

# waste water flooding

We are very sorry that you have suffered waste water flooding. Scottish Water understands the impact and distress waste water flooding can cause. We have a role to play in dealing with flooding along with other public bodies.

**This factsheet will provide you with information on:**

- Scottish Water's responsibilities for damage caused by waste water flooding
- what compensation you may be entitled to if Scottish Water accepts liability after investigation
- what to do if you do not want to claim on your own insurance
- what to do if you do not have household insurance
- what to do if your home is uninhabitable
- what can Scottish Water do to help you

**save your drains**

Help save your drains and protect the natural environment by disposing of used cooking fat, oil and grease properly. Remember only human waste and toilet paper should be flushed. Dispose of bathroom waste properly... bag it and bin it. For more information visit [www.scottishwater.co.uk/saveyourdrains](http://www.scottishwater.co.uk/saveyourdrains)

**Scottish Water's responsibilities for damage caused by waste water flooding**

Whilst the public sewer belongs to Scottish Water, we have little control over what is discharged to the sewer system. As such, many blockages are caused by inappropriate items or unforeseen events. Under such circumstances Scottish Water is not liable for damage. It is only where we are proven to have acted negligently that we will be liable for any damage.

Under our save your drains campaign we encourage you not to dispose of fat, grease or other inappropriate items down your sinks, toilets or drains, as they may build up over time, causing blockages and worse still, flooding.

**please remember... save your drains and bag it and bin it!**

The Sewerage (Scotland) Act 1968 states: "It is a criminal offence to discharge to the public sewer any matter which may interfere with the free flow of its contents. Such matter includes used cooking fat, oil & grease as well as sanitary products. Those found guilty of such an offence face a fine of up to £40,000. Scottish Water will also seek to recover costs for any work carried out due to the illegal discharge of such matter."



**Scottish Water**  
Always serving Scotland

## what compensation you may be entitled to if Scottish Water accepts liability after investigation

Scottish Water will always encourage a customer who has incurred loss or damage as a result of waste water flooding to approach their own insurers in the first instance.

- Your own insurance company will not normally need to establish liability before proceeding with your claim. Scottish Water does have to establish liability.
- Most insurance companies will normally replace or settle on a new for old basis. Under the Sewerage (Scotland) Act 1968 Scottish Water cannot be seen to place you in a financially better off position and as such will deduct the depreciation of an item from any settlement (assuming we are liable).
- If your insurance company is confident that Scottish Water is liable, they may choose to counter claim us at a later date.

We will conduct an initial clean up of your premises and may also reimburse your insurance excess as a gesture of goodwill. This is providing the flooding is not as a result of:

- a defect on your own drains
- a result of your own actions
- general surface flooding

## what to do if you do not want to claim on your own insurance

If you have been severely internally flooded by waste water and you do not wish to claim on your own insurance, Scottish Water will endeavour to assist you as described in our Code of Practice.

## what to do if you do not have household insurance

We would always recommend a customer has the appropriate insurance for any eventuality. Whilst we empathise with your situation, the responsibility does not default to Scottish Water.

However, we will provide an initial clean up of the area and assist you as best we can.

## what to do if your home is uninhabitable

Scottish Water will, on occasions of severe internal waste water flooding, support a customer in finding temporary accommodation (B&B/Hotel) for the initial night, although in most instances your own insurance company should arrange this. It should be noted there is no legal obligation for Scottish Water to provide this service, but in such cases we would not wish to see a customer and their family stranded.

## what can Scottish Water do to help you

In the event of internal flooding from our sewers, we will do all we can to reduce the impact on you. Scottish Water will work hand in hand with the local council, emergency services, the Scottish Government and SEPA. Our Code of Practice provides further information about this support and our guaranteed standards of service and is available on our website.

When internal flooding occurs Scottish Water will:

- attend the flooding and clear any blockages
- clean up the affected area
- in the event of severe internal flooding we may decant you if required
- carry out on site investigations to identify likely causes
- we will keep you updated on findings during these on site investigations

## how to contact us

If you require more information on our services, please contact us:

By phone on our Customer Helpline **0845 601 8855\***

On the web at **[www.scottishwater.co.uk](http://www.scottishwater.co.uk)**

Or in writing at **Scottish Water, PO Box 8855, Edinburgh, EH10 6YQ**

Alternative formats of this factsheet can be made available free of charge. For information on Braille, large print, audio and a variety of languages please call our Customer Helpline.

Please quote this reference code when contacting us: **SWFact WWF 13 06/12**

\* We record all calls for quality and training purposes.