



DRINKING WATER INSPECTORATE

Area 5B, Nobel House
17 Smith Square
London SW1P 3JR

Enquiries: 030 0068 6400

E-mail: dwi.enquiries@defra.gov.uk
DWI Website: www.dwi.gov.uk

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DWI Information Letter 02/2020

To: Board Level and Day to Day Contacts of Water and Sewerage Companies and Water Companies in England and Wales

Dear Sir/Madam

Guidance on Drinking Water Quality Legal Instruments during the COVID-19 Outbreak

Purpose

1. The purpose of this letter is to advise water companies of the Inspectorate's position and expectations in respect of water companies' duties in meeting existing legal instruments.
2. This letter covers improvement programmes that are captured in Regulation 28(4) Notices, Section 19 Undertakings and Section 18 Orders, during the COVID-19 outbreak and is in addition to IL 01/2020.

Introduction

3. Restrictions recently introduced in response to the novel coronavirus (COVID-19) outbreak may present some unavoidable delays to the progress of work associated with legal instruments. This may be, for example, due to the availability of materials or workers involved in construction.
4. Maintaining and continuing a wholesome supply should be considered as the highest priority for water companies.
5. The advice in the letter is specific to impacts arising from the outbreak outside the control of water companies. It does not extend to departures from best practice.

6. This letter does not relieve any mitigation measures or monitoring covered by legal instruments which are involved in critical controls such as turbidity, disinfection (UV or chemical), pH, and interdependent controls such as e.g. temperature or flow.

Position

7. The Inspectorate accepts that there will inevitably be delays to the delivery of certain mitigation measures captured in various legal instruments as a result of the COVID-19 outbreak and the corresponding measures the Government has put in place to tackle the outbreak. Some companies have already informed the Inspectorate of delays to construction schemes required to deliver certain measures, especially where third party contractors are required to access water treatment works.
8. Where the delivery of any long term steps are delayed, the Inspectorate expects companies to maintain the ongoing measures listed in legal instruments and put in place any additional controls required to mitigate any immediate risks to human health caused by those delays.
9. During this time, when sampling and laboratory analysis is becoming limited by restrictions on movement and staff availability, any requirements within legal instruments to install or upgrade operational monitoring will become even more important to confirm the efficacy of treatment processes and must be completed on schedule, or prioritised for early completion wherever possible.
10. Companies should inform the Enforcement Team of any anticipated delays to the delivery of legal instruments, as these become apparent, by email to DWI_Improvement_Programmes@defra.gov.uk. We request that the details of the expected delay, confirmation that the ongoing measures are being maintained and details of any additional measures put in place to protect human health are provided.
11. Once companies are in a position to clarify realistic new dates for delivery of these steps, they should complete and submit change applications for all affected legal instruments, using the stage 2 section of [Annex 4](#) to Information Letter 02/2015. This will enable the Inspectorate to consider appropriate alterations of legal instruments.

Regulatory Duty

12. Water companies are reminded that they remain responsible under The Water Industry Act 1991 (as amended), the Water Supply (Water Quality) Regulations 2016 (as amended) in England and the Water Supply (Water Quality) Regulations 2018 in Wales, to provide sufficient and wholesome water at all times. The guidance provided in this Information Letter does not relieve companies of this obligation.

13. The letter remains in force only for the duration of the COVID-19 outbreak, as designated by the Government.

Enquiries

14. All enquiries regarding this letter should be made to Simon Benton by email to simon.benton@defra.gov.uk.

This letter is being sent electronically to Board Level and day to day contacts. Please acknowledge receipt by email to dwi.enquiries@defra.gov.uk. Hard copies are not being sent but the letter may be freely copied.

Copies of this letter are being sent to Christine McGourty, Chief Executive, Water UK; Jan Dixon and Kirstin Green, Deputy Directors Water Quality, Department for Environment, Food and Rural Affairs; Eifiona Williams, Water Management Team, Welsh Government; Sue Petch, Drinking Water Quality Regulator for Scotland; Catriona Davis, Drinking Water Inspectorate for Northern Ireland; Tony Smith and Chairs of the Regional Consumer Council for Water; Alison Cullen, Ofwat; Simon Moody, Environment Agency; Benedict Duncan, Food Standards Agency; and Stephen Robjohns at Public Health England.

Yours sincerely



Marcus Rink
Chief Inspector of Drinking Water