

Charter of Rights & Responsibilities for members of group water schemes

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1. Introduction

- 1.1 Some services are considered essential in a modern society – amongst these a piped water supply. This is best provided on a communal basis, where population and housing density make it economically viable and environmentally sustainable.
- 1.2 This charter encompasses the rights and the responsibilities of members of a community-owned and community-run group water scheme (GWS).
- 1.3 By their very nature, group schemes serve the communities in which they are located. The members of that community have a right to expect a service that meets their drinking water needs on a consistent basis and is in conformity with the provisions of water services legislation as well as National and EU quality standards.
- 1.4 By the same token, the group water scheme board of management/committee is entitled to expect that members will play their part in ensuring the sustainability of their drinking water service.

2. Membership

- 2.1 The right to be a member of a GWS is limited to those who receive their supply from that scheme through one or more connections, or who could potentially be supplied.
- 2.2 Group schemes may be constituted either as a trusteeship, a company, or a co-operative society. In all such cases, members of a group water scheme have a right to participate in its decision-making process at Annual General Meetings and Special General Meetings.
- 2.3 In general, every premises within the area of supply of a communal piped water distribution system is entitled to a water supply, particularly as group water schemes have been supported by State funding towards their establishment and operational costs.
- 2.4 There may, however, be exceptional circumstances where a water supply and membership application has to be refused. The basis for such refusal must be clearly stated.
- 2.5 Members of a GWS must abide by such rules and regulations as have been adopted by their group water scheme at General Meeting(s). In the event of any member failing to comply, the board of management/committee reserves the right to take appropriate action under the rules.
- 2.6 Members have a duty to appraise themselves of the rules & regulations governing their scheme.

- 2.7 The rights of existing members of a group scheme not to be disconnected must be guaranteed, save only where a serious and continued breach of the scheme's rules is occurring.
- 2.8 As community-based and community-owned businesses, group water schemes rely on the active participation of members. Members have a responsibility to attend, where possible, general meetings (including the AGM) and any special meetings called by their board of management/committee and should be prepared to shoulder the responsibilities of scheme management.
- 2.9 Members have a collective responsibility to ensure that their group scheme evolves as a vibrant and democratic business in which each individual member plays their part.
- 2.10 Members of group water schemes have a right to a drinking water supply that meets the standards set down by National and EU regulations. They also have a right to a service that is cost-effective and adequate to their needs and they have a right to transparency in the conduct of their business. In summary, these rights and responsibilities are addressed under several headings:
- Safety and Wholesomeness
 - Quality Assurance
 - Source protection
 - Conservation
 - Water supply: quantity, pressure and interruptions
 - Financial management
 - Information
 - Complaints procedure

3. Safety and wholesomeness

- 3.1 Quality standards are set for potable water in the Drinking Water Directive 98/83/EC of 3 November 1998. This Directive has been transposed into Irish legislation by the Drinking Water Regulations 2007 (S.I. No. 278 of 2007), a copy of which is available on the National Federation of Group Water Schemes (NFGWS) website at www.nfgws.ie.
- 3.2 In summary, the Regulations stipulate that drinking water must be 'wholesome and clean' and they demand stringent control of drinking water supplies on all schemes supplying more than 10 cubic metres (i.e. 10,000 litres) a day on average or serving more than 50 persons (15 houses) and on smaller schemes where these serve any commercial or public activity.
- 3.3 Where breaches of the Drinking Water Regulations are detected, the relevant Water Services Authority (County Council) should be informed of the fact and a remediation plan must be prepared and submitted to them.

- 3.4 Members have a right to expect that a full treatment solution will be provided, designed to deal effectively with all the relevant parameters as set out in the Regulations. They have a further right to expect that their scheme will choose the most cost-effective and sustainable means of putting such treatment in place.
- 3.5 Quality standards are categorised into those microbiological, chemical and indicator parameters that potentially affect human health, as well as those parameters that impact only on the aesthetic characteristics of the water supply.
- 3.6 The principal problem affecting Irish rural water supplies has been the presence of microbiological (including faecal) contamination. The regulatory standards demand the total absence of *e. coli*, *enterococci* and *coliform bacteria* in drinking water.
- 3.7 Where contamination of the drinking water is identified, the group water scheme must take the following actions, as appropriate:
 - Notify the Water Services Authority (County Council).
 - Notify members of any potential health risk and advise them what action to take (i.e. whether to boil water before drinking, or confine water use to toilet flushing etc.)
 - Formulate and implement (in consultation with the Water Services Authority) an Action Plan that will lead to the restoration of normal supply.
 - Provide an alternative supply (where available) should prolonged disruption to supply be anticipated.

4. Quality Assurance

- 4.1 Under the Water Services Act (2007) and the Drinking Water Regulations (2007), group water schemes are obliged to supply drinking water to a very high standard. Furthermore, the Act includes a provision that all group water schemes be licensed by their Water Services Authority. In addition to adequately treating a supply to make it wholesome and clean, group water schemes wishing to secure a licence are obliged to take steps to address the issue of source protection and to prevent re-contamination and excessive wastage along the distribution pipe network.
- 4.2 A Quality Assurance (QA) system, based on HACCP (Hazard Analysis Critical Control Points) principles, has been developed by the NFGWS under the auspices of the National Rural Water Services Committee. Group schemes are strongly encouraged to implement this system. In essence, QA provides a group water scheme with a framework for identifying, monitoring and recording present and potential hazards, as well as providing a range of standard operational procedures.
- 4.3 Members of group water schemes have a right to expect that their board of management/committee will adopt and implement the QA system.

5. Source Protection

- 5.1 Members of a group water scheme are entitled to reassurance that everything possible is being done to protect their drinking water source. Source protection is an integral part of the QA (HACCP) system.

- 5.2 Members are individually and collectively responsible for the protection of their scheme's drinking water source(s) and any tributaries. No action should be taken that might damage a GWS source. In particular:
- individual wastewater treatment systems (e.g. septic tanks) should be located and be maintained so as not to endanger the source.
 - commercial properties (such as car washes, fuel depots etc.) must take particular care in relation to the storage, usage and disposal of chemical and organic pollutants.
 - farmer members within the catchment area of a drinking water source must adhere strictly to the Code of Good Farming Practice and pay due regard to the provisions of the Nitrates Directive, Pollution Acts and the Water Framework Directive. At a minimum, and to avoid faecal contamination, farm animals must be kept at a safe distance from a drinking water source and farm waste matter (including slurry) must not be spread close to it.
- 5.3 Where members witness a potentially damaging action taking place, they have a duty to immediately report the matter to the board of management/committee or its agent.
- 5.4 Where the board of management/committee is aware of a pollution incident that poses a threat to human health, they have a duty under the Regulations to report the matter to their Water Services Authority. Members are entitled to expect that this duty will be performed without delay and without fear or favour.

6. Conservation

- 6.1 Drinking water is a precious and a vulnerable resource. Members have a right to expect that strategies towards leakage reduction and avoiding wastage are being pursued by the board of management/committee as an integral part of the overall GWS management system.
- 6.2 For their part, members have a duty to assist the GWS board of management/committee in reducing wastage. In this context, there is an obligation on each member to use this resource wisely, to avoid wastage and to implement strict conservation measures when necessary (e.g. during periods of drought).
- 6.3 Members have a responsibility to check their meters at regular intervals and to protect the meter box from damage.
- 6.4 Members should also be vigilant with regard to distribution system leakage and should report any such leakage to the board of management/committee or its agents without delay.

7. Water Supply

- 7.1 **QUANTITY:** Except in exceptional circumstances, the supply of drinking water should be available continuously and at a level that is sufficient to meet the

reasonable demands of its members. Department of Environment, Heritage and Local Government guidelines suggest a supply of up to 227m³ (50,000 gallons) per annum as being a reasonable supply for a household.

7.2 **PRESSURE:** In normal circumstances, sufficient pressure should be available to meet the reasonable requirements of members. The Department of the Environment, Heritage and Local Government recommends water pressure of 15 metres (22 p.s.i.) at the stopcock. However, members should make allowances for the following situations:

- **VARIATION:** Pressure on some water schemes may vary, especially if the water is pumped directly (in the absence of storage reservoirs allowing gravity feed). Some appliances (e.g. electric showers), may need to be of a particular specification suited to such variations.
- **BOOSTER PUMPS:** These may be used to increase pressure and supply to elevated connections along the distribution network that would otherwise suffer low pressure.
- **HIGH PRESSURE:** Equally, high pressure may be controlled through the use of pressure reduction valves.

All of the above may be considered following a full technical assessment and recommendation.

7.3 **INTERRUPTION:** Except in an emergency, a GWS member has the right to be notified in advance, at least 24 hours, of any planned abnormality that may occur, such as:

- Interruption of supply due to planned repairs and maintenance or upgrade.
- Interruption of supply due to planned fitting of new connections etc.

8. Financial management

8.1 Financial management is a key consideration for both the GWS board of management/committee and the wider membership.

8.2 Members of a group scheme have a right to expect that their business is being financially managed in a manner that underpins its long-term viability.

8.3 Members are entitled to review audited accounts and to have an input (including a vote, where appropriate) into all major decisions affecting their business, including the purchase and disposal of assets, the adoption of a business plan and such other strategic issues as arise.

8.4 Members have a right to charging policies that are equitable (e.g. charges based either wholly or mainly on metered water usage).

8.5 Members have a right to participate in the process of establishing the level of fees to be charged by their group water scheme. In deciding various fees, members have a responsibility to positively consider the advice of their board of management/committee or its agents.

8.6 Members also have a responsibility to pay such fees as have been agreed.

8.6.1 FEES & CHARGES: The following fees and charges should be brought before the membership at a General Meeting.

- New connection/membership fees.
 - An exceptional additional charge may be requested in special circumstances (e.g. where the provision of a connection presents particular difficulties or unusual additional costs, or where the connection is for the purpose of a development that will have wider implications for the water service in the area).
 - New connection fees are, by their nature, reserved for capital works on the scheme (e.g. upgrades to network, replacements etc.).
- Upgrade fees towards necessary capital improvement works.
- Operational and management charges towards the cost of running a group water scheme on an ongoing basis.

8.7 SUBSIDY: Where a scheme is in receipt of a subsidy from the local authority towards the operational cost of providing a domestic drinking water supply (i.e. water supplied to private households), members have a right to expect that their board of management/committee complies with all of the conditions for draw-down of subsidy set out in the explanatory memorandum. This memorandum may be accessed through the NFGWS website at www.nfgws.ie.

8.8 HARSHIP: Members who are having difficulty in meeting their financial responsibilities to the group water scheme have a right to expect that their case will be dealt with sympathetically and confidentially by the board of management/committee and its agents.

8.8.1 Where hardship exists, a group water scheme may agree to “flexible” payment systems and/or, in exceptional situations, a waiver scheme.

8.8.2 Members undergoing hardship have a responsibility to alert the board of management/committee without undue delay and to avail of such assistance as may be recommended by the scheme from organisations such as Money Advice and Budgeting Service (MABS) and Community Welfare Services.

9. Information

9.1 Members are entitled to specific reassurances and to all pertinent information relating to their scheme, such as:

- water treatment processes.
- maintenance and monitoring regimes.
- proposed disruptions to supply due to maintenance, etc.
- adoption and implementation of the Quality Assurance system.

10. Complaints Procedure

10.1 Members of a group water scheme are entitled to have complaints addressed without undue delay and as part of a structured process, as follows:

- to put their complaint in writing to the scheme's board of management/committee.
 - to receive a prompt acknowledgement of their complaint.
 - to receive a detailed response in a reasonable timeframe.
 - to be treated with courtesy and respect at all times.
- 10.2 If the issue is not resolved to the member's satisfaction, members have a right:
- to put their complaint in writing to the County Rural Water Monitoring/Services Committee.
- 10.3 The County Rural Water Monitoring/Services Committee, acting as arbitrator, might invite both the complainant and the GWS to attend a hearing on the matter, on the understanding that both sides accept that the committee's arbitration decision is binding.

11. Scheme property

- 11.1 Treatment plants, pumps, reservoirs, pipes, valves, fittings and other equipment that form the water distribution system are the property of the group scheme and members have a right to expect that these will be properly maintained, with a view to preventing contamination and controlling leakage.
- 11.2 Members must not interfere with scheme property.
- 11.3 Members have a responsibility under the Water Services Act (2007) to allow reasonable access to the group scheme board of management/committee or its appointed agents to examine and repair, or replace, scheme property.
- 11.4 Members have a right to expect that any damage or disruption to their own property as a result of work on the distribution system will be made good within a reasonable period of time.
- 11.5 CONNECTION AND EXTENSIONS:
- 11.5.1 Members must not give unauthorised temporary or permanent supply to another person and will be liable for a fine and or disconnection for so doing.
- 11.5.2 Members must apply to the GWS board of management/committee for any additional temporary connections and pay such costs as may be required in respect of same. Such connections, if sanctioned, can only be made by the scheme's agent.
- 11.6 SALE OR TRANSFER OF PROPERTY:
- In the event of selling or otherwise transferring a property to which the scheme has provided a water connection, the member concerned has a responsibility to notify the board of management/committee.