

This note sets out the roles and responsibilities of health protection teams in the Health Protection Agency (HPA), local authorities and the Drinking Water Inspectorate (DWI) in relation to private water supplies.

Background

Joint HPA/DWI Guidance was published in 2009. Entitled 'Drinking Water Safety; Guidance to Health and Water Professionals', this document was the government's response to a recommendation in the Pitt Review¹. Its purpose was to provide clarity on the respective roles and responsibilities of the various agencies in relation to drinking water and the protection of public health. In addition to being posted on the websites of both HPA and DWI, a copy of the Guidance was sent to every health protection team and launched at the HPA annual conference. Copies were also provided to every local authority environmental health team.

The Guidance emphasizes the importance of close working relationships between water suppliers, health professionals, local authorities and DWI to secure the safety and quality of drinking water on a day-to-day basis and also in relation to operational events and emergencies. The principles apply to all supplies of drinking water, public and private; however, recent changes in the regulation of private water supplies have highlighted a need for additional clarification.

Guidance on the new private water supply regulations has been available on the DWI website since April 2010. Entitled 'Legislative background to the Private Water Supplies regulations 2009 Section 9 (England and Wales) of the Private Water Supplies: Technical Manual' this confirms the responsibilities of local authorities as set out in the Private Water Supplies Regulations 2009 and the Private Water Supplies (Wales) Regulations 2010. However, in implementing these regulations there has been a notable increase in the number of occasions when local authorities have sought advice from health protection teams on matters which are beyond the scope of the intention of the regulations. This has placed a burden on health protection staff and has occasionally resulted in inconsistencies in relation to how local authorities have exercised powers to improve failing private water supplies. The following paragraphs confirm the roles and responsibilities of the key organisations in relation to protection of public health in relation to private water supplies.

Roles and responsibilities of key organisations in relation to PWS:

Local Authorities:

Local authorities have statutory duties under the provisions of the Water Industry Act 1991, Water Act 2003, the Private Water Supply Regulations 2009 (England) and 2010 (Wales).

¹ Learning Lessons from the 2007 Floods – June 2008

Local authorities must carry out a risk assessment of each private water supply in their area (except for supplies to single non commercial domestic dwellings) to establish whether there is a significant risk of supplying water that may constitute a potential danger to human health. Local authorities are also responsible for arranging that private water supplies in their area are monitored to determine compliance with the drinking water standards. Where a failure of a drinking water standard is reported then the local authority must investigate to determine the cause and take appropriate action to secure that private supply owners rectify any deficiencies identified.

There is no legal duty on a local authority to consult with the health protection staff or health professionals about a water supply that is considered to be a potential danger to human health other than in the circumstance when it is considering granting an authorisation to supply water to a lower standard on a temporary basis while remedial action is taken. However, the HPA should be contacted if an acute public health threat is suspected, including any outbreak of illness linked to a private water supply.

The Health Protection Agency (HPA):

The HPA exists to help protect the public against infectious disease, hazardous chemicals, poisons and radiation. Nationally, the HPA has a number of experts who can advise on the potential public health risks from microbiological or chemical contamination of water supplies and will issue advice, via the Drinking Water Inspectorate when appropriate, to assist local authorities. It is the responsibility of the local authority to ensure that any such advice is current and still valid for use.

Health Protection Units:

The HPA delivers its functions at a local level through Health Protection Units (HPU). It is these local teams that support the work of local authorities in relation to the safety of drinking water supplies; however, they have no formal statutory duties and powers under the Private Water Supply Regulations.

HPUs are likely to be approached by local authority environmental health staff for advice and support regarding the results of testing of private water supplies. The health and toxicological advice required in these situations should be no different to that provided in response to similar enquiries about the results of testing of public water supplies.

Health protection staff are not legally responsible for determining whether a particular private water supply is a potential danger to human health – this is a matter which is determined by local authorities and is based on detailed knowledge of the supply from source to tap obtained from historic monitoring information, risk assessments and investigations carried out in conjunction with the private supply owner and, where appropriate, the local water supply company and the Environment Agency. However, health protection staff are able to advise on whether an



exceedance of the regulatory value in a water supply poses a risk to human health to inform decision making by local authorities.

In relation to outbreaks of illness or other types of emergency that may be associated with environmental contamination events, then health protection staff have a more active role and will carry out a wider health risk assessment with the assistance of specialist units within the HPA and, if appropriate, an epidemiological investigation. When carrying out this role health protection staff (HPU) may require information from local authorities about private water supplies and from water companies about public water supplies. Depending on the severity of the incident, the HPU will set up and lead an incident management team to coordinate the health protection response. In the event of a major emergency, the HPU will lead a Scientific and Technical Advisory Cell (STAC) feeding directly into the wider Incident Management Team. Further details on how this works in relation to a water emergency can be found in Drinking Water Safety Guidance to Health and Water Professionals 2009 and in Local Outbreak Control Plans and the HPA Incident and Emergency Response Plan.

The Drinking Water Inspectorate:

The DWI has a statutory role, on behalf of the Secretary of State, to supervise the work of local authorities in relation to monitoring and enforcement of private water supplies. DWI provides advice to local authorities on the scientific and technical aspects of the implementation of the Private Water Supply Regulations. Both the legislation and also Guidance on the legislation can be found on the DWI website together with updates in the form of short briefing notes of which this is an example. Local authorities are able to obtain advice on specific cases by contacting the DWI at dwi.enquiries@defra.gsi.gov.uk.

The DWI is responsible for reporting on UK compliance with drinking water standards and the requirements of the EU Drinking Water Directive. The DWI is also a designated World Health Organisation Collaborating Centre on Drinking Water Safety and Regulation. As part of this work, the DWI works closely with the HPA on a national basis to arrange for the development of health risk assessments and national guidance in relation to current drinking water monitoring parameters, standards and emerging issues. The DWI also manages Defra's research programme on Drinking Water Quality and Health and details of this programme can be found on the DWI website.

References:

1. Drinking Water Safety – Guidance to health and water professionals – 2009
2. Technical manual: Legislative background to the Private Water Supplies regulations 2009 Section 9 (E & W) of the Private Water Supplies: Technical Manual.

Drinking Water Inspectorate

Roles and responsibilities



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