

Drinking Water Inspectorate Guidance to water companies



GUIDANCE ON THE IMPLEMENTATION OF THE WATER SUPPLY (WATER QUALITY) REGULATIONS 2016 (as amended) IN ENGLAND AND THE WATER SUPPLY (WATER QUALITY) REGULATIONS (WALES) 2018

Introduction to the public water supply regulations in England and Wales

DOCUMENT CONTROL

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1. Purpose

- 1.1. This series of documents provides guidance on the implementation of the following (collectively known as “the Regulations”):
- i. The **Water Supply (Water Quality) Regulations 2016** (S.I. No. 614), which apply to water suppliers¹ whose areas of supply are wholly or mainly in England, and are amended by:
 - a. the Water Supply (Water Quality) (Amendment) Regulations 2018 (SI No. 706),
 - b. the Environment, Food and Rural Affairs (Miscellaneous Amendments etc.) Regulations 2019 (SI No. 526), and
 - c. the Floods and Water (Amendment etc.) (EU Exit) Regulations 2019 (SI No. 558), coming into force on implementation period (IP) completion day.
 - ii. The **Water Supply (Water Quality) Regulations (Wales) 2018** (S.I. No. 647 (W. 121)), which apply to water suppliers whose areas of supply are wholly or mainly in Wales, and are amended by:
 - a. The Flood and Water (Amendments) (England and Wales) (EU Exit) Regulations 2019 (S.I. No. 460 (W. 110)), coming into force on implementation period (IP) completion day.
- 1.2. In line with common practice, water undertakers, inset appointees and holders of water supply licence authorisations are referred to interchangeably as water companies and water suppliers throughout these guidance documents, and the requirements apply to all, unless stated otherwise. Holders of retail-only authorisations issued under the provisions of the Water Act 2014 are referred to specifically where there are regulatory requirements that apply to these companies. The collective term that includes each type of company (wholesalers and retailers) is “Relevant Supplier”, and where this term is used in the Regulations and in this guidance, the requirement may apply equally to retail-only companies.
- 1.3. The Drinking Water Inspectorate (DWI) exercises the powers and duties of the Secretary of State for Environment, Food and Rural Affairs in England and Welsh Ministers in Wales, as defined in the Water Industry Act in relation to regulation of drinking water quality, therefore references to DWI or “the Inspectorate” in this document mean on behalf of the Secretary of State and/or Welsh Ministers.
- 1.4. This guidance (version 3.0) replaces previous versions of the guidance on the English and Welsh regulations and amendments. It does not purport to offer a final interpretation of the regulations. We recognise that it may contain omissions and that some of the advice contained may need to be modified or updated in light of experience gained with implementing the regulations.
- 1.5. Guidance to water suppliers on implementing the regulations is published in sections on the Inspectorate’s website, and will be updated from time to time as the need arises. Companies will be consulted in advance about significant changes. Information

¹ For the purposes of this guidance document the term “water supplier” is a collective term which includes undertakers, inset appointees and other water supply licensees (holders of water supply licence (wholesale and supplementary) authorisations. Retail-only companies and responsible persons under the English and Welsh private supplies regulations are included within the definition of “relevant supplier”.

Letters will continue to be used to communicate new information and requirements to companies as necessary, which may accompany a change to the published guidance. Companies are welcome to comment on all aspects of the guidance.

- 1.6 The master copy of the guidance is the version on the Drinking Water Inspectorate website (<http://www.dwi.gov.uk>).

2. The regulatory framework in England and Wales

- 2.1 Council Directive 98/83/EC on the quality of water intended for human consumption (the Drinking Water Directive) was transposed into law in England and Wales through the Water Supply (Water Quality) Regulations 2016 (S.I. 614) and the Water Supply (Water Quality) Regulations 2018 (S.I. 647 (W. 121)).

- 2.2 The following legal instruments and associated documents provide the regulatory framework for the quality of drinking water supplies in England and Wales. Copies of all these documents are available on the Inspectorate's website.

- i. **The Water Industry Act 1991** (the Act), as amended by the 2003 and 2014 Water Acts, and the Floods and Water (Amendment etc.) (EU Exit) Regulations 2019 (SI No. 558), contains the duties of water suppliers, designates the post of Chief Inspector of Drinking Water, and sets out the functions of, and powers used by, the Inspectorate, including the power to charge fees.
- ii. **The Water Supply (Water Quality) Regulations 2016** (SI No. 614), applying to water suppliers based wholly or mainly in England, as amended by the Water Supply (Water Quality) (Amendment) Regulations 2018 (SI No. 706), the Environment, Food and Rural Affairs (Miscellaneous Amendments etc.) Regulations 2019 (SI No. 526), the Floods and Water (Amendment etc.) (EU Exit) Regulations 2019 (SI No. 558).
- iii. **The Water Supply (Water Quality) Regulations (Wales) 2018** (S.I. 647 (W. 121)), applying to water suppliers based wholly or mainly in Wales, as amended by the Flood and Water (Amendments) (England and Wales) (EU Exit) Regulations 2019 (S.I. No. 460 (W. 110)).

- 2.3 Other legal instruments applying in England and Wales:

- i. **The Water Industry (Suppliers' Information) Direction** specifies the format and timing of water companies' and retailers' provision of information to the Inspectorate. It is referred to throughout as the Information Direction;
- ii. **The Drinking Water (Undertakings) (England and Wales) Regulations 2000** (SI 2000/1297), as amended by SI 2010/996 and SI 2019/558, relates to legally binding water quality programmes of work required to meet drinking water standards;
- iii. **The General Food Regulations 2004** (SI 2004 / 3279 as amended);
- iv. **Security and Emergency Measures (Water and Sewerage Undertakers) Direction 1998;**

- v. **The Security and Emergency Measures (Water Undertakers) Direction 2006**, which updates the 1998 Direction in light of Water Act 2003 and provisions for licensees;
- vi. **The Water Supply (Water Fittings) Regulations 1999** (SI No.1148) as amended by SI 2019/558, sets out requirements for water fittings and pipework installed or used in premises receiving a public water supply from a water supplier, to prevent contamination, waste, misuse and undue consumption. Compliance with the Water Fittings Regulations is enforced by water undertakers, under section 74 of the Act;
- vii. **The Water Quality (Water Supply) Supply Fees Order 2016** (SI 2016 / 303) allows the Inspectorate to recover costs from water companies based wholly or mainly in England and **the Water Quality and Supply (Fees) (Undertakers Wholly or Mainly in Wales) Order 2016** (S.I. 843 (W. 213)).

2.4 There is a wide range of other useful documents on the science and practice of drinking water quality regulation from research reports through to industry good practice documents. All of these may be of assistance to water companies. The Inspectorate makes many of these available through its website (<http://www.dwi.gov.uk>) either directly or by links to other websites. Examples include:

- i. Drinking water safety - Guidance to health and water professionals - http://www.dwi.gov.uk/stakeholders/information-letters/2009/09_2009Annex.pdf
- ii. World Health Organisation (WHO) Guidelines for drinking-water quality 4th edition including the first addendum - [WHO | Guidelines for drinking-water quality, fourth edition](#)
- iii. The Government's response to the consultation on the amendment of the Water Supply (Water Quality Regulations) 2016 held between 1 February 2016 and 14 March 2016. This document updates Government's policy on drinking water quality.
- iv. [The Principles of Water Supply Hygiene](#) and technical guidance notes published by Water UK (October 2015, updated March 2017).
- v. [The Standing Committee of Analysts \(SCA\) Blue Book methods](#) – for analysis of chemical and microbiological parameters, sampling procedures and other relevant methods.
- vi. BS ISO 5667 Series – Water Quality Sampling – covers various aspects of water quality sampling methods and techniques. There are also BS_ISO standard methods available for microbiological and chemical analysis of water.
- vii. Water Regulations Advisory Service (WRAS) Directory at www.wras.co.uk.
- viii. *Cryptosporidium* in Water Supplies – reports of the group of experts, published in July 1990, October 1995 and November 1998.
- ix. [DWI 70/2/301 Understanding the implication of the EC's proposals relating to Radon in drinking water for the UK](#)
- x. [The List of Approved Products for Use in Public Water Supply in the United Kingdom](#) – this is updated regularly throughout the year by the Inspectorate.

Revision notes –

Version	Revision	Date
1.0	First major version covering the 2016 Regulations	July 2016
1.1	Updated for 2017 Information Direction. Para 1.1 – water supplier replaces water company, and definition of a supplier is in footnote. All combined licenses revoked from 1 April 2017. Para 1.2 – company changed to supplier.	April 2017
2.0	Updated following publication of the 2018 amendment regulations in England and the 2018 Welsh Regulations	September 2018
2.1	Updated following publication of the Environment, Food and Rural Affairs (Miscellaneous Amendments etc.) Regulations 2019 – SI No. 526	April 2019
3.0	Updated following exit from the European Union	April 2020