

T: 0131-244 0186 F: 0131-244 0259
E: colin.mclaren@scotland.gsi.gov.uk

Mr George Ponton
Quality Regulation Manager (Drinking Water)
Scottish Water
Castle House
6 Castle Drive
Carnegie Campus
DUNFERMLINE
Fife
KY11 8GG

Your ref:
Our ref: B1775733
13 December 2007

Information Letter 5/2007

Dear George

GUIDANCE ON INTERPRETATION OF REGULATION 16(2) (d) (i) OF THE WATER SUPPLY (WATER QUALITY) (SCOTLAND) REGULATIONS 2001

Background

1. Regulation 16(2) (d) (i) of the Water Supply (Water Quality) (Scotland) Regulations 2001 requires Scottish Water to ensure that samples are analysed by or under the supervision of a person who is competent to perform that task.
2. In recent years audits in some UK laboratories have identified occasions when this requirement has not been complied with. Over many years the number of qualified and experienced analysts in laboratories has reduced significantly. At the same time the availability of courses leading to appropriate scientific qualifications has also reduced, making it more difficult to recruit and train competent analysts. There is also a lack of understanding and an absence of guidance on the meaning of the terms “competent person” and “task” in respect of the regulatory requirement.
3. In response the DWQR and the other UK drinking water quality regulators entered into a dialogue with a group of experts from laboratories to develop detailed guidance on the meaning of the requirement and how it can be demonstrably met, along with a realistic timetable for implementation.

Purpose

4. The purpose of this letter is to share with Scottish Water the outcome of these deliberations, which is intended to provide a pragmatic way forward for Scottish Water.
5. The guidance takes the form of a stand alone document, a copy of which is attached. The guidance will be reviewed and revised at regular intervals and in the light of experience. The DWQR expects Scottish Water to take account of the guidance in formulating their analyst training procedures and development programmes and to implement them in line with the timescale included in the guidance.
6. During the transitional arrangements, the DWQR's duty to consider enforcement action if there is evidence of significant incompetence remains unfettered.

Further Information and Enquiries

7. Please acknowledge receipt of this letter. The letter and stand alone document may be freely copied. Further information or any enquiries about the letter should be addressed to Matthew Bower (Tel 0131 244 0743) or Email: Matthew.bower@scotland.gsi.gov.uk

Yours sincerely

Colin McLaren
Deputy Director, Drinking Water Quality