

Drinking Water Quality Regulator for Scotland

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Dear Peter

Information Letter 3/2012 - Matters to be notified to DWQR and Scottish Ministers via the Event Reporting Process

Purpose

1 Regulations 17 and 31(9) of the Water Supply (Water Quality)(Scotland)Regulations 2001 require Scottish Water to notify Scottish Ministers, in effect the DWQR, of events affecting water quality. Such an event reporting process has operated in Scotland for a number of years. This letter serves to remind Scottish Water of the requirements for event reporting and clarify certain aspects. It also modifies the information on Priority Event Reporting provided in Information Letters 2/2008 and 3/2008 and therefore supersedes these letters, with the exception of that part of IL 3/2008 that deals with the provision of incident reports (paragraphs 8-11 and Annex B). For convenience, these sections have been appended to this information letter as an Annex.

2 It is intended that this information letter shall take effect from 1 August 2012. Information Letter 4/2012 will provide further details of how event information is to be reported electronically to DWQR.

Background

3 All events are assessed by DWQR and, if sufficiently serious, may be classified as incidents and investigated further. Currently, Scottish Water reports about 900 events each year to DWQR, local authorities and NHS boards. DWQR is keen that only the most significant events are reported immediately to DWQR, with less serious events being reported at a later stage. It is acknowledged that other stakeholders may have other

reporting requirements, but it is hoped that all will eventually adopt this approach as being helpful in ensuring the most significant, **Priority**, events are identified and dealt with. It is anticipated that the less urgent, **Non-priority**, events will be reported to DWQR, and others, once they have been resolved along with full details of the cause and the action taken. This will enable non-priority events to be considered and assessed only once all the relevant information is available, making the process more efficient with no reduction in the level of scrutiny.

4 The following provides guidance to Scottish Water on the classification of Priority and Non-priority events. Scottish Water is best placed to decide under which category an individual event falls. The Short-term Health Risk Action Values for Scotland (SHRAVS) identified in Annex G of the Scottish Waterborne Hazard Plan may be used to assist in this process but each event is different and Scottish Water will wish to exercise judgement on individual circumstances.

Events to be notified as Priority Events

5 The following categories of event require reporting to DWQR as soon as possible as “**Priority Events**”:

- a) all **plant process failures** resulting in the supply of inadequately disinfected water or a breach of the water quality standards, regardless of duration or extent;
- b) the occurrence of any other event or failure which, by reason of its effect or likely effect on the quality of water supplied by Scottish Water, gives rise or is likely to give rise to a **significant risk to health** of the persons to whom the water is supplied and / or results in the issuing of precautionary advice;
- c) **loss of water supply** to a significant population (in accordance with previously agreed criteria);
- d) a **significant and unexpected deterioration** in water quality, not already covered by the other categories, for example a significant detection of *Cryptosporidium* oocysts in final water at a supply where this is unusual or a failure of the total trihalomethane standard in a supply zone that is usually compliant;
- e) any **other matter** relating to the supply of water which:
 - i. in the opinion of SW, is of national significance. Such matters may include a “near miss” event in which a serious contamination of supply, though avoided, could happen if similar circumstances recurred;
 - ii. has attracted or, in the opinion of SW, is likely to attract significant local or national publicity;
 - iii. in the opinion of SW, has caused or is likely to cause significant concern to persons to whom the water is supplied;
 - iv. has resulted in SW receiving a large number of complaints of the same nature about poor quality water from consumers in an area supplied by a

particular source, indicating significant concern has been caused to persons to whom the water is supplied, even if the cause is not immediately known.

Events to be notified as Non-priority events

6 Non-priority events constitute anything else that, in Scottish Waters opinion, is of significance but is not covered by the categories described above under Priority Events. The following are examples of events that Scottish Water might report as Non-priority events:

- a) All failures of regulatory samples for parameters in the Water Supply (Water Quality)(Scotland) Regulations 2001 not meeting the Priority criteria;
- b) Detections of *Cryptosporidium* or other organisms not meeting the Priority criteria;

Not required to be Notified

7 Scottish Water should note that it is not required to report to DWQR failures arising from operational, project or other non-regulatory sampling unless they meet the criteria described above under Priority Events. Examples of exceedences that would not ordinarily require to be reported would include raw water *Cryptosporidium* detections and failures of the trihalomethane standard in samples taken at treatment works or storage points where this is not a regulatory parameter.

8 This in no way removes the expectation that Scottish Water will investigate further as necessary, should any non-regulatory sample result give rise for concern, and take appropriate action.

Timescales for Notification and Resolution of Events

9 Scottish Water is required under Regulation 17 of the Regulations to promptly investigate and resolve water quality issues. The introduction of priority reporting does not change this requirement – it is expected that Scottish Water will continue to discharge its duty under this Regulation regardless of the priority by which the event is classified.

10 For **Priority events**, the expectation is that an outcome report will be provided within 30 calendar days of initial notification. It is considered that this provides sufficient time for an event to be fully investigated. In exceptional circumstances where it is not possible to demonstrate that water quality has been restored it is expected that Scottish Water will have identified the remedial action necessary to deliver a lasting solution, and include these actions on the company's regulatory action tracker.

11 The reporting of **Non-priority** events will be made via a single monthly data return to be made to DWQR by the 21st of each calendar month. This file shall contain full details, including outcome, of all events that occurred during the preceding month. For example, an event that commenced in February will be reported in the return due on 21 March. In exceptional circumstances where it is not possible to demonstrate that water quality has been restored by the time of the return it is expected that Scottish Water will have

identified the remedial action necessary to deliver a lasting solution and will include this in the outcome information. **All non-priority events will contain outcome information.**

12 Where DWQR feels there has been a delay in resolving an event, or in reporting its resolution, DWQR will question this with Scottish Water, as is currently the case.

Classification of Incidents

13 The process by which DWQR classifies and assesses water quality incidents is well established, and generally working satisfactorily. There is no intention to change this process significantly and the incident reporting elements of Information Letter 3/2008 remain valid and are appended in the Annex of this letter for completeness.

14 All events will be considered by DWQR, regardless of Scottish Water's decision as to whether they are Priority or Non-priority events. DWQR will continue to classify an event as an incident based on its seriousness. Where DWQR considers that further information is required in order to fully investigate and assess the incident, an incident report will be requested using the established mechanism. An incident where a full report has not been requested should not automatically be assumed to be of a less serious nature than one where a report is required. All events where alternative supplies are issued to a significant number of properties, or advice is issued to restrict the use of the supply due to a health concern, will continue to be declared incidents.

15 DWQR's current practice of automatically declaring an event to be an incident where Scottish Water could not or did not demonstrate compliance to have been restored within two months was introduced in order to drive a speedy resolution of water quality issues. It is considered that this approach is no longer necessary, however DWQR will challenge, and if necessary take action, where it is felt that the resolution of a water quality issue has been delayed without good reason.

Further Information and Enquiries

16 Enquiries about this letter should be addressed to Matthew Bower (0131 244 0743). This letter has been sent electronically. A copy will also be sent to the Water Industry Commission for Scotland, Consumer Focus Scotland and Health Protection Scotland.

Yours sincerely,



Matthew Bower
Operations Team Leader
Drinking Water Quality Regulator for Scotland

Annex : Provision of Incident Reports (repeated from IL 3/2008)

Timescales for the Provision of Incident Reports

- a. **Where an incident report has been requested from Scottish Water it will be submitted to the DWQR mailbox (drinkingwater@scotland.gsi.gov.uk) and copied to the relevant DWQR inspector within 28 days of the request.** This time period is consistent with other UK drinking water regulators and should be sufficient for Scottish Water to complete its own internal investigations and document them in a report.
- b. Where Scottish Water's investigations cannot be completed within the 28 days, either because of the complexity of the incident or because additional information is required from third party studies (e.g. epidemiological reports), DWQR may be prepared to grant an extension. Staffing issues or delays within Scottish Water's internal "sign-off" process will not be accepted as valid reasons for an extension. All applications for extensions must be submitted in writing to the DWQR mailbox and copied to the relevant DWQR inspector. A condition of granting an extension may be the provision of interim reports at specified intervals advising DWQR of progress with Scottish Water's investigation.
- c. Late submission of incident reports without good reason will be communicated in DWQR's annual report.

Content of Incident Reports

It is expected that incident reports will contain the following items, where they are relevant to the incident. This list should be considered a minimum, and it may be appropriate to include additional information where this is appropriate to the circumstances of the incident.

- d. An **Executive Summary** that sets out the main points of the incident, including actions arising with timescales - in simple terms and in a stand-alone format.
- e. A general **background** to the asset or area affected, including:
 - a. A suitable scale plan or extract from an OS map to show the location of the source, the water treatment works (WTW) and any other relevant information such as the supply zone(s) and the location of service reservoirs.
 - b. A copy of the WTW schematic, together with a brief description of the process.
 - c. For distribution events: a clear, annotated plan of the affected distribution system, showing direction of flow and valving arrangements.
- f. A comprehensive description of **events and actions taken**, in chronological order, setting out events leading up to the failure or occurrence, remediation measures, steps taken to protect and limit the affect on consumers, and to restore supplies to normal.

- g. A **discussion** section, expanding on the description of events to explain the causes, also the reasoning behind operational decisions taken;
- h. **Public Health** issues, including details of liaison with Scottish Water's Public Health Team and subsequent:
 - d. Liaison with external bodies such as CPHM / EHO, including advice received;
 - e. Details of all consumer contacts received in association with the incident (plotted on a map if appropriate);
 - f. Details of all sampling and results of analysis undertaken in response to the incident (on-site and laboratory), both to establish the affect on water quality during the incident and to demonstrate that water quality has been restored following the incident, sample locations plotted on a map if appropriate;
 - g. Details of any samples taken by third party bodies such as local authorities;
 - h. Details of any alternative supplies issued, together with the number of any vulnerable consumers in the area affected;
- i. **Supplementary Information**, including where appropriate:
 - i. Copies of any relevant extracts from the operations manual for the WTW in question;
 - j. Copies of records of routine maintenance for relevant assets;
 - k. Suitably annotated photographs of the works or individual pieces of equipment;
 - l. Staff training records, where relevant;
 - m. Copies of relevant risk or impact assessments carried out prior to any work;
 - n. Copies of any relevant procedures or work instructions;
 - o. Any relevant trends from SCADA or telemetry, clearly annotated to indicate scale and date / time. These should also cover the 48 hour period leading up to the event;
 - p. OMC Flight Desk logs showing times alarms were received and passed out to operations (including recipient);
 - q. Any media statements released in connection with the incident;
- j. **Conclusions**, identifying root causes of the incident;
- k. **Lessons Learned / Actions** being taken to prevent a recurrence or to improve operational responses, including action owner and timescales. Actions should be applied across Scottish Water, where this is appropriate.