



Drinking Water Quality Regulator
for Scotland



MEMORANDUM OF UNDERSTANDING

BETWEEN

THE DRINKING WATER REGULATOR FOR SCOTLAND

AND

CITIZENS ADVICE SCOTLAND

June 2016

Introduction

1. This Memorandum of Understanding is between the Drinking Water Quality Regulator for Scotland and Citizens Advice Scotland. The Memorandum sets out an agreed framework for co-operation between two parties. It is not legally binding nor is it intended to cover every detailed aspect of their relationship. Rather, it is a statement of principles, which will guide relations between the two parties and provide a set of workable ground rules.
2. The memorandum cannot override the statutory duties and powers of the individual parties.

Functions of the Parties to this Memorandum

Drinking Water Quality Regulator for Scotland

3. The post of Drinking Water Quality Regulator (DWQR) was established by The Water Industry (Scotland) Act 2002 which defined their responsibility for enforcing drinking water quality standards in Scotland. The DWQR plays a key role in ensuring that the quality of drinking water in Scotland is of the highest standard. This is achieved through technical inspections of Scottish Water's assets and activities and supervision of local authorities' enforcement of the Private Water Supplies (Scotland) Regulations 2006.
4. With regard to the public water supply, the DWQR must ensure that the drinking water quality duties imposed on Scottish Water, are complied with. Thus the DWQR rigorously checks the quality of water supplied by Scottish Water, using information supplied by the Company; carries out audits and inspections of Scottish Water in respect of any of its quality – related water supply duties; initiates enforcement action, to ensure that drinking water standards are maintained and that Scottish Water is meeting its regulatory duties; investigates all incidents that affect or threaten to affect the quality of drinking water supplied by Scottish Water.
5. In relation to private water supplies, the DWQR supervises the enforcement of private water supplies by local authorities.

Citizens Advice Scotland

6. Citizens Advice Scotland is the consumer representative body in relation to water, energy and post in Scotland.

Aspirations

7. Citizens Advice Scotland and DWQR recognise that it is essential they fully respect each other's roles, responsibilities and contributions.
8. The two bodies are independent. However, both are committed to developing a relationship which recognises the expertise and unique competencies of the other to achieve the best outcomes for water consumers in Scotland.

Aims

9. This memorandum of understanding (MoU) aims to:
 - a) Secure cooperation and the exchange of information between Citizens Advice Scotland and DWQR subject to any legal constraints, including the need to respect personal or commercial confidentiality;
 - b) Foster mutual understanding and effective relations generally between the two bodies;
 - c) Secure the coordination of any activities the two organisations carry out in connection with their functions relating to the provision of advice of information to consumers;
 - d) Secure consistent treatment of matters which affect them both.
 - e) Ensure an open and transparent relationship between the organisations;
 - f) Maximise the benefit of the relationship to the consumer and the water industry in Scotland whilst minimising costs;
 - g) Establish a sound basis for providing a coherent and effective service to water consumers in Scotland and make this service as seamless as possible.

This MoU has been prepared to explain how CAS and DWQR will work together to help customers.

Fostering Effective Working Relationships

10. Citizens Advice Scotland and DWQR will act so as to ensure that, so far as practicable, there will be no "surprises" for either organisation from activities of the other organisation in areas of mutual or overlapping interest. The organisations will, wherever possible:
 - a) Consult each other about their Forward Work Programme
 - b) Take all reasonable steps to ensure that they will facilitate the ability of the other to operate effectively;
 - c) Minimise duplication of effort through:
 - i) Shared undertakings of relevant research or the sharing of relevant research findings, or other information-gathering exercises, and information dissemination
 - ii) Provision of early warning to each other of relevant policy initiatives
 - iii) Provision of early notice of emerging issues of concern to consumers with regard to drinking water quality;
 - d) Meet as often as required but not less than annually to discuss projects and issues which may impact on consumers;
 - e) Consult each other on matters of common interest;
 - f) Whenever practicable and appropriate, give each other advance notice of statements of policy and practices that may impact on consumers or which call for actions from the other or might lead to media enquiries of the other, indicating timing of press releases and other media activity, and to include consultations and other public documents;
 - g) In recognition of Citizens Advice Scotland' statutory role in representing consumers, and for the purpose of fulfilling DWQR's statutory role, each body will use its reasonable requests from the other for additional verbal briefings to elicit and discuss views including on important consultation issues, and requests for discussion following publication of decision documents;
 - h) Wherever possible, DWQR and Citizens Advice Scotland will brief the other prior to undertaking discrete areas of activity which will impact on the other but will not be subject to public consultation.

Sharing information about complaints

11. The DWQR will assist Citizens Advice Scotland, wherever possible, in discharging its advocacy function. The DWQR provides information about complaints relating to water consumers in their annual report which they will share with Citizens Advice Scotland. Citizens Advice Scotland and the DWQR are committed to ensuring that information flows freely between them to carry out their respective functions. However, legislative restrictions relating to confidentiality and disclosure of information put limits on the information that can be shared.

Sharing information from Citizens Advice Bureaux and access to bureaux network

12. Information from bureaux will be anonymised and will be provided in a briefing form from CAS. Its use by DWQR for external purposes will require CAS's written agreement, unless the information is already in the public domain.

Monitoring and Review of this Memorandum

13. The two parties are committed, wherever possible, to solving any disagreements under this Memorandum through normal administrative channels.
14. Amendments to this Memorandum may be made at any time by agreement between the two parties. In addition, this agreement will be reviewed at intervals agreed between the two parties and be updated, as necessary, in the light of experience of its operation in practice. An up to date version of this Memorandum will be published on the DWQR and Citizens Advice Scotland websites.

Signatures to the Memorandum

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