

CONSULTATION QUESTIONS

The Water Industry Commission for Scotland is the economic regulator of Scottish Water, the publicly-owned company that serves the whole of Scotland with water and sewerage services. Our primary role is to ensure that the Scottish Ministers' objectives for the water and sewerage industry are delivered at the lowest reasonable overall cost to customers. We also work with other industry stakeholders to monitor Scottish Water's delivery of these objectives.

Our consultation response relates primarily to the issues covered by Question 10.

Should the new food body take on any roles and responsibilities not currently fulfilled by the FSA in Scotland? If yes, please give details and reasons.

Section 4.4 of the consultation document ('Related areas of regulation policy, enforcement and monitoring'), discusses:

- the potential for the new food body to be given additional areas of responsibility; and
- the potential for changes in the way in which the new body works with other bodies that have responsibility in particular areas.

Drinking water quality is put forward as one of these potential areas. We would make the following comments in relation to this.

Drinking water quality is regulated in Scotland by the Drinking Water Quality Regulator (DWQR).

This statutory body provides an independent check that Scottish Water is complying with the legal standards for drinking water, as set out in regulations. The DWQR has extensive powers to acquire information, conduct investigations and take enforcement action should this prove necessary. The DWQR also works with the Scottish Government, Scottish Water and other stakeholders to establish the requirement for future investment in the water industry to meet current and future drinking water standards.

We consider that these arrangements are working effectively and efficiently

for customers. There has been substantial increase in drinking water quality in recent years, driven in no large part by the current regulatory model governing drinking water quality. As such we can see no obvious advantages in changing the existing model.

The DWQR also plays an important role in the governance of the water and sewerage industry through its input into the following:

- the Quality and Standards process – the process through which Scottish Ministers decide on Scottish Water’s outputs to bring better service, improve drinking water quality and provide cleaner beaches and rivers;
- the Strategic Review – the process by which we determine the lowest reasonable overall cost of delivering the Scottish Ministers’ objectives for the water industry; and
- the Outputs Monitoring Group – a group of stakeholders that monitor Scottish Water’s delivery of the required outputs relating to customer service, the environment, and drinking water quality.

We would not wish to lose the valuable input that the DWQR currently provides in these three areas.

In addition, the DWQR has a role in regulating the important area of drinking water quality for private supplies. While this is not an area that directly impacts on our own work, we consider that it requires continued focus and that the DWQR is the appropriate body to do this.

Finally, we would note that the DWQR’s role is clear and well understood both by other stakeholders/regulators, and by water and sewerage customers. As such, there is a risk that giving another body responsibility for drinking water quality could introduce unnecessary confusion and/or overlap.