

Feedback on the European Commission's Directive on the Quality of Water intended for Human Consumption (Recast)

The Consumer Futures Unit, part of Citizens Advice Scotland, uses research and evidence to put consumers at the heart of policy and regulation in the energy, post and water sectors in Scotland. We work with government, regulators and business to put consumers first, designing policy and practice around their needs and aspirations.

As the consumer representative in the Scottish water sector, we welcome the opportunity to respond to the proposed Directive on the Quality of Water intended for Human Consumption (Recast), in particular its focus on water and sanitation as a human right, and improvements in water quality and security of supply for consumers. Generally, whilst we recognise further measures will be necessary to bring all supplies up to a minimum standard, particularly for private water supplies, we believe that the success of this directive will depend on effective implementation measures.

Exemptions

The United Nations Sustainable Development Goal 6 seeks to achieve “universal and equitable access to safe and affordable drinking water for all”. In addition, the Directive states that “member states shall take all necessary measures to ensure access to water intended for human consumption for vulnerable and marginalised groups” (Art. 13(2)). We understand that the recast Directive proposes the exclusion of small private water supplies, i.e. those serving less than 50 people or less than 10m³/d. However, certain vulnerable groups mentioned in the proposed Directive may number fewer than 50 people or may consume less than 10m³/d at certain locations. Sampling shows that many private water supplies in Scotland do not meet the minimum quality standards¹. The Consumer Futures Unit's recent research on appropriate support for private water communities (2018, available on request) shows that a lack of adequate information and support may impact their ability to meet the minimum water quality standard.

Treatment and Monitoring

The Consumer Futures Unit generally welcomes measures within the Directive to reduce health risks arising from supply failure and the proposal that all failures shall be treated as a potential health risk. However, whilst we support consumers having access to safe drinking water at all times, we believe that further consideration should be given to:

- The increase in pressure that this will place on already limited resources (staff, finances, assets) within water suppliers and other responsible bodies (e.g. local authorities).

¹ Drinking Water Quality Regulator (2017). Drinking Water Quality in Scotland 2016. Available at: <http://dwqr.scot/media/34963/dwqr-annual-report-2016-private-water-supplies.pdf>

- What additional support is required to ensure that private water communities are able to comply with this duty.
- Alternative water supply provision, which may lead to an increased use of single use disposable plastic bottles.

Access to Water

The Consumer Futures Unit broadly welcomes the responsibility for improving access to water being placed on member states. We believe that clearer links between policy, practice and support for private water communities will substantially improve consumers' access to safe drinking water. However, we would welcome further clarity as to the exact duties that member states must carry out and how this will be evaluated.

In general, in terms of access to water, we would welcome a broader application of the concept of vulnerability. Rather than simply classifying specific groups or individuals as vulnerable, we would welcome a wider recognition of the fact that a combination of certain circumstances can make people temporarily vulnerable. These include, but are not limited to, illness, disability, age, or financial difficulties. This broadened perspective on consumer vulnerability would take account of the need for increased support in a wider spectrum of circumstances, which would therefore lead to improved consumer outcomes in terms of access to safe drinking water.

In addition, we welcome the focus on access to drinking water for vulnerable consumers. As stated above (Exemption), private water communities are at times vulnerable in terms of water quality and security of supplies. In Scotland, there are more than 22,000 private water supplies supplying 3.6% of the population mostly in rural or remote areas (DWQR, 2017). Many private water supplies are not consistently compliant with minimum water quality standards and/or do not provide a reliable water supply. Private water communities, which are responsible for maintaining supplies to the minimum standard, often struggle to do so. Communities and individuals reliant on private water supplies should thus be explicitly classified as a vulnerable consumer group in the Directive to ensure that they are treated as such by member states, to secure they can access a reliable source of safe drinking water.

Information

We welcome the clear focus the Directive places on the need for consumer information. Recent research carried out by the Consumer Futures Unit² highlighted that the provision of information on consumers' rights and responsibilities for their private water supplies is crucial to achieve compliant drinking water quality. We would also advocate that consumer information is provided through different channels, for example online or in print, and is written clearly so that it is accessible and clear to consumers.

We largely welcome the requirement by the Directive to provide information on water usage and price per litre to incentivise less use of single use bottled water by consumers. In Scotland, the quality of public water is high and in addition, consumers do not pay for water based on usage but on a harmonised scale according to the banding of their property. We

² Eyssel (2018). Testing the waters: Assessing information on private water supplies and sewerage facilities. Available at: <https://www.cas.org.uk/publications/testing-waters-assessing-information-private-water-supplies-and-sewerage-facilities>

believe that there is an opportunity to encourage Scottish consumers using the public supply to increase their use of water supplies that they already pay for rather than buying bottled water, and for the water industry to do more to promote public water.

We believe that water, as a natural resource, should not be wasted and we support measures to reduce leakage. Furthermore, we welcome and support measures that help consumers to more clearly link water and energy, and encourage them to only heat the water they need, which could better support those on low income.

Access to Justice and Redress

We believe that when things go wrong for consumers, there must be a system for service providers to put them right, preferably first time. The inclusion of robust redress processes supports greater consumer empowerment, service improvement and access to safe drinking water.