

PH2G: Develop protocols for dealing with consumer water quality complaints

REGULATORY FUNCTION: PUBLIC HEALTH		PH2G
OBJECTIVE PH2 Regulatory compliance with water and sanitation safety plans is monitored through collected information on water quality	ACTION CARD PH2G <h1 style="margin: 0;">DEVELOP PROTOCOLS FOR DEALING WITH CONSUMER WATER QUALITY COMPLAINTS</h1>	
COST: Medium FREQUENCY: One time TARGET GROUPS: Regulators, laboratories, service operators, ministries of health, consumer associations		
DESCRIPTION Regulators develop protocols for investigating and dealing with consumer water quality complaints, through to satisfactory resolution. Regulators are increasingly performing this task through online platforms or by phone, where consumers are invited to submit their complaints and follow up with regulators on appropriate resolutions and potential compensation. Interactive digital mechanisms could be developed along with similar kinds of platforms that already exist within national health authorities. Either way, regulators analyse complaints and respond to them, in coordination with health authorities. Complaint mechanisms must clearly outline the steps and procedure accessible to all interested parties.		
EXPECTED OUTCOMES <ul style="list-style-type: none"> • Dangerous impacts on public health are prevented. • Service operators are corrected when regulatory requirements are not met. 		
EXAMPLE 1: UNITED KINGDOM In the UK , consumers contact the Drinking Water Inspectorate (DWI) if they have concerns about drinking water quality, or they are not satisfied with how their water supplier has dealt with their concerns. The DWI has a duty to investigate these matters, and complaints are logged and investigated by an inspector. If consumers contact the DWI with a concern about their tap water quality and they have not contacted their own water supplier, the DWI will refer them to their water supplier. As the regulator for drinking water quality in England and Wales, the DWI has a duty to investigate consumer complaints about public water supplies, where the water is used for human consumption as defined in drinking water quality regulations. The following steps are undertaken after receiving complaints. <ul style="list-style-type: none"> • The Inspectorate will send an email from the DWI Enquiries mailbox to the supplying water company's nominated day-to-day contact with the reference number for the complaint, requesting a full report on the company's communications with the consumer and its investigation into the matter. • Companies should provide a similarly password-protected report to DWI.Enquiries@defra.gov.uk within 10 working days of the date of the email. The Inspectorate will acknowledge receipt by email. • Following receipt of the water supplier's report, the Inspectorate will assess the supplier's investigation of the consumer's concern. The role of the Inspectorate is to assess the water supplier's actions and investigation with regard to the complaint to determine if it has met the requirements of the Regulations. • If the Inspectorate is satisfied with the supplier's investigation into the consumer's concern, the Inspectorate will write to the consumer to explain the outcome of the investigation, and advise the consumer on any further actions they should take to help address their concern (for example, replacement of the private supply pipe). A password-protected PDF copy of the letter will be sent to the supplier's day to day contact for the company's records. • If the Inspectorate concludes that the supplier has not fully complied with the requirements of the Regulations and/or their duties under the Act, the Inspector will write to the board level contact of the supplier, and will make recommendations or initiate further enforcement as deemed necessary, in accordance with the Inspectorate's published 		

Enforcement Policy. These letters will not normally be copied to the consumer unless the consumer submits a request under the Freedom of Information Act, in which case a redacted version protecting individuals' identity may be provided.

- If the Inspectorate makes any recommendations or proceeds to further enforcement, the consumer will be informed in the Inspectorate's final letter to the consumer.

EXAMPLE 2: PERU

In Peru, under the Framework Law on the Management and Provision of Sanitation Services and its implementing regulation, Comptrollership Resolution No. 146-2019-CG and Law No. 28716, as well as the General Regulation for Sanitation Service User Claims, various operators, such as Servicio de Agua Potable y Alcantarillado de Ayacucho SA, have approved internal monitoring systems that include protocols on claims reception by phone, with the aim of achieving a speedy management of claims and suggestions in the time frames stipulated by the regulator, and ensuring a quick and timely response to users.

EXAMPLE 3: PANAMA

In Panama, Resolution No.: JD-1297 by the Public Utilities Regulator adopted a procedure for responding to complaints submitted regarding public drinking water and sanitary sewerage service provision, with the following main aspects:

1. Clients may present complaints to the Regulator's office in person, in writing, by phone, mail, fax or any other suitable medium, in relation to public drinking water and sanitary sewerage service provision, when not satisfied by the response offered by the provider.
2. The Regulator shall notify providers of the complaints received, assuming that the providers accept the events described by the claimant if they do not refute them within seven days of receiving the complaint notification, in which case the Regulator shall demand that the provider respond to the submitted complaint.
3. The Regulator may at any time conduct inspections it deems convenient in order to verify the statements made or events described in the complaint, or those laid out by the provider in its response.

A mediation may be ordered at any moment with the aim of having the parties come to an agreement. The agreements arising from the mediation shall be mandatory and conclude the complaints process. If the parties do not reach an agreement on the events that motivated the complaint, the process shall continue in accordance with the complaints procedure.

LINKS

UK: UK Drinking Water Inspectorate (DWI): <https://cdn.dwi.gov.uk/wp-content/uploads/2020/11/03135403/Guidance-on-Consumer-Complaints-Version-1.1.pdf>

Peru: General Management Resolution No. 023-2929. Servicio de Agua potable y alcantarillado de Ayacucho S.A.

<https://www.sedaayacucho.pe/archivos/750-resolucion-de-gerencia-general-n-023-2020-seda-ayacuchogg-protocolo-de-atencion-de-reclamos-va-telefonica.pdf>

Panama: Resolution No.: JD-1297 of March 29, 1999. Procedure for responding to complaints submitted to the regulator regarding public drinking water and sanitary sewerage service provision

https://www.asep.gob.pa/wp-content/uploads/atencion_usuario/procedimiento/jd_1297.pdf

INTERNAL CAPACITIES NEEDED AND THE ROLE OF PARTNERS

Developing protocols for dealing with consumer water quality complaints requires technical capacity to understand the relative seriousness and implications of specific complaint types. This understanding will allow the development of protocols with different complaint classifications of, which can allow for nuanced responses within protocols. Administrative and IT capacity is also required for establishing and administering of a phone line, email address and database. Development partners can provide targeted technical and administrative support to regulators when they are developing protocols.