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Trust in water

# The guaranteed standards scheme (GSS): summary of standards and conditions

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## About this document

Water and wastewater customers (**'customers'**) are entitled to guaranteed minimum standards of service, as set out by Secretary of State and the Welsh Ministers. This guidance summarises these standards and conditions.

In this guidance, a customer is someone who receives water or wastewater services from a company that holds an appointment as a water or sewerage undertaker ( a **'water or sewerage company'**) or from a company that holds a water supply licence or a sewerage licence (a **'retailer'**). Where a company fails to meet a standard, it is required to make a specified payment to the customer affected under the Guaranteed Standards Scheme (**'GSS'**). We monitor the scheme and recommend changes, if necessary, to Government.

This guidance is not intended to be a substitute for the Water Supply and Sewerage Services (Customer Service Standards) Regulations 2008 (otherwise known as **'the GSS Regulations'**). Each water and sewerage company or retailer is responsible for ensuring that it understands and correctly interprets its statutory obligations under the GSS Regulations.

The guidance is applicable from 1 April 2017.

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## Introduction

### Customers' rights

The GSS Regulations apply to all customers.

If a company fails to meet any of the guaranteed standards, customers are entitled to a payment. Details of the payments due are set out in a table in paragraph 7.

The company must make the required payment within ten working days of the payment becoming due for simple failures and within 20 days for more complex operational issues. If the company fails to do this and the customer makes a claim for an additional penalty payment within three months of the required payment becoming due, the company must make the additional penalty payment.

Some companies operate schemes that go further than required by the GSS Regulations. For example, where a reply to a complaint letter is required in ten days under the GSS Regulations, the company may raise this standard to five days. In other cases, a higher amount may be paid than the minimum amount set out in the GSS Regulations.

Each water and sewerage company must inform billed customers of their rights under the GSS Regulations every year.

The standards prescribed under the GSS Regulations which companies must meet are set out below.

### The business retail market

On 1 April 2017 amendments to the GSS Regulations came into force (The Water Supply and Sewerage Services (Customer Service Standards) (Amendment) Regulations 2017). This was to give effect, in England, to the opening of the retail market for water and wastewater services for businesses, charities and public sector organisations (**'business customers'**).

The GSS Regulations (as amended) provide that for those water supply and sewerage licensees operating in England (ie using the network of water or sewerage companies that operate wholly or mainly in England), the following will apply:

- retailers will now be responsible for making GSS payments to their business customers in all instances; and
- the responsibility for funding payments to business customers will be shared between the retailer and the wholesaler, and will be made by the party that is at fault for the GSS Regulation failure. A wholesaler is a water or sewerage company that has exited the business retail market and provides wholesale services to retailers.

The provisions of the 2008 GSS Regulations are being retained for those companies operating wholly or mainly in Wales. <sup>1</sup>

References in this guidance to the GSS Regulations are to those Regulations, as amended.

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<sup>1</sup> Dŵr Cymru (Welsh Water) and Dee Valley Water.

## Standards and conditions

### 1. Appointments<sup>2</sup>

#### Making appointments

If an appointment is made with a customer, the company must give notice to the customer that its representative will visit during the morning or the afternoon. The company must also specify to the customer the times it considers to be the morning or afternoon.

If requested by the customer the company must give notice to the customer that its representative will visit within a specified two-hour time slot.

If the company fails to do any of the above, it must automatically make a GSS payment – the minimum payments are set out in the [table below](#).

#### Keeping appointments

A GSS payment must be made automatically if an appointment is not kept because:

- the company representative did not visit on the appointed day;
- the company representative did not visit during the morning or the afternoon (in accordance with the appointed time specified);
- the company representative did not visit within the appointed 2-hour time slot; or
- the company cancelled the appointment but did not give the customer at least 24 hours' notice.

The minimum payments are set out in the [table below](#).

There are exceptions to the requirement to make a GSS payment if an appointment is not kept. These are:

- the customer cancels the appointment;
- the company cancels the appointment giving at least 24 hours' notice;

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<sup>2</sup> Regulation 17C (England) and Regulation 6 (Wales).

- it is not feasible to keep the appointment due to severe weather;
- it is not feasible to keep the appointment due to industrial action by the company's employees; or
- it is not feasible to keep the appointment due to an act or default of a person other than the company's representative.

## **2. Complaints, account queries and requests about payment arrangements**

### **Account queries and requests about changes to payment arrangements<sup>3</sup>**

If a customer queries in writing the correctness of a bill, the company must send a substantive reply to the customer within ten working days from the receipt of the query.

If a customer requests, in writing, a change to a payment arrangement and the company is unable to agree to the request, the company must send a substantive response within five working days from the receipt of the request.

If the company fails to do any of the above, the company must automatically make a GSS payment to the customer— the minimum payments are set out in the [table below](#).

There are exceptions to the requirement to make a GSS payment if the company does not respond to account queries or requests in the given timeframes. These are if:

- the customer informs the company that they do not wish to pursue the query or request;
- in the case of a query the company reasonably considered a visit to be necessary, but severe weather made it not feasible to make the visit;
- industrial action by the company's employees made it not feasible to send a substantive response within the relevant period;
- the act or default of a person other than the company's representative made it not feasible to send a substantive response within the relevant period;

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<sup>3</sup> Regulation 17D (England) and Regulation 7 (Wales).

- the query or request was not sent to an address notified in writing by the company to its customers as the appropriate address for such queries or requests; or
- in the case of a query, it was frivolous or vexatious.

- **Written complaints**

If a customer complains in writing about the supply of water or the provision of sewerage services, the company must send a substantive response to the customer within ten working days of receipt of the complaint.

If the company fails to do this, the company must automatically make a GSS payment to the customer – the minimum payments are in the [table below](#).

There are exceptions to the requirement to make a GSS payment if the company does not respond to written complaints in the given timeframes. These are if:

- the customer informs the company that they do not wish to pursue the complaint;
- industrial action by the company's employees make it not feasible to send a reply within the relevant period;
- the act or default of a person other than the company's representative made it not feasible to send a reply within the relevant period;
- the complaint was not sent to an address notified in writing by the company to its customers as the appropriate address for complaints of that nature;
- the complaint was frivolous or vexatious; or
- the company reasonably considered a visit to be necessary, but severe weather made it not feasible to make the visit.

### **3. Notice of interruption to supply<sup>4</sup>**

Where it is planned that the water supply will be materially interrupted or cut off for more than four hours to carry out necessary works the company must give written notice to affected customers at least 48 hours before the supply will be interrupted or cut off, including notification of the time by which the supply will be restored.

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<sup>4</sup> Regulation 17E (England) and Regulation 8 (Wales).

If the company fails to do this, the company must automatically make a GSS payment to the customer – the minimum payments are in the [table below](#).

Where the supply is interrupted or cut off to carry out necessary works in an emergency the company must, as soon as is reasonably practicable, take all reasonable steps to notify affected customers:

- that the supply has been interrupted or cut off;
- where any alternative supply can be obtained;
- the time by which the supply will be restored; and
- the phone number of an office from which further information may be obtained.

There are exceptions to the requirement to make a GSS payment if the correct notice of interruption to supply is not given. These are if:

- industrial action by the company's employees makes it unfeasible for the company to give the correct notice at least 48 hours before the supply was cut off;
- the act or default of a person other than the company's representative made it unfeasible for the company to give the correct notice at least 48 hours before the supply was cut off; or
- it is impractical for the company to have identified the particular customer as being affected, and the customer has not made a claim within three months of the date on which the supply was cut off.

#### **4. Supply not restored<sup>5</sup>**

A company must automatically make a GSS payment to all affected customers if:

- the supply is interrupted or cut off to carry out necessary works, and the supply is not restored by the time stated in the written notice given to affected customers;
- the supply is interrupted or cut off in an emergency due to a leak or burst in a strategic main and is not restored within 48 hours of the company first becoming aware of the interruption or that the supply was cut off; or
- the supply is interrupted or cut off in an emergency for any other reason and is not restored within 12 hours of the company first becoming aware of the interruption or that the supply was cut off.

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<sup>5</sup> Regulation 17F (England) and Regulation 9 (Wales).

A further automatic GSS payment must be made for each full 24-hour period that the supply is interrupted or cut off.

There are exceptions to the requirement to make a GSS payment if a supply is not duly restored. These are if:

- industrial action by the company's employees prevented the supply being restored;
- the act or default of a person other than the company's representative prevented the supply being restored;
- severe weather prevented the supply being restored;
- where the supply was interrupted or cut off due to a leak or burst on a strategic main, or for any other unplanned reason, the circumstances were so exceptional that it would be unreasonable to expect the supply to be restored within the relevant period;
- it is impractical for the company to have identified the particular customer as being affected, and the customer has not made a claim within three months of the date of the supply not being duly restored; or
- the regulation does not apply where supply is interrupted or cut off due to a drought.

The minimum payments are set out in the [table below](#).

## 5. Low pressure<sup>6</sup>

A company must maintain a minimum pressure in the communication pipe<sup>7</sup> of seven metres static head (0.7 bar).

If pressure falls below this on two occasions, each occasion lasting more than one hour, within a 28-day period, the company must automatically make a GSS payment to the customer.

There are exceptions to the requirement to make a GSS payment if the pressure standard is not met. These are:

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<sup>6</sup> Regulation 17G (England) and Regulation 10 (Wales).

<sup>7</sup> The pipe which carries water between the water mains and the boundary of private property. For further details please see our guidance at <http://www.ofwat.gov.uk/households/supply-and-standards/supply-pipes/>

- a payment has already been made to the same customer in respect of the same financial year;
- it is impractical for the company to have identified the particular customer as being affected, and the customer has not made a claim within three months of the date of the latter occasion;
- industrial action by the company's employees makes it not feasible to maintain the pressure standard;
- the act or default of a person other than the company's representative make it not feasible to maintain the pressure standard; or
- the pressure falls below the minimum standard due to necessary works taking place or due to a drought

The minimum payments are laid out in the [table below](#).

## 6. Flooding from sewers – internal flooding<sup>8</sup>

If effluent enters a customer's building from a sewerage company's asset (i.e. a sewer or lateral drain), the company must make an automatic GSS payment of the sum equal to the customer's annual sewerage charge up to a maximum of £1,000.

If the amount the company is required to pay is less than £150, the company must pay the customer £150.

This payment must be made for each incident.

There are exceptions to the requirement to make a payment if effluent enters a customer's building. These are if:

- the entry of the effluent was caused by:
  - exceptional weather conditions;
  - industrial action by the company's employees;
  - the actions of the customer;
  - a defect, inadequacy or blockage in the customer's drains or sewers; or
- it is impractical for the company to have identified the particular customer as being affected and the customer has not made a claim within three months of the effluent entering the customer's building.

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<sup>8</sup> Regulation 17H (England) and Regulation 11 (Wales).

## 7. Flooding from sewers – external flooding<sup>9</sup>

If effluent enters a customer's land or property (including outbuildings) from a sewerage company's asset (i.e. a sewer or lateral drain), the company must make a GSS payment of a sum equal to 50% of the customer's annual sewerage charge up to a maximum of £500. The customer must claim the payment from the company within three months of the incident.

If the amount the company is required to make is less than £75, the company must pay the customer £75.

This payment must be made for each incident.

There are exceptions to the requirement to make a payment if effluent enters a customer's land or property. These are if:

- the entry of the effluent was caused by:
  - exceptional weather conditions;
  - industrial action by the company's employees;
  - the actions of the customer;
  - a defect, inadequacy or blockage in the customer's drains or sewers;
- the company has made a payment to the same customer in respect of the same incident for internal sewer flooding; or
- the customer was not materially affected by the incident.

In deciding whether a customer has been materially affected by the incident companies must take into account:

- what parts of the customer's land or property the effluent entered;
- the duration of the flooding;
- whether the flooding restricted access to the land or property;
- whether the flooding restricted the use of the land or property; and
- any other relevant considerations of which the company is aware.

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<sup>9</sup> Regulation 171 (England) and Regulation 12 (Wales).

## Summary of payment amounts that apply in England & Wales

The table below shows the minimum payment required by each of the GSS Regulations, plus any increase for failing to pay these in a timely manner. These are the minimum payment amounts, and some companies may voluntarily increase these. Details of any company specific enhancements can be requested from your company.

GSS Regulation	GSS payment		Late payment penalty	
	Residential customers	Other customers	Residential customers	Other customers
<b>Making appointments</b> Regulations 17C (England) & 6 (Wales)	£20	£20	£10	£10
<b>Keeping appointments</b> Regulations 17C (England) and 6 (Wales)	£20	£20	£10	£10
<b>Account queries and requests about changes to payment arrangements</b> Regulations 17D (England) and 7 (Wales)	£20	£20	£10	£10
<b>Written complaints</b> Regulation 17D (England) and 7 (Wales)	£20	£20	£10	£10
<b>Notice of interruption to supply</b> <sup>10</sup> Regulations 17E (England) and 8 (Wales)	£20	£50	£20	£50
<b>Supply not restored – initial period</b> Regulations 17F (England) and 9 (Wales)	£20	£50	£20	£50
<b>Supply not restored – each further 24 hours</b> Regulations 17F (England) and 9 (Wales)	£10	£25		
<b>Low pressure</b>	£25	£25	–	–

<sup>10</sup> See [section 4 of this guidance](#).

GSS Regulation	GSS payment		Late payment penalty	
	Residential customers	Other customers	Residential customers	Other customers
Regulations 17G (England) and 10 (Wales)				
<b>Flooding from sewers – internal flooding</b> Regulations 17H (England) and 11 (Wales)	Payment equal to annual sewerage charges (Minimum payment of £150. Maximum of £1000)		£20	£50
<b>Flooding from sewers – external flooding</b> Regulations 17I (England) and 12 (Wales)	Payment equal to 50% of annual sewerage charges (Minimum payment of £75. Maximum of £500)		£20	£50

## Payment and claims

If a customer is entitled to an automatic GSS payment and the company has not made the payment, the customer can claim the payment within three months of the incident.

If, at the time of the incident, the customer owes money to the company, and has done so for more than six weeks, the company will normally credit the customer's account rather than make payment by cheque.

## Legal rights

The scheme does not affect any legal rights to compensation that customers may have.

## Disputed claims

Any disputed claims for payment under this scheme should first be resolved through the company's formal complaints procedure.

If this does not resolve the dispute, the Consumer Council for Water ("**CCWater**"), the independent representative of household and business water consumers in England and Wales, may be able to resolve a GSS dispute quickly and informally. They can be contacted on the following details:

**Post:** Consumer Council for Water,  
1st Floor Victoria Square House,  
Victoria Square,  
Birmingham,  
B2 4AJ

**Email:** [enquiries@ccwater.org.uk](mailto:enquiries@ccwater.org.uk)

**Tel:** 0300 034 2222 (England)  
0300 034 3333 (Wales)

If neither the company nor CCWater can resolve your dispute, it can be referred to us by either the company or the customer, by sending a summary of the complaint, and why the resolution so far has been unsatisfactory to us by post or email. We can be contacted as follows;

**Post:** Ofwat,  
Centre City Tower,  
7 Hill Street,  
Birmingham,  
B5 4UA

**Email:** [enquiries@ofwat.gsi.gov.uk](mailto:enquiries@ofwat.gsi.gov.uk)

Our decision is final and binding upon both parties.

## **Payments in the event of drought**

All water and sewerage companies are required under Condition Q of their conditions of appointment to make a payment to customers where water supplies are interrupted as a result of restrictions authorised by a drought order.

Although this measure is not part of the GSS, it does mean that customers have access to compensation if essential supplies are not maintained.

Companies should pay household customers £10 for each day (or part day) that the water supply is interrupted or cut off. The maximum compensation entitlement is equal to the company's average household bill for the previous year.

Companies are entitled to compensation for any supply used for domestic purposes. This is any supply for washing, cooking, drinking and flushing the toilet.

Companies must pay business customers £50 for each day (or part day) that the water supply is interrupted or cut off. The maximum compensation entitlement is equal to the water charge paid by the customer in the previous year. If, however, the customer has not paid a full year's water charges, or a third party is responsible for the water charges, the maximum is set at £500.

If there is a dispute about a payment due because of a drought order, either party may refer the dispute to us and our decision in respect of the dispute will be final.

There is no entitlement to a payment if the circumstances are so exceptional that, in our view, it would be unreasonable to expect the company to avoid the interruption.

## Further information

Under no circumstances will we be bound to interpret the GSS Regulations in accordance with these summaries. When considering regulatory decisions, in particular in determining disputes, we will consider the original text of the GSS Regulations as well as the facts as they arise.

If you want to know more about the GSS, your local water or sewerage company can provide a description of GSS (and any company-specific enhancements) to you on request. Details are also available in the companies' code of practice for residential customers.

You can also:

- send an e-mail to [enquiries@ofwat.gsi.gov.uk](mailto:enquiries@ofwat.gsi.gov.uk); or
- visit our website at [www.ofwat.gov.uk](http://www.ofwat.gov.uk)

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