

Expression Of Interest – Proposal for the role of the Producer Responsibility Organisation (PRO)

Return completed EOI forms to packaging@defra.gov.uk by **10 June 2025**, candidate guidance can be found at the end of this form.

Candidate information

Organisation name and details Please provide organisation name and registered address, only non-for-profit body corporates, as defined in the candidate guidance in this form will be considered eligible.	
Primary contact name and details Please provide a contact name, job title, email address and phone number	
Organisations endorsing these proposals Please list organisations endorsing your proposals for the PRO, provide a named contact for each organisation alongside their job title and email address	
Organisations consulted on these proposals Please list organisations consulted in developing these proposals including the date, and (briefly) the manner / forum of this engagement	

Functions of the PRO

For each function listed below, please indicate which, if any, of the listed sub-functions the PRO should take on each year and provide a brief high-level summary of benefits of the PRO taking on these sub-functions. Where PackUK should retain a sub-function, add this to the “PackUK to retain” list.

Sub-functions not delegable to a PRO are listed under “PackUK to retain”, this includes all sovereign sub functions which can only be carried out by public bodies. Candidates must also indicate what other activities beyond those functions delegated by PackUK they intend to undertake independently if appointed as the PRO.

Further information on how to complete this section can be found in the candidate guidance at the end of this form.

Function	Sub functions	Sub functions taken on by PRO	What value does the PRO add?
Calculation of producer fees Reg 60,61,62,63,64,65, 66 & 75	- Run producer fee calculator using local authority (LA) disposal costs, RPD packaging data, public information costs, impairments and (from 2026/27) modulation criteria to determine individual producer fees - Review calculation results - User feedback (Producers, LAs) - Quality assurance - Commissioning fees calculator audit - Model / calculator development - Develop public information strategy and plan activity	<i>PRO Year 1 (26/27)</i> <i>PRO Year 2 (27/28)</i> <i>PRO Year 3 (28/29)</i>	

[non-Sovereign sub-functions contracted to FSS until 28/01/2028]	• Payments and disbursements		
	PackUK to retain • Late payments enforcement & debt recovery [Sovereign]		
Communications & Public Information Reg 63 & 75 Schedule 7. Paragraph 3, 4, 5, & 6	• Develop public information strategy and plan activity • Estimate public information costs for year ahead • Producing communications and public info campaigns to producers, packaging, manufacturers, scheme operators, relevant authorities and waste management companies, and other persons. • Guidance etc. to producers & local authorities	PRO Year 1 (26/27) PRO Year 2 (27/28)	
	PackUK to retain • Sign off public information strategy & costs [Sovereign]	PRO Year 3 (28/29)	
Local Authority (LA) performance Reg 72 & 74	• Developing LA Effectiveness Assessment Methodology • Assessing LA Effectiveness • LA Improvement Action Plan (IAP) process	PRO Year 1 (26/27)	
	PackUK to retain • Decision to impose 20% reduction on LA payments [Sovereign]	PRO Year 2 (27/28) PRO Year 3 (28/29)	
Appeals & complaints Reg 77, 105, 106, 107 & 108 Schedule 7 Paragraph 10	PackUK to retain • Disposal costs and admin cost appeals • LA appeals • Complaints	Not applicable	Not applicable

Other Schedule 7 Paragraph 9, 11, 12, 13 & 14	• Review of lists of commonly binned or littered items, commonly recycled items • Publication of lists of commonly binned or littered items, commonly recycled items • Strategy and operational plan development • Annual report publication PackUK to retain • Strategy and operational plan publication • Publication of accounts	PRO Year 1 (26/27) PRO Year 2 (27/28) PRO Year 3 (28/29)	
Functions not specified in the regulations	• Customer support • Monitoring and evaluation • Continuous improvement	PRO Year 1 (26/27) PRO Year 2 (27/28) PRO Year 3 (28/29)	

What other activities will the PRO independently undertake? (in addition to its delegated scheme functions)

The other activities suggested for the PRO cannot intrude upon the Sovereign functions reserved for PackUK. Nor can they include any activity that would require additional legislation to be effective, for example, requiring a producer to do something or levying a mandatory charge. Activities, in other words, should be provided so that producers or others can engage with them on a voluntary basis.

PRO Year 1 (26/27)

PRO Year 2 (27/28)

PRO Year 3 (28/29)

Candidate guidance

Eligibility and selection

Only non-for-profit body corporates will be considered for selection under this EOI. The definition applied is as stated in the amending legislation: "a body corporate which uses money earned by, or donated to, that body corporate solely to pursue its objectives and which does not distribute income to its members, directors or officers except for reasonable remuneration for goods or services supplied to that body". Candidates will need to demonstrate that they currently meet this requirement through providing details of their company registration, their articles of association and a copy of their members' agreement. Alternatively, if the proposed company has not yet been formed, the candidate must provide a clear commitment from its proposed members that they will form a not-for-profit body corporate before the proposed date for the submission of formal applications in autumn 2025.

Candidate selection will be based primarily upon the level of support each candidate has from liable packaging producers or those bodies representing them; consideration will also be given to the breadth of support across different packaging sectors. Consideration will be also given to the level of support from, and consultation with, other relevant stakeholders (e.g. producers that are not liable producers, local authorities, compliance schemes). This mirrors the requirements within the amending legislation that the scheme administrator (PackUK) and the four nations must be satisfied that a PRO candidate is suitable for appointment, taking into account "the level of support for the body's appointment among persons appearing to the scheme administrator to represent the interests of producers and other persons likely to be affected by the appointment".

The four nations will select up to three eligible candidates to invite for further discussions of their proposals.

Responses may be discounted entirely where they fail to demonstrate sufficient support from obligated producers. The four nations may choose to select a single candidate where that candidate demonstrates substantially greater support from liable producers than other candidates, provided that the candidate also demonstrates support from other relevant stakeholders.

The PRO functions specified by candidates will not determine which candidates are selected; however, incomplete or low-quality responses may be excluded from further consideration. Responses without a proposal will be excluded from further consideration.

Proposing functions for the PRO

Candidates must set out their proposals for the role of the PRO in the functions of the PRO section.

In the functions of the PRO section, activities currently undertaken by PackUK are listed in the function column, alongside the regulations in the Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations 2024 which govern the performance of these activities. These are further broken down into sub-functions, activities which together amount to the performance of the overall function.

For each function candidates must indicate which, if any, of the listed sub functions the PRO should take on in each of the first three years following its appointment and provide a brief high-level summary of benefits of the PRO taking on these sub functions. To do so without disruption to the operation of the scheme, the process of taking on PackUK's functions should be phased over three years.

Proposals must be realistic, accounting for the difficulty of taking on functions in the first years of the PRO's operation, factoring in both the need to develop the organisation's capacity to deliver the scheme alongside practical considerations such as the time required to set up governance, establish data sharing agreements and recruit and train staff to take on more complex tasks.

To ensure that the organisation appointed as the PRO remains an independent private sector body, the minimal set of Sovereign functions, those which must be retained by PackUK as a public body, have been established with HMT and identified in this EOI form. Sovereign functions are functions under UK law that can only be performed by the Government. The Sovereign functions relating to the pEPR scheme are clearly indicated in this document. This will remain a central consideration in appointing the PRO and the four nations will continue to engage with HMT and the Office for National Statistics (ONS) will continue throughout this process.

Candidates must also indicate what other activities, beyond those functions delegated by PackUK, they intend to undertake independently if appointed as the PRO. This is important in demonstrating the coherent role the PRO is proposing to take within the system and will also serve to cement the status of the PRO as an autonomous private sector organisation whose activities are not solely defined by Government. The other activities suggested for the PRO cannot intrude upon the Sovereign functions reserved for PackUK. Nor can they include any activity that would require additional legislation to be effective, for example, requiring a producer to do something or levying a mandatory charge. Activities, in other words, should be provided so that producers or others can engage with them on a voluntary basis.

Next steps

Candidates will be informed of the outcome of this EOI by 24 June 2025. If your organisation is selected, you will be invited to ongoing engagement with the four nations to reach policy agreement on your proposals for the role of the PRO, concluding by early September 2025.

Candidates will be asked to provide further detail and elaboration to their proposals over the course of this engagement, working with officials to map the functions agreed for the PRO against the requirements set out in the regulations. The intended outcome of this process is a single blueprint for the delegation of functions and activities to the PRO agreed to by the four nations. This blueprint will be used as the basis for the formal PRO appointment process and for the conditions of appointment for the PRO.

Any organisation, including those that did not participate in the engagement with the four nations, can then participate in the formal PRO appointment process starting in autumn 2025.

PLEASE NOTE:

Selection under this EOI process does not guarantee an organisations eventual appointment, or eligibility for appointment, as the PRO. The formal appointment process, which PackUK is due to launch in Autumn 2025, will set out the assessment and eligibility criteria for the PRO. Final assessment criteria for the formal appointment process may set a higher bar for candidate eligibility with respect to support from obligated producers and other relevant stakeholders and will introduce additional assessment criteria which will test candidate's suitability for appointment to carry out functions agreed for the first year of PRO operation. At a minimum, PRO candidates will be required to demonstrate they can provide value for money in delivering scheme functions.

Additional information

The pEPR scheme is established by [the Producer Responsibility Obligations \(Packaging and Packaging Waste\) Regulations 2024](#), found on the legislation.gov.uk website.

For assistance with this form please contact packaging@defra.gov.uk