

Point of Use Sector Terms and Conditions

1. DEFINITIONS

1.1. In these terms and conditions, unless the context requires otherwise, the following definitions and rules of interpretation apply:

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| Approved Contractor | Has the meaning set out in the Regulations and is a person who has been approved by one of the WaterSafe Scheme Operators for a specific scope of work. |
| Approved Point of Use Installer | An individual point of use installer who has been approved by a WaterSafe Scheme Operator, in accordance with these terms and conditions. |
| Brand Guidelines | The WaterSafe Brand Guidelines as updated from time to time, a copy of which is available on the WaterSafe website |
| Certificate of compliance | A certificate issued by an Individual Member confirming that the installation meets the requirements of the Regulations |
| Customer | Users or potential users of Members' services |
| Customer commitments | Customer Commitments v2 document or as updated from time to time, a copy of which is available on the WaterSafe website |
| Installation | Reference to an "installation" is to the installation of a water fitting or plumbing system |
| Notification | Notification of an installation as required by the Regulations under Regulation 5 to the local water company |
| Person | A human being |
| Point of Use Sector | Membership category that includes Approved Point of Use Installers and the Approved Businesses that employs them (including sole traders) |
| The Regulations | The Water Supply (Water Fittings) Regulations 1999 and equivalent legislation in Scotland and Northern Ireland |
| Scheme | The WaterSafe Installers' Scheme Limited |
| Scheme Rules | Membership requirements for a person or business to be a member and approved by WaterSafe. For the point of use sector these are set out in WaterSafe documents including but not limited to: Point of use sector terms and conditions, certification trade mark regulations, customer commitments and brand guidance. |
| Water Company | The water company responsible for supplying water in a particular region of the UK, otherwise known as: - the licensed wholesaler; or - water undertaker, as defined in the Water Industry Act 1991 |
| WaterSafe | WaterSafe Installers' Scheme Limited (Company No.08128904), whose registered office is at Pembroke House, Ty Coch Lane, Llantarnam Park Way, Cwmbran, Torfaen, Wales, NP44 3AU |
| WaterSafe Scheme Operator | An Approved Contractors' Scheme who is also a subscriber of WaterSafe Installers Scheme Limited. There are currently six WaterSafe Scheme Operators: |

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| | <ul style="list-style-type: none"> • Anglian Water’s APLUS, • Association of Plumbing and Heating Contractors (APHC), • Chartered Institute of Plumbing and Heating Engineering (CIPHE), • Scottish and Northern Ireland Plumbing Employers’ Federation (SNIPEF), • Severn Trent’s Watermark and • The Water Industry Approved Plumbers’ Scheme (WIAPS). |
| WaterSafe Approved Business | An organisation or sole trader that has been approved by a WaterSafe Scheme Operator that has met WaterSafe requirements for an Approved Business. A business may employ Approved Contractors or RPZ valve testers with different approval scopes e.g. Plumbers, Water Supply Pipe Installers, Catering installers, Point of use installers or RPZ Valve testers. |
| WaterSafe website | www.WaterSafe.org.uk |

2. SCOPE OF POINT OF USE SECTOR

- 2.1. Approved Point of Use Installers can install cold water chillers or water coolers connected directly to the mains or fed from a wholesome water cistern This only includes premises that are supplied or that are intended to be supplied by a Water Company or water supplier licensee.
- 2.2. They are not approved to issue certificates of compliance for:
 - 2.2.1. Other types of water fittings or plumbing systems.
 - 2.2.2. Excavations on the public highway.
 - 2.2.3. The operation of or connection to a water undertakers outside stop valve.

3. CONDITIONS FOR WATERSAFE APPROVED POINT OF USE INSTALLERS

- 3.1. Conditions of membership for a Approved Point of Use Installers are:
- 3.2. To possess a qualification in Water Regulations/Byelaws that is recognised by Scheme for the Point of Use sector. A person who was a member of one of the WaterSafe Scheme Operators of a relevant sector/scope of approval as of 1 October 2013, will be deemed to meet the requirements of the Scheme Rules at that date.
- 3.3. To be employed by a WaterSafe Approved Business or working as a sole trader, which is a WaterSafe Approved Business.
- 3.4. To comply with these terms and conditions and any other requirements prescribed by WaterSafe from time to time.
- 3.5. To ensure that all installation work is carried out in accordance with all statutory requirements including (but not limited to) Water Regulations/Byelaws and Building Regulations (“Water Fittings Regulations”).
- 3.6. To issue certificates of compliance covering relevant installation work to their customer and, where required, a certificate of compliance should be sent to the water undertaker. This must not include installation work outside the scope of their approval.
- 3.7. To only issue certificates of compliance:

- 3.7.1. for installations that are within the scope of the scheme and
- 3.7.2. where the installation complies with the water fittings regulations and
- 3.7.3. where the installation has been installed by the Approved Point of Use Installers themselves or

where the work has been completed by others, the Approved Point of Use Installers shall physically inspect all aspects of the installation to be able to certify that it complies with the water fittings regulations. Physical inspection means the Approved Point of Use Installers has inspected all aspects of the installation in person and has not relied on photos or videos.

Please note that an Approved Point of Use Installers has legal obligations under the water fittings regulations to only issue a certificate of compliance for compliant work.

- 3.8. To fully cooperate with the Scheme or WaterSafe Scheme Operator query, investigation or complaint process and provide any relevant information. This may include explaining how the Approved Point of Use Installers ensures that an installation completed by others, is closely supervised to ensure any work is compliant before signing a certificate of compliance. Closely supervised means that the Approved Point of Use Installers has been able to physical inspect of all aspects of the installation and has not relied on photos or videos.

4. CONDITIONS OF WATERSAFE APPROVED BUSINESSES

- 4.1. Conditions of membership for every WaterSafe Approved Business are to:
- 4.2. To ensure compliance with the WaterSafe Scheme Rules. N.B. A business who was a Business Member of one of the WaterSafe Scheme Operators, as of 1 October 2013, will be deemed to meet the requirements of the Scheme Rules at that date
- 4.3. To comply with these terms and conditions and any other requirements prescribed by WaterSafe from time to time and to ensure their employees always comply with section 3 'Conditions for WaterSafe Approved Point of Use Installers'.
- 4.4. To promote the WaterSafe brand.
- 4.5. To accept and comply with certification regulations and brand guidelines for use of the WaterSafe certification mark, name and logo.
- 4.6. To accept data sharing arrangements for the business and employees e.g. Ensure data protection requirements are met when providing employee information or other personal data to be listed on the WaterSafe Website
- 4.7. To hold Public Liability Insurance with a minimum cover of £2m and, where required, Employers' Liability Insurance with a minimum cover of £5m.
- 4.8. To ensure that all installation work is carried out in accordance with all statutory requirements including (but not limited to) Water Regulations/Byelaws and Building Regulations.
- 4.9. To ensure that only Approved Point of Use Installers issue a certificate of compliance in accordance with clauses 3.6 and 3.7

Please note that liabilities may arise for any business where an employee or sole trader issues a certificate of compliance for work which is not compliant with legal requirements. These liabilities may arise in contract, tort

(including negligence), breach of statutory duty, misrepresentation, or in other ways. This is relevant where the work has been carried out by an employee and where they have issued a certificate of compliance for work completed by another person, whether employed or not by the business.

- 4.10. To ensure that Approved Point of Use Installers employed by them or sub-contracted to them possess a qualification, recognised by WaterSafe, in Water Regulations/Byelaws.
- 4.11. Where a customer requests work through the WaterSafe website or from a water company recommendation, and that work is within scope of the Approved Point of Use Sector, then only an Approved Point of Use Installer, must issue a certificate of compliance in accordance with clause 3.7.
- 4.12. To ensure that all relevant installation work is subject to the issue of a certificate of compliance, by an Approved Point of Use Installer and, where required, appropriate notification of work is made to the appropriate water company.
- 4.13. To have in place appropriate procedures for dealing with customer complaints in an effective and efficient manner.
- 4.14. To make customers aware of the Scheme's complaints procedures.
- 4.15. To fully cooperate with a WaterSafe or WaterSafe Scheme Operator query, investigation, audit, disciplinary or complaint process and provide any relevant information. This may include explaining how the WaterSafe Approved Business ensures that installation is closely supervised to ensure any work is compliant before signing a certificate of compliance.