of its objectives and providing BERR and the Minister with regular reports on progress against these objectives.

- **BERR**

BERR will retain overall responsibility for the WEEE Directive and UK WEEE Regulations.

They will ensure that the WAB has adequate resources and secretariat support in order to function both efficiently and effectively in the fulfillment of its objectives.

To provide the Chairman with an annual appraisal of his performance

- **DEFRA**

The role of Defra is to ensure that the UK achieves the environmental objectives of the WEEE Directive and that WEEE is treated in accordance with the stipulated articles within the Directive.

Defra is also responsible for providing guidance on Best Available Treatment Recovery and Recycling Techniques (BATRRT) and treatment of WEEE generally.

- **ENVIRONMENT AGENCIES**

The role of the Environment Agency (EA) is to regulate the WEEE regulations in England and Wales.

Equivalent roles are undertaken by the respective agencies in the devolved administrations of Northern Ireland (Northern Ireland Environment & Heritage Service) and Scotland (Scottish Environmental Protection Agency).

The Environment Agencies approves producer compliance schemes and manage data on market share, WEEE collection, treatment and reprocessing, register producers of EEE and maintain a public register, regulate sites that will store and treat WEEE, approve treatment facilities and exporters of WEEE so

that they are able to issue evidence of treatment and recovery and lastly, monitor and enforce compliance with the treatment and recovery requirements.

For the purpose of these terms of reference, all relevant agencies are viewed by the WAB as one body (“the Environment Agencies”) in order to ensure the effective delivery of its objectives.

- **VCA**

The VCA, an executive agency of the Department of Transport, is the enforcement body for EEE distributor obligations and product marking of new EEE with a crossed out wheeled bin symbol.

Responsibilities of WAB Members

Members should be aware of their wider responsibilities as members of the WAB. They should follow the Seven Principles of Public Life set out by the Committee on Standards in Public Life.

Members must engage fully in collective discussion and consideration of the issues, taking account of the full range of relevant factors so as to genuinely represent all stakeholders with an interest in WEEE.

Members should aim to support those policies, initiatives and projects that best meet the broad aims of the WEEE Directive; in particular those that promote sustainability taking account of environmental, social, commercial and economic factors.

Members will act with the utmost probity and in the best interests of the WAB at all times and furthermore, they agree to be bound by these Terms of Reference.

Remuneration and Expenses

Remuneration and reasonable out of pocket expenses properly incurred by WAB members will be reimbursed by BERR where appropriate, at the agreed rate and in accordance with agreed procedures.

Gifts and Hospitality

WAB members must always be mindful of the context in which gifts and/or hospitality are provided and/ or offered and whether these are entirely compatible with their role.

Where the member has any doubts, reference should be made to the Chairman in the first instance who will consult with BERR where necessary.

All gifts and hospitality up to and including a value of £10 cash or cash equivalent can be accepted by members subject to the aforementioned conditions being fulfilled satisfactorily.

No gifts or hospitality above £10 cash or cash equivalent can be accepted by members without prior approval having first been obtained from both the Chairman and BERR. The member will be required to provide a supporting statement for consideration by the Chairman and BERR.

Handling conflicts of interest

The purpose of these provisions is to avoid any danger of WAB members being influenced or appearing to be influenced, by their private interests in exercise of their public duties in respect of the WAB.

All members should therefore declare any personal or business interests which may, or may be perceived (by a reasonable member of the public) to influence their judgement.

This should include, as a minimum, personal direct and indirect pecuniary interests (i.e. interests arising from connections with bodies and/or persons which have a direct pecuniary interest). It should also include interests of close family members and of people living in the same household.

The BERR secretariat will maintain the conflicts of interest on behalf of the WAB and will ensure that it is kept up to date and open to the public. Each member is required to review their own position on a quarterly basis and notify the BERR Secretariat of any additions and/or amendments.

A declaration of any interest must also be made at the start of any meeting of the WAB if it relates specifically to a particular issue under consideration, for recording in the minutes.

Depending on the level of interest declared by the member and the level of conflict that this gives rise to, the member should:

- Leave the meeting for the duration of the meeting;
- Stay in the room but not take part in the proceedings;
- Take part in the proceedings but not vote, or;
- Continue as if there is no conflict.

If necessary, this matter will be resolved at the discretion of the Chairman.

Monitoring and management of risks

The WAB will maintain an appropriate risk register in order to record all key risks and issues identified by it (whether external and/or internal) in discharging its obligations and to ensure that the resolution of these risks can be accurately recorded, monitored and resolved accordingly.

The risk register will be held by the BERR secretariat.

External communications

All aspects of the work of the WAB are to be kept private and confidential and WAB members must not communicate externally about its activities unless such communication is agreed with the Chairman beforehand.

Formal press releases and statements where applicable will be coordinated on behalf of the WAB by the BERR Secretariat.

All requests that are received by members from the media, for a comment and/or opinion in respect of the activities of the WAB are to be directed in the first instance to the Chairman who will consult with BERR directly and respond accordingly.

Members can exercise discretion where comments relate to matters of fact. If in doubt reference should be made to the Chairman.

Quorum

Agenda items at meetings cannot be resolved unless a quorum consisting of:-

1. A representative of BERR.
2. The Chairman or Deputy Chairman.
3. 6 members of the WAB are present.

A quorum can be undertaken by way of a conference call.

Meetings

The Chairman will provide at least 21 days notice in advance of any WAB meeting.

Full minutes of all meetings will be taken on behalf of the WAB by the BERR secretariat and subject to the prior approval of the Chairman, will be published on the relevant BERR website.

Decisions

There is a presumption in favour of decisions being made through consensus, at the discretion of the Chairman.

Where there is no consensus, items will be resolved by a majority vote of members present at the meeting, provided that a quorum is present.

Each appointed member of the WAB will have one vote. In the event of a tie, the Chairman shall have the casting vote.

Signed ...*Peter Calliafas*..... **Date**

...12.03.2008....

WAB CHAIRMAN