

# Water Industry Approved Plumbers Scheme (WIAPS)

## Terms and conditions of membership

### 1 Definitions

- 1.1 A person includes a natural person, corporate or unincorporated body (whether or not having separate legal personality).
- 1.2 WIAPS is administered by Water Regs UK Limited (Water Regs UK), previously known as Water Regulations Advisory Scheme Limited, on behalf of water companies who subscribe to the WIAPS service.
- 1.3 Reference to an “installation” is to the installation of a water fitting or plumbing system.
- 1.4 Reference to a “business” shall include any Business Member, whether operating as a sole trader, partnership or any corporate entity.
- 1.5 In these terms and conditions, unless the context requires otherwise, the following definitions and rules of interpretation apply:

Applicant	any person, partnership or company making an application for Approval
Application Form	the WIAPS Approved Plumber or the WIAPS Approved Sector Worker application form, as applicable
Approval	WIAPS approval granted by Water Regs UK in accordance with these terms and conditions
Approved Contractor	has the meaning set out in the Regulations
Approved RPZ Valve Tester	an individual RPZ Valve Tester who has been approved by Water Regs UK as a WIAPS Member in accordance with these terms and conditions
Approved RPZ Valve Tester Business	an RPZ Valve Tester business (whether conducted on a sole trader basis, as a partnership or as a company) which has been approved by Water Regs UK as a WIAPS Member in accordance with these terms and conditions
Approved Plumber	an individual plumber which has been approved by Water Regs UK as a WIAPS Member in accordance with these terms and conditions
Approved Plumbing Business	a plumbing business (whether conducted on a sole trader basis, as a partnership or as a company) which has been approved by Water Regs UK as a WIAPS Member in accordance with these terms and conditions
Approved Plumber Membership	full Membership of the Scheme granted to an Approved Plumbing Business and the Approved Plumber(s) who work for that Approved Plumbing Business
Approved Sector Worker Business	a Sector Worker business (whether conducted on a sole trader basis, as a partnership or as a company) which has been approved by Water Regs UK as a WIAPS Member in accordance with these terms and conditions
Approved Sector Worker	an individual Sector Worker who has been approved by Water Regs UK as a WIAPS member in accordance with these terms and conditions
Approved Sector Worker Membership	membership of the Scheme granted to an Approved Sector Worker Business and the Approved Sector Worker(s) who work for that Approved Sector Worker Business

Audit Procedure	the WIAPS Audit Procedure and Guidance document as updated from time to time, a copy of which is available on the Water Regs UK website.
Brand Guidelines	the WIAPS Brand Guidelines as updated from time to time, a copy of which is available on the Water Regs UK website.
Business Member	an Approved Plumbing Business or an Approved Sector Worker Business
Code of Conduct	the Water Industry Approved Plumbers Scheme Code of Conduct as amended from time to time, a copy of which is available on the Water Regs UK website.
the Customer	users or potential users of Members' services
Disciplinary Code	The Water Industry Approved Plumbers Scheme Procedure of Disciplinary Action against Members as amended from time to time, a copy of which is available on the Water Regs UK website.
Individual Member	an Approved Plumber or an Approved Sector Worker who has been allocated a unique WIAPS membership number
Member	an Individual Member or a Business Member
Membership	membership of the Scheme
Notification	notification of an installation as required by the Regulations
the Regulations	the Water Supply (Water Fittings) Regulations 1999
Regulator	the Secretary of State
Sector Worker	water installers who are not qualified plumbers but are recognised by WIAPS for their competency in undertaking a limited scope of work in the following sectors: <ul style="list-style-type: none"> <li>• Ground Workers (External Services)</li> <li>• Catering Installers</li> <li>• Point of Use (Chilled Water) Installers</li> <li>• RPZ Valve Testers</li> </ul>
the Scheme	the Water Industry Approved Plumbers Scheme, which shall include all Sector Worker schemes
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
Work Completed Certificate	a certificate issued by an Individual Member confirming that the installation meets the requirements of the Regulations
Water Regs UK	The WaterRegsUK Limited Registered No. 06663930 Registered Office: 6D Lowick Close, Hazel Grove, Stockport, SK7 5ED
Water Regs UK Website	<a href="http://www.waterregsuk.co.uk">http://www.waterregsuk.co.uk</a>

## 2 Background

- 2.1 The Regulations set out the national requirements for the design, installation and maintenance of water fittings and plumbing systems, their purpose being to prevent the contamination, waste, misuse, undue consumption, or erroneous measurement of water supplied by a Water Company.
- 2.2 Under the Regulations a person can become an Approved Contractor. Approval is granted either by the relevant Water Company or by an organisation authorised by the Regulator. Water Regs UK operates on behalf of water companies who subscribe to the Scheme.
- 2.3 Under the Regulations an Approved Contractor is exempt from the requirement to notify and obtain consent from the incumbent Water Company before commencing the installation of certain water fittings under Regulation 5. Instead, an Approved Contractor must simply deliver a signed Work Completed Certificate to the Customer with a copy to the incumbent Water Company where appropriate.
- 2.4 The Work Completed Certificate is a defence for the owner or occupier in any proceedings for offences of contamination, waste, misuse, or contamination of the water or of contravention of the technical requirements of the Regulations.
- 2.5 This document sets out the terms and conditions that apply to Members of the Scheme and the businesses that employ them, excluding RPZ Valve Testers who have separate terms and conditions.

## 3 Benefits of Membership

- 3.1 Free promotion of the Member's services through the Water Regs UK website, where Customers can search for Approved Contractors in their area. Approved Plumbers are also included on the directory maintained by WaterSafe in accordance with clause 4.10 below.
- 3.2 Member status reassures Customers that Individual Members are Approved Contractors and therefore qualified professionals.
- 3.3 Some organisations will only use Approved Contractors for their contracts.
- 3.4 Approved Contractor status may reduce inspection of your work by Water Companies.
- 3.5 Members receive technical updates free of charge.
- 3.6 Individual Members are issued with a membership card to confirm their status as Members of the Scheme.
- 3.7 Members may display the appropriate WIAPS logo on their company stationery and vehicles.
- 3.8 From time to time the Scheme may announce promotional offers available to members as offered by third parties, subject to any third party terms and conditions applying to such offer. For promotional offers provided by third parties, the Scheme is not acting as agent or responsible for the delivery or performance of the offers.

## 4 Membership

- 4.1 There are the following categories of Membership:
- i. Approved Plumber Membership (Full Membership)
  - ii. Approved Sector Worker Membership, of which there are four sub-categories:
    1. Ground Workers (external services);
    2. Catering Installers;
    3. Point of Use (chilled water) installers; and
    4. RPZ Valve Testers.
- 4.2 The grant of Approved Plumber Membership (Full Membership) is subject to and conditional upon:
- a. completion and signature of the Application Form
  - b. the Applicant (or one of its employees) holding one of the recognised qualifications in plumbing as directed by the Scheme from time to time
  - c. the Applicant employing the requisite number of qualified plumbers who each holds a recognised certificate in the knowledge of the Regulations
  - d. payment of any application fee (if applicable):
  - e. providing the Scheme with proof of insurance of the requisite level as set out in clause 4.8 below
  - f. satisfaction of any other conditions prescribed by law or by the Scheme from time to time.
- 4.3 The grant of Approved Sector Worker Membership (excluding RPZ Valve Testers) is subject to and conditional upon:
- a. completion and signature of the Application form
  - b. the Applicant employing the requisite number of individuals who each hold one of the recognised qualifications for Scheme Sector Workers as directed by the Scheme from time to time
  - c. satisfaction of any other conditions specified by law or by the Scheme from time to time
  - d. payment of any application fee (if applicable)
  - e. providing the Scheme with proof of insurance of the requisite level set out in clause 4.8
  - f. satisfaction of any other conditions prescribed by law or by the Scheme from time to time.
- 4.4 Each Member shall at all times during the period of its Membership:
- a. comply with these terms and conditions, the Code of Conduct and any other rules of membership prescribed by the Scheme from time to time
  - b. comply with the Branding Guidelines
  - c. comply with the Disciplinary Code
  - d. comply with the Audit Procedure and any action required by the Scheme following any audit
  - e. maintain the recognised qualification(s) required by the Scheme and/or the Regulations

- f. comply with the WaterSafe terms and conditions of membership (in the case of Approved Plumbers only)
- g. payment of any subscription fees (if applicable)
- h. use all due skill, care and attention in the provision of its services
- i. not do anything which might reasonably damage the reputation of the Scheme or the Scheme.

4.5 It is the responsibility of each Business Member to adhere to the following requirements during its term of Membership:

- a. for every five plumbers / sector workers employed at least one is an Individual Member
- b. comply with the insurance requirements set out in clause 4.8
- c. where an Individual Member is to sign off work of colleagues who do not have their own individual Membership of the Scheme, the whole installation must be closely supervised and witnessed by the Individual Member signing off the work
- d. a Business Member shall inform the Scheme within 14 days of the termination of employment of any of its Individual Members and shall promptly return all Membership cards issued to ex-employees along with all other relevant paperwork (including but not limited to Membership certificates and unused work completed certificates)
- e. a Business Member will be removed from the Scheme if it does not employ any Individual Members and will need to re-apply to the Scheme upon employing a qualified plumber / sector worker who qualifies for Membership of the Scheme
- f. a Business Member shall, upon termination of Scheme Membership remove any reference to Membership of the Scheme from its business materials and assets including but not limited to the use of the WIAPS logo from any stationery, vehicles etc.
- g. a Business Member shall ensure that all Individual Members employed by it from time to time adhere to the Code of Conduct and all other relevant laws, regulations, standards and codes referred to in these terms and conditions
- h. where requested by the Scheme or the Scheme's appointed auditors, a Business Member must provide all requested information on work carried out by the Individual Members it employs. WIAPS auditors may include Water Company employees, Water Regs UK employees or third party contractors.

4.6 The cost of Scheme Membership for Approved Plumbing Businesses / Approved Plumbers and ground workers is currently met by the Water Companies who subscribe to and fund the Scheme but may be subject to change.

4.7 There is an application fee for some Scheme Sector Workers. Details of these can be found on the Water Regs UK website

4.8 All Business Members must maintain or otherwise be covered by the following insurance during their term of Membership in respect of the work they undertake:

- a. public liability insurance to a level not less than £2 million; and
- b. where the business employs more than one person, employer's liability insurance to a level not less than £5 million.

4.9 Membership renewal is on an annual basis. To renew membership Business Members must provide the Scheme with a copy of the relevant liability insurance policies upon request.

4.10 By applying for Membership of the Scheme, Approved Plumbers are added to the directory of qualified plumbers maintained by WaterSafe as part of our contract with you. Therefore,

some personal data is transferred to WaterSafe as a result. Please see Water Regs UK full privacy policy on the Water Regs UK website.

## 5 Auditing of Members

- 5.1 The Scheme reserves the right to audit Members' work in order to ensure that the requisite level of compliance is maintained in accordance with the Regulations and the requirements of the Scheme from time to time.
- 5.2 Business Members who register with the Scheme are required to indicate:
  - a. which Water Company supplies water in the area from which the Business Member's principal business is operated and
  - b. where the Business Member employs Individual Members work across multiple areas in the UK, a list of all Water Companies supplying those areas and the Water Company that the Individual Member will do the majority of their work in.
- 5.3 Audits will be undertaken in accordance with the Scheme's Audit Procedure, either by the relevant Water Company or by a company appointed by the Scheme.
- 5.4 Where requested by WIAPS or by WIAPS appointed auditors, Members must provide information about work they have completed within 14 days of such request. WIAPS auditors may include Water Company employees, Water Regs UK employees or third-party contractors.
- 5.5 Any remedial actions required as a result of an audit shall be undertaken at the Member's own expense and within the timeframe directed by the Scheme.
- 5.6 Details of failed audits may be shared with third parties such as water company subscribers, other Approved Contractors schemes and WaterSafe.

## 6 Notification and Work Completed Certificates

- 6.1 Before Individual Members commence any installations, Individual Members must be satisfied that the requirements for Notification have been met.
- 6.2 It is a condition of Membership that advanced Notification is given of the proposed installation of any RPZ valve.
- 6.3 Where consent has been deemed to have been granted owing to no reply from the incumbent Water Company within 10 days, the installation must still meet with all other requirements set out in the Regulations, Water Industry Approved Installation Methods, British Standards, Manufacturer's installation instructions and any other relevant Regulations/standards.
- 6.4 A Work Completed Certificate must be issued to the Customer for every installation.
- 6.5 Where Notification has been given and an Approved Contractor undertakes the work, the Regulations require that you submit a Work Completed Certificate to the relevant Water Company within 10 days of completing that work.
- 6.6 For those works that do not require notification by an Approved Contractor, namely Sections 2 and 4(b) of the Table in Regulation 5, a Work Completed Certificate must be submitted to the incumbent water company within 10 days of completing the work.



## 7 Code of Conduct

- 7.1 The Scheme has a Code of Conduct which sets out the standards of behaviour expected by Members.
- 7.2 Failure to comply with the Code of Conduct could result in disciplinary action and ultimately, termination of Scheme Membership.

## 8 Disciplinary Code

- 8.1 The Scheme operates a Disciplinary Code which sets out the procedure to be following when it is alleged that a Member has failed to comply with the Regulations and/or these terms and conditions of Membership.

## 9 Termination of Membership

- 9.1 The Scheme reserves the right to terminate Membership for breach of these terms and conditions in accordance with the Disciplinary Procedure. This will also result in the termination of WaterSafe membership, where this is relevant.
- 9.2 Upon termination of Membership, Members will be required to return all merchandise relating to the Scheme, including but not limited to all membership ID cards, membership certificates and any unused Work Completed Certificates.
- 9.3 Upon termination of Membership, Members must also immediately cease to use any Scheme logos on advertising material, company vehicles and company stationery.
- 9.4 Termination of Membership shall result in the removal of a Member's details from the public search facility for the Water Regs UK and WaterSafe websites.
- 9.5 The Scheme shall notify in writing the relevant Water Company of a Member's termination, along with WaterSafe and the other Approved Contractors' schemes that operate under the same scope, as set out in clause 2 of these terms and conditions.

## 10 Change of Employer

- 10.1 Membership is based on the requirements set out in clause 4 of these terms and conditions, and as such Business Members must at all times hold the relevant level of liability insurance. Where an Individual Member changes employer, he must inform the Scheme within 14 days of the change and return all membership / ID cards naming the previous employer to the Scheme.
- 10.2 All membership / ID cards shall at all times remain the property of the Scheme.
- 10.3 Any membership / ID cards referencing previous employers shall be invalid.

## 11 Limitation of Liability

- 11.1 Members understand and accept that all liabilities and disputes relating to workmanship, products installed, charges and anything else connected to work carried out as a result of introductions via the Scheme, are solely their responsibility.
- 11.2 Water Regs UK or the Scheme shall not be liable to any Applicant, Member or previous

Member, whether in contract, tort (including negligence), breach of statutory duty, or otherwise, for any loss of profits, loss of sales or business, loss of agreements or contracts, loss of or damage to goodwill or for any indirect or consequential loss arising under or in connection with any Application or Approval or Membership of the Scheme.

11.3 Nothing in the terms and conditions shall limit or exclude Water Regs UK's or the Scheme's liability for:

- a. death or personal injury caused by its negligence, or the negligence of its employees, agents or subcontractors
- b. fraud or fraudulent misrepresentation or
- c. breach of the terms implied by section 2 of the Supply of Goods and Services Act 1982.

11.4 This condition 11 shall survive termination of Membership.

## 12 Data Protection

12.1 Water Regs UK respects your privacy and is committed to protecting your personal data. Water Regs UK will use all information in accordance with the General Data Protection Act 2018 and Data Protection Act 1998.

12.2 Water Regs UK collects personal data in order to process applications to become a member of WIAPS and to provide a publicly available list of WIAPS members. Members will also be listed on the WaterSafe website. Our full privacy policy can be found on the Water Regs UK website.