

## **NHS Scotland Position Statement on Plastics for Suppliers - Consultation**

**Purpose:** This document (the Position Statement) provides information for suppliers and potential suppliers of goods to the NHS in Scotland on NHS Scotland's preferences and proposed direction of travel for its use of plastics. The information is provided to allow interested parties to comment and inform a finalised Position Statement.

Summarised Propositions are detailed towards the end of this paper in Section 28.

**Action:** Interested parties are invited to provide comments on this position statement by **19 AUG 2024** to NHS Scotland National Procurement (part of NHS National Services Scotland) through response form at the following address:  
[Open and Closed Consultations | National Services Scotland \(nhs.scot\).](#)

### **Key Aspirations:**

The following are key points and details in this document;

- NHS Scotland is considering whether to include a mandatory contractual term from April 2025 that all plastic packaging used for the goods it purchases is re-usable and / or recyclable.
- Driving change in recognition that plastic pollution is a major environmental problem and a reduction in the layers and quantities of packaging is sought
- NHS Scotland aspires to reduce the environmental impact of its use of plastic and, to reduce or remove any unnecessary plastic packaging
- NHS Scotland recognise and support the aim of the UK Plastics Packaging Tax to increase the use of recycled plastic in plastic packaging
- Where plastic packaging is used, NHS Scotland wants to work with suppliers to increase the content of recycled plastic used in the composition of plastics and increase the amount and quality of plastic which is recycled.
- NHS Scotland's preferred plastics are PE (including HDPE), PP, PET and PS due to their recyclability and we would encourage use of these over other plastics
- In line with HMRC guidance, NHS Scotland wants to engage with suppliers to make the Plastic Packaging Tax they have paid visible to us.
- NHS Scotland is considering requesting that suppliers to confirm whether their plastics packaging is made from 30% recycled material or not at the point of tender, and, if not, demonstrate why an exception is merited (this should be agreed prior to submission).
- Maintenance of the current NHS Scotland position that the cost of paying the UK Plastics Packaging Tax will not be passed onto NHS Scotland and that suppliers should endeavour to ensure that their packaging includes 30% recycled material.
- Future considerations for improving environmental performance in value chain to progress on our journey to Net Zero are outlined in section 29.

## Introduction

1. Plastic is an important material in healthcare, but plastic pollution is also a major environmental problem:

*“Plastic pollution can alter habitats and natural processes, reducing ecosystems’ ability to adapt to climate change, directly affecting millions of people’s livelihoods, food production capabilities and social well-being.”<sup>1</sup>*

### *The United Nations Environment Programme*

2. It is estimated that between 19 to 23 million tonnes of plastic leak into aquatic ecosystems every year.<sup>2</sup>

3. This document sets out measures which NHS Scotland is taking or intends to take to reduce the environmental impact of its use of plastic through:

- reducing its use
- reducing the use of virgin plastic
- encouraging the use of high-quality recycled polymers
- increasing its ability to recycle plastic
- ensuring high quality recycling for the plastic it does use.

4. The UK Plastics Packaging Tax came into force on 1 April 2022. This is a tax that applies to plastic packaging manufactured in, or imported into the UK, that does not contain at least 30% recycled plastic. The aim of the tax is to provide a clear economic incentive for businesses to use recycled plastic in the manufacture of plastic packaging, which will create greater demand for this material. In turn this will stimulate increased levels of recycling and collection of plastic waste, diverting it away from landfill or incineration.<sup>3</sup>

5. NHS Scotland has a target of ensuring that 70% of all its general waste is recycled or composted.

6. NHS Scotland wishes work with suppliers to increase the amount of recycled content in the plastic we use and increase the amount and quality of plastic which can be recycled.

## Changes to recycling within NHS Scotland

7. NHS Scotland is working to increase its ability to recycle plastic. This includes working with our clinical waste contractor to increase the amount of clinical plastic waste, which once decontaminated, is processed into feedstock for recycled plastics.

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<sup>1</sup> [Plastic Pollution \(unep.org\)](https://www.unep.org/plasticpollution)

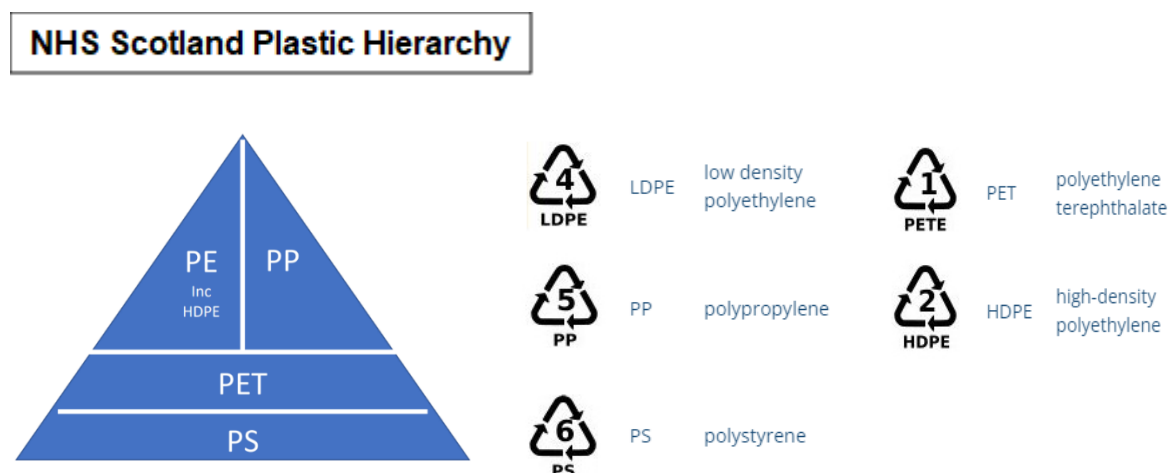
<sup>2</sup> [Plastics pollution toolkit - about | UNEP Law and Environment Assistance Platform](https://www.unep.org/plasticpollution/toolkit/about)

<sup>3</sup> <https://www.gov.uk/government/publications/introduction-of-plastic-packaging-tax-from-april-2022/introduction-of-plastic-packaging-tax-2021>

8. In addition, a trial in NHS Tayside in 2022 was successfully carried out to increase the quality of plastic recovered from non-clinical waste streams. This has led to the inclusion of a plastics recycling lot within the new NHS Scotland General Waste Framework Contract which is currently being procured.

### The NHS Scotland Plastics Hierarchy

9. The NHS Scotland Plastics Hierarchy ranks plastic by polymer based on the ability and ease of recycling, using existing or forthcoming Scottish infrastructure. It sets out NHS Scotland’s preferred plastics – those plastics which are most readily recyclable. Use of these plastics will allow NHS Scotland to increase its recycling rates and contribute to the growth in the supply of recycled plastic.



10. We appreciate that there are some circumstances in which other products containing plastics not listed in the hierarchy may still be required. In these situations, we may ask the suppliers of those products on a voluntary basis, to explain the reasons why non-hierarchy plastics must be used in their products and encourage them to use our preferred plastics where possible.

11. We welcome proposals from the suppliers of products using non-hierarchy plastics for end-of-life management plans for those products e.g. take-back schemes.

12. NHS Scotland is considering, in future, integrating the material composition of products into its tender evaluation process. The development of that process, including an implementation plan and timescales, will involve engagement and consultation with suppliers. At this point, however, our focus is on working with suppliers to use our preferred plastics or develop end-of-life management plans for non-hierarchy plastics.

### PVC

13. PVC is not included in the NHS Scotland Plastics Hierarchy as, although it can be recycled, it requires source segregation as a single polymer stream. Even

small amounts of PVC contaminate recycling streams and significantly reduce the quality and value of recyclate. Where possible, suppliers may be asked to propose alternatives to PVC.

### **Biodegradable Plastics**

14. Biodegradable plastics are not included within the NHS Scotland Plastic Hierarchy, but they can be a viable alternative for some single-use plastic products, notably in catering. However, they can contaminate conventional recycling systems and they require specialist collection and disposal (usually composting).

15. NHS Scotland sites which wish to use products made from biodegradable plastic products should be able to demonstrate that separate collection and specialist recovery (e.g. composting) systems are in place to manage this waste stream and ensure they do not contaminate other recycling systems.

16. Where used biodegradable plastics need for specialist collection and disposal. We welcome any input from Suppliers as to how this could be incorporated and managed effectively where inclusion is required.

### **Reusable and Recyclable Plastic Packaging**

17. NHS Scotland is considering making it a mandatory contractual term that all plastic packaging used for the goods it purchases is re-usable and / or recyclable i.e. that the plastic packaging is capable of being re-used and / or recycled. In relation to recyclability, the packaging must be capable of being recycled in the UK i.e. the infrastructure must exist within the UK for the packaging to be recycled.

18. NHS Scotland is considering introducing this mandatory contractual term from April 2025 onwards for all new contracts.

19. Existing suppliers are also asked to review their packaging to ensure that it is recyclable.

20. This measure is intended to allow NHS Scotland to contribute to the availability of recycled plastic and so assist businesses with using plastic packaging with a minimum of 30% recycled content and helping to achieve the aim of the UK Plastic Packaging Tax. This measure supports businesses in avoiding the requirement to pay the UK Plastics Packaging Tax.

21. Packaging is often comprised of multiple layers and materials. Composite packaging can be recycled in the UK but not all forms are suitable. Where composite packaging is used, in particular when multiple materials are bonded together to form a single layer, we would be happy to work with suppliers to assess its suitability for UK recycling.

22. It is also already common practice in the UK for packaging to be made from recyclable material and we therefore do not anticipate that this change will present major challenges.

## **Recycled Content of Plastic Packaging and the UK Plastics Packaging Tax**

23. NHS Scotland supports the aim of the UK Plastics Packaging Tax and wishes to increase the recycled content of the plastics packaging which it uses.

24. We wish to work with our suppliers to increase the amount of recycled plastic we use. Ensuring that plastic packaging is itself recyclable is one step in doing that.

25. We note that, “Plastic packaging manufactured or imported for the immediate packaging of licensed human medicinal products is not subject to Plastic Packaging Tax” but that, “Immediate packaging is a container (or other form of packaging) that is immediately in contact with a product when it is produced.”<sup>4</sup> Therefore, secondary or tertiary packaging (not in immediate contact with the product) of licensed human medicinal products is not exempt from the tax as there is no regulatory requirement for it to be made of virgin polymer.

26. To support the aims of the UK Plastics Packaging Tax, during tender exercises, we will ask suppliers to confirm whether their plastics packaging (to which the UK Plastics Packaging Tax applies) is made from 30% recycled material or not and, if not, what the reason for that is. While we do not intend to score tenders on this in the near-term, we may do so in the future. Suppliers will be informed and consulted on any change to this position. For now, we wish to understand whether there are any difficulties for our suppliers in using recycled material in their plastic packaging.

27. It is NHS Scotland’s position that the cost of paying the UK Plastics Packaging Tax should not be passed onto NHS Scotland. Suppliers should instead endeavour to ensure that their packaging includes 30% recycled material.

### **Summarised propositions**

28. The following suggestions for change reflect potential opportunities to develop sustainable procurement on behalf of NHS Scotland. This consultation seeks to embrace input and opinion around the main potential changes proposed:

- From April 2025, all plastic packaging used for procured goods must be recyclable / reusable (within the UK), or returnable at no cost to the vendor.
- Existing suppliers must ensure that all plastic packaging used for procured goods must be recyclable / reusable (within the UK), or returnable at no cost to the vendor from October 2025.
- All suppliers must indicate whether their plastic packaging contains at least 30% recycled materials or provide details as to why this is not possible.
- Improvements and / or take back as part of contractual arrangements would be expected.

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<sup>4</sup> <https://www.gov.uk/guidance/check-which-plastic-packaging-is-exempt-from-plastic-packaging-tax>

- Suppliers to provide quantified details of their plastic tax liability in relation to the packaging of the product/s and evidence of payment of this to HMRC for previous year.
- Contractual incorporation of acknowledgment that the NP / customer will not face secondary liability for plastics tax. (pretender requirement)
- Suppliers to assure no PVC in packaging or goods or indicate reasons for why this is not possible. Improvements and / or take back as part of contractual arrangements would be expected.

29. Views are also sought on the future considered options to improve the transparency and reduce the environmental impact of goods in Scotland may include:

- Secondary plastic packaging for all products must include a minimum of 40% recyclable content
- Secondary packaging should be of non-plastic recyclable materials or minimum 40% recyclable plastics and be free of PVC and biodegradable subcomponents
- All secondary packaging to be returned to vendor
- A products checklist for included specific materials to be incorporated into all tender processes
- A prohibited / exclusion list to be mandated for all tenders with a required yes / no response from supplier.
- If not mandated, non-compliant plastic packaging e.g. that which attracts a plastics tax has the monetary tax liability passed back to the supplier at procurement call off stage.
- Any suppliers not meeting criteria must provide evidence of actions to achieve this within six months of contract award.
- Inclusion of take back or provided waste receptacles by supplier, in association with biodegradable plastics.
- Plastic packaging composition may be scored as part of sustainability criteria in tender evaluation.

## Conclusion

30. NHS Scotland wishes to work with interested parties to reduce the environmental impact of plastic and we welcome comments on the proposals included in this paper. We welcome responses via form at:

<https://www.nss.nhs.scot/procurement-and-logistics/governance-and-sustainability-services/open-and-closed-consultations/>

Should you be unable to access this or have queries relating to the consultation please email: [nss.ssgovernance@nhs.scot](mailto:nss.ssgovernance@nhs.scot)



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NHS National Services Scotland is the common name of the Common Services Agency for the Scottish Health Service.