

Water UK response to policy options as articulated in “Study supporting the revision of the EU Drinking Water Directive”.

Questions posed by EurEau:

1. What do you think is the meaning of those policy options?
2. What would be acceptable at EU level (we need to propose something that the European Commission can sell to the Right2Water people)?
3. What would not be feasible at EU level but it is already done at national level (please **do not tell us “this is subsidiarity topic”** because **we know it already**, but we want to know then how that particular policy option is already implemented in your country/system).

1. Risk based assessment – beyond compliance at the tap	
<i>Policy Option 1.1. Water Safety Plan Risk Based Approach</i>	The UK already has fully implemented water safety plans as part of its national laws. We would support this approach being consistent across Europe as the benefits to consumers have been demonstrated in terms of both safety and cost.
2. Selection of parameters and threshold values	
<i>Policy option 2.1: A core list of parameters with threshold values</i>	<p>Yes, of the three options, this would be the preferred one. But for a true risk based approach, there should not be a defined core list but for the suppliers to decide on parameters based on local risks</p> <p>Clearly defined standards based on WHO guidelines is paramount. Risk assessments should determine where extra monitoring / assessment is needed for “off list” parameters.</p>
<i>Policy option 2.2 A longer list of parameters with strict threshold parameters and accounting for the precautionary principle</i>	These next 2 options are not necessary as a truly risk based approach will recognise where more monitoring / assessment is needed. Given the range of emerging threats that tend to be local in nature it is never possible to have a fully comprehensive list.
<i>Policy option 2.3: A wider list of parameters including emerging substances</i>	We recognise however there will be a need for risk based approach to be sufficiently mature to allow a level of confidence that all risks will be captured. In these cases then decisions should be made at a MS level, in conjunction with local knowledge on catchment conditions, treatment options etc, as to what parameters should be monitored.
3. Controlling the risk of pollution from material in contact with drinking water	
<i>Policy option 3.1 Regulation for products in contact with drinking water</i>	Materials in contact with drinking water, especially on customer side, are potentially one of the biggest challenges – nickel, chromium, lead etc.

	<p>A fresh approach is needed – especially with regards to product assessment so all MS can have confidence in products available to consumers.</p> <p>The sector has tried to address this for some time initially via the EAS and more recently by the 4 Member States (4MS) Initiative. Whilst the 4MS initiative provides a solid basis for the acceptance of approval schemes for drinking water related materials and products it has had limited success and has not delivered the outcomes envisaged.</p> <p>To truly address this issue there is scope for a new approach to be explored and developed.</p> <p>We consider that the ultimate goal is likely to be a European regulation but consider that a pragmatic approach should be adopted whilst progress is being made whereby a gap analysis is carried out to identify areas of commonality in the 4 individual MS approaches and work towards a process of mutual recognition. This work could offer benefits to manufacturers sooner, provide a firm foundation to support future drinking water regulation and realise the Commission's aspirations of harmonisation for product standards out in the Construction Products Regulation (EU) No 305/2011 (CPR).</p> <p>We would like to see further clarity from the Commission as part of its evaluation of the DWD as to its expectations from MS on the interpretation of Article 10 and the further development of the work of the 4MS initiative.</p>
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4. SMART information for consumers

<i>Policy option 4.1. Access to information for reporting threshold values using IT tools</i>	<p>Data on the quality of drinking water are routinely collected in each MS and are already available to consumers. In the UK any consumer can access detailed information on the quality of their tap water (aggregated to a water supply zone level) together with information on source and supply arrangements. In addition any consumer can contact their water service provider and arrange for water samples to be taken to address a specific concern (e.g. lead or nitrate etc).</p> <p>The UK drinking water regulators produce detailed water quality reports, (currently produced annually) which provide summaries of drinking water quality information including actions taken following exceedences of standards.</p> <p>Decisions as to IT platforms should be left to MS as there will be differences in approach largely as a result of the structure</p>
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	of the service sector – ie state run or open to market forces – that will determine the ability to do so. Consideration should be given to what UK customers are asking for as part of the extensive programme of engagement that takes place.
<i>Policy option 4.2. The “Safe Drinking Water Label” of water service suppliers</i>	This idea is not applicable to mains fed water services. Drinking water will either be wholesome or not so attempting to articulate this type of information on a sliding scale would be largely meaningless.
<i>Policy option 4.3. Smart water information systems</i>	The general information may be useful to develop but is clearly outside the scope of the DWD. We are not convinced that UK water consumers would value this form of information, particularly if it came at an increased cost. To enable a truly “smart” system like this to function would inevitably require more sampling and more information at a property level.
5. Ensuring resource efficiency and the efficient management of water services	
<i>Policy option 5.1 High performance to deliver safe drinking water</i>	These policy options should be considered as a matter for each MS under subsidiarity. Whilst the concept of empowering citizens to understand the full range of measures associated with their water supply is laudable it should not be mandated at a EU level as the delivery will depend on the arrangements in each MS.
<i>Policy option 5.2 Responsible drinking water service operators</i>	We are in constant consultation with our customers who give a very clear direction about what information they do and don't want and what they are prepared to pay for.
<i>Policy option 5.3 Efficient management of the water (service) cycle</i>	The UK is addressing the way in which data is shared between regulators and customers on a range of issue. During the last round of price setting in England and Wales the water companies carried out an extensive programme of dialogue with their customers. This proved successful and Ofwat (the E&W economic regulator) intends to build on this for the 2020 price review process - http://www.ofwat.gov.uk/wp-content/uploads/2015/10/pap_tec201507engagement.pdf
<i>Policy option 5.4. Governance: Responsible consumers</i>	In the UK water service providers consider that customer views and needs are taken account of. The examples that follow are with reference to England and Wales but devolved regions of the UK have equivalent governance processes in place. Customer engagement We suggest that this policy option is not applicable at a a drinking water level. In the UK customers are at the heart of business planning process.

As part of this, Customer Challenge Groups (CCGs) were introduced in England and Wales at the start of the 2014 Price Review (PR14) to scrutinise and challenge the customer input and engagement conducted by companies as part of the business planning process. More than 250,000 English and Welsh customers were engaged with directly by their water company during the PR14 process.

The English and Welsh regulator, Ofwat, said in its 2014 Annual Report that CCGs are one of the key approaches in giving customers a stronger voice. The regulator used the CCG reports to help inform its decisions on water companies' business plans.

In Water 2020, Ofwat has confirmed that it wants companies to develop even further its customer engagement activities.

Customer redress

In England and Wales, Water Redress Scheme (WATRS) is an independent adjudication service which has been set up to resolve disputes between customers and water and sewerage companies. WATRS is designed to adjudicate disputes that have not been resolved through the company's customer service teams or by referring the matter to the consumer representation body, Consumer Council for Water. The service is free to use for customers.

WATRS aims to make its decision within 20 working days of receiving an application. If WATRS supports a customer complaint, it will decide what action the company must take, including carrying out work or paying compensation for loss or damage. The decision by WATRS will be binding on the water company if accepted by the customer.

The WATRS scheme is funded by the water companies but run independently by the Centre for Effective Dispute Resolution (CEDR) and overseen by an independent panel. The development of the scheme has been carried out by water companies working with Ofwat and CCWater.

The water companies set 6 commitments for the scheme:

1. To provide WATRS free of charge to customers
2. To support the principles set out in the Alternative Dispute Resolution (ADR) specification
3. To respect the independence of WATRS
4. To be bound by the decision of the WATRS adjudicator if accepted by the customer
5. To co-operate with and have due regard to the recommendations of the ADR Panel

	<p>6. To provide accurate and reliable information to and co-operate with the WATRS adjudicators</p> <p>Consumer representation</p> <p>In addition to the support mechanisms discussed above the UK has well established consumer associations in each of the three devolved administrations(CC Water, Citizens' Advice Scotland, CC Water NI) that provide information to consumers and support consumers in their dealings with individual water services. These organisations provide an independent resource for citizens.</p>
6. Safe drinking water for all EU citizens	<p><i>Policy option 6.1. Access to safe drinking water for all</i></p> <p>This principle is at the heart of all water suppliers approach but would seem to be largely aimed at private supplies which in the UK are not managed by Water UK members. There may be some consideration given to providing temporary connections to private water supplies in certain circumstances where the safety of the drinking water is of significant concern.</p> <p>Since their introduction in 2010 Private Water Supply regulations in England and Wales have encourage private supply owners to adopt a risk based approach and develop water safety plans. This has been met with some success and resulted in consumers connected to private supplies having increased assurance of and confidence in the quality of their drinking water.</p> <p>Consumers served by private supplies can request connection to the municipal supply. All efforts are made to act on such requests but costs are often the main barrier given the predominately rural nature of private supplies.</p>