



## DRINKING WATER INSPECTORATE

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28 March 2025

Rt Hon Mr Alistair Carmichael MP  
Environment, Food and Rural Affairs Committee  
House of Commons  
London  
SW1A 0AA  
**By email only**

Dear Mr Carmichael

Many thanks for your kind compliment regarding the work of the Drinking Water Inspectorate. I am pleased that the information published by the Inspectorate has supported your inquiry to date. Please see below the additional information as requested in relation to the areas the Inspectorate regulates.

### **The Water Supply (Water Quality) Regulations**

Table 1 shows the number of events reported to the Inspectorate under The Water Supply (Water Quality) Regulations between 1 January 2015 and 10 March 2025 (inclusive). The Table also includes the number of events which the Inspectorate continues to investigate. Please note, these figures are for events reported by companies in both England and Wales.

**Table 1 Events reported under The Water Supply (Water Quality) Regulations since 2015**

| Year | Number of events reported<br>(no. ongoing investigations) |  | Year               | Number of events reported<br>(no. ongoing investigations) |
|------|-----------------------------------------------------------|--|--------------------|-----------------------------------------------------------|
| 2015 | 556 (0)                                                   |  | 2021               | 469 (4)                                                   |
| 2016 | 503 (0)                                                   |  | 2022               | 503 (1)                                                   |
| 2017 | 505 (0)                                                   |  | 2023               | 568 (2)                                                   |
| 2018 | 534 (1)                                                   |  | 2024               | 638 (61)                                                  |
| 2019 | 544 (0)                                                   |  | 2025 (to<br>10/03) | 121 (58)                                                  |
| 2020 | 417 (0)                                                   |  |                    |                                                           |

The Inspectorate classifies the outcome of investigations reported under The Water Supply (Water Quality) Regulations in six categories. Table 2 shows the final classification of the events listed in Table 1 for which the Inspectorate has concluded its investigation.

**Table 2 Final event classification**

| <b>Event classification and description</b>                                                                                                                                                                                                                                                                                                                                  | <b>Number of events</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| 0 (Not an Event) - Event reported but no effect on water quality, sufficiency or consumer confidence.                                                                                                                                                                                                                                                                        | 52                      |
| 1 (Not Significant) - Insignificant risk to drinking water quality and/or consumer confidence. No quantifiable effect on consumers.                                                                                                                                                                                                                                          | 1,245                   |
| 2 (Minor) - Some potential for negative effect on consumer confidence in the water supply but not requiring significant level of investigation.                                                                                                                                                                                                                              | 2,135                   |
| 3 (Significant) - Potential for consumers to be directly affected and/or potential for consumer concern. Requires a more detailed investigation and assessment of the event.                                                                                                                                                                                                 | 1,573                   |
| 4 (Serious) - Significant potential for consumer concern requiring a detailed investigation and assessment of the event, possibly with additional internal and external support (to be determined on initial assessment of the circumstances of the event). Assessment may involve more than one Inspector and technical audits.                                             | 221                     |
| 5 (Major) - Significant potential for consumer concern requiring a detailed investigation and assessment of the event with additional internal and external support at all seniority levels (to be determined on initial assessment of the circumstances of the event). Assessment may involve senior Inspectors and technical audits, with extensive information-gathering. | 5                       |

### **The Security and Emergency Measures (Water and Sewerage Undertakers and Water Supply Licensees) Direction**

Table 3 shows the number of events reported to the Inspectorate under The Security and Emergency Measures (Water and Sewerage Undertakers and Water Supply Licensees) Direction 2022 (SEMD) since the Inspectorate became the regulator in 2022 until 10 March 2025 (inclusive).

**Table 3 Events reported under SEMD since 2022**

| Year            | Number of events reported (no. ongoing investigations) |
|-----------------|--------------------------------------------------------|
| 2022            | 0 (0)                                                  |
| 2023            | 4 (0)                                                  |
| 2024            | 19 (0)                                                 |
| 2025 (to 10/03) | 6 (3)                                                  |

### **The Network and Information Systems (NIS) Regulations**

Table 4 shows the number of events reported to the Inspectorate under The Network and Information Systems (NIS) Regulations 2018 since the regulations were introduced in 2018 until 10 March 2025 (inclusive). Note, four of these events were also reported and investigated under The Water Supply (Water Quality) Regulations. Voluntarily reported incidents are submitted to the Inspectorate for information only.

**Table 4 Events reported under NIS since 2018**

| Year            | Number of events reported (no. ongoing investigations) | Number of voluntary incidents reported (no. ongoing investigations) |
|-----------------|--------------------------------------------------------|---------------------------------------------------------------------|
| 2018            | 0 (0)                                                  | 0 (0)                                                               |
| 2019            | 2 (0)                                                  | 2 (0)                                                               |
| 2020            | 0 (0)                                                  | 3 (0)                                                               |
| 2021            | 2 (0)                                                  | 0 (0)                                                               |
| 2022            | 2 (1)                                                  | 6 (0)                                                               |
| 2023            | 6 (1)                                                  | 8 (1)                                                               |
| 2024            | 9 (6)                                                  | 5 (4)                                                               |
| 2025 (to 10/03) | 0                                                      | 3 (3)                                                               |

## Enforcement actions

Since 2015, the Inspectorate has taken or considered the following enforcement action in response to event investigations and assessments:

- 318 event assessments have resulted in the Inspectorate serving companies with legal instruments, or the event has fallen within the remit of an existing legal instrument.
- Where there is evidence that an offence has been committed and the Inspectorate does not consider prosecution to be appropriate and the offender has admitted committing the offence and consents to be cautioned, the Inspectorate may issue a caution to the offender (which may include conditions to be complied with by the offender). The Inspectorate has issued 11 cautions to companies.
- Where there is evidence that an offence has been committed and a caution is not appropriate or where an enforcement order has been breached but the threshold for civil proceedings is not met, the Chief Inspector may decide to issue a formal warning in writing, informing the person or company that has committed an offence. Three warning letters were issued to companies in response to event investigations.
- The Inspectorate has taken forward eight prosecutions for nine offences. Table 5 summarises the events that were taken to prosecution where this was deemed the most appropriate enforcement action, and where the evidence was considered sufficient to support such action. Note, there were two further prosecutions completed after 2015 for offences which occurred before 2015.
- Two prosecutions, concerning potential offences for the use of materials in contact with water and water unfit for consumption, are currently going through the court process. Additionally, the Inspectorate is in the process of investigating one high profile event which occurred during 2024. We cannot put a target date for those investigations which are currently ongoing in court or where there is an investigation which may result in a prosecution because the processes of the court are not in the control of the Inspectorate. For example, the one outstanding event investigation listed in Table 1 in 2018 has been in court since 2019/20.

**Table 5 Prosecutions brought by Chief Inspector for events reported since 2015**

| Year of event      | Year of prosecution | Company                     | Outcome                                                                                      | Costs      |
|--------------------|---------------------|-----------------------------|----------------------------------------------------------------------------------------------|------------|
| 2021               | 2023                | Wessex Water Services Ltd   | £280,000 and a victim surcharge of £190                                                      | £21,656.60 |
| 2018               | 2022                | South West Water Ltd        | £233,333 and a victim surcharge of £170                                                      | £83,967.93 |
| 2018               | 2022                | Southern Water Services Ltd | £16,000 and a victim surcharge of £170                                                       | £49,401.95 |
| Two events in 2017 | 2019                | Thames Water Utilities Ltd  | £80,000 and a victim's surcharge of £120 for the first event<br>£80,000 for the second event | £79,839.68 |
| 2016               | 2019                | Northumbrian Water Ltd      | £499,725 and a victim surcharge of £170                                                      | £32,792.65 |
| Two events in 2015 | 2018                | United Utilities Water Plc  | £50,000 for first event<br>£150,000 for second event                                         | £54,000    |
| 2015               | 2017                | United Utilities Water Plc  | £300,000                                                                                     | £150,000   |
| 2015               | 2017                | Southern Water Services Ltd | £400,000 for Section 70 offence<br>£80,000 for Reg 31 offence                                | £50,000    |

### **Resource allocated to investigations**

In 2024, the total resource of the Inspectorate was 56 full time equivalent staff members. The Inspectorate has four operational teams who provide focussed regulatory activity on the water companies within their geographical area. These teams carry out investigations following events and compliance breaches and undertake regulatory audits of water companies and their assets. In addition to the

operational teams, there are specialist teams who focus on enforcing regulations 27 and 28 (risk assessment) and regulation 31 of the Water Supply (Water Quality) Regulations, SEMD and NIS, and who investigate events in these specialist areas. Together, these teams consist of 22 warranted Inspectors, supported by a further seven Principal Inspectors. There is also a core national team, of six warranted Inspectors and three Principal Inspectors, dedicated to enforcement, the price review process, data management, policy and stakeholder engagement. This core team supports the operational and specialist teams to carry out investigatory and enforcement activities as part of their regulatory duties. A further team of five data management specialists manage the water company data submissions and develop appropriate database management tools, to adapt to ever changing requirements and to develop secure and modern systems for regulatory assessments and information.

The Inspectorate does not specifically allocate a dedicated resource to each investigation because, for instance, in 2024 a total of 667 events were reported to the Inspectorate and each event individually requires investigation. The operational and specialist Inspectors will typically manage a caseload of around 35 events each over a 12-month period. Some event assessments are relatively simple and can be completed within 30 days of the company's final report submission, whilst others are more complex requiring an in-depth investigation with site visits, evidence collection, statements, expert analysis, and liaison with external stakeholders, legal teams, and court procedures. The longest outstanding event is seven years. For this reason, it is not possible to provide a target reporting date for ongoing event investigations by the Inspectorate.

I attach an organisational structure, current on 21 March 2025, for reference. Note, this structure includes a recently approved headcount increase which are included in the structure as vacancies.

I trust that the above information supports the committee as part of its inquiry. Should you need any clarification or further information, please contact myself or my team.

Yours sincerely



Marcus Rink  
Chief Inspector of Drinking Water