

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /1612

Date of Decision: 7 October 2019

#### Complaint

The customer submits that the company's service has been unsatisfactory. Specifically, the customer explains that they have experienced problems with being double-billed by the company. Although the company has rectified the issue, the customer is not satisfied with the £20.00 gesture provided by the company. Therefore, the customer's singular claim is for compensation in the amount of £500.00 for the stress and inconvenience experienced as a result of the company's failures.

#### Defence

The company accepts that there were numerous failures in relation to the customer's account. It also states that, even whilst compiling this defence submission, it found further mistakes on the customer's account. The company apologises for these failures and would like to offer the customer a total payment of £685.48 for its failures.

#### Findings

I am satisfied that the company failed to provide its services to the standard to be reasonably expected by the average person. Under the circumstances, I find it fair and reasonable for the company to provide the customer with a compensation payment in the sum of £685.45.

#### Outcome

The company shall pay the customer compensation in the sum of £685.45.

The customer must reply by 4 November 2019 to accept or reject this decision.

*This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.*

# ADJUDICATOR'S DECISION

Adjudication Reference: WAT/ /1612

Date of Decision: 7 October 2019

## Party Details

Customer: [ ].

Company: [ ].

## Case Outline

### **The customer's complaint is that:**

- They received a large bill from the company. The customer submits that they requested an explanation for this bill. However, the information provided by the company was sparse and unclear.
- The customer submits they then noticed that their water consumption appeared unusually high in one particular month. The customer attempted to contact the company to query this; however, the company did not respond within the prescribed timeframes.
- Eventually, the company responded and it came to light that the customer had been double-billed. The customer therefore asked why this had happened and queried whether the company would be able to prevent this from happening in the future. The customer submits that the company did not provide an adequate response.
- The company credited the customer £20.00 and eventually confirmed that the customer's account was now in credit with no outstanding sum to pay. A month later, the customer received a confusing bill for £1480.39.
- The customer indicates that the company provided a vague apology for all the issues experienced and acknowledged that there were errors which resulted in the customer being double-billed.
- The customer does not feel that the situation is acceptable and is now claiming for the company to provide £500.00 in compensation for the stress and inconvenience caused by its errors.

*This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.*

### **The company's response is that:**

- The company does not dispute that it failed to call back the customer on numerous occasions and failed to provide him with a response within the required timeframe.
- The company accepts that the customer contacted it with regards to their suspicion that they were being double-billed. The company further accepts that based on the information provided by the customer, this appeared likely.
- Following investigation, the company found that it was double-billing the customer for their unmeasured wastewater and surface water drainage charges. The company therefore contacted the wholesaler to make the appropriate corrections. A new corrected invoice was then produced for the customer.
- The company states that the customer subsequently complained about further billing issues and the company had to correct the customer's account and produce another new invoice.
- The company states that, whilst reviewing this case, it has noticed that it is still double-billing the customer incorrectly. However, the company states that this has now been properly corrected.
- The company acknowledges that the customer is claiming £500.00 in compensation for this matter. However, the company submits that it would like to offer the customer £685.48 in recognition of the stress and inconvenience and the incorrect invoicing experienced by the customer. The company explains that this figure is made up of compensation for stress and inconvenience as well as a discount on the customer's charges.
- The company apologises to the customer for the stress and inconvenience caused by this matter.

### **How is a WATRS decision reached?**

In reaching my decision, I have considered two key issues. These are:

1. Whether the company failed to provide its services to the customer to the standard to be reasonably expected by the average person.
2. Whether or not the customer has suffered any financial loss or other disadvantage as a result of a failing by the company.

In order for the customer's claim against the company to succeed, the evidence available to the adjudicator must show on a balance of probabilities that the company has failed to provide its services to the standard one would reasonably expect and that as a result of this failure the customer has suffered some loss or detriment. If no such failure or loss is shown, the company will not be liable.

*This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.*

I have carefully considered all of the evidence provided. If I have not referred to a particular document or matter specifically, this does not mean that I have not considered it in reaching my decision.

### How was this decision reached?

1. It is evident that the crux of this dispute rests with the customer's assertion that the company has provided unsatisfactory service. Specifically, the customer explains that they have experienced difficulties with being double-billed by the company. The customer is not satisfied with the £20.00 gesture which has been provided by the company for this matter. The customer is therefore claiming £500.00 in compensation for the stress and inconvenience experienced as a result of this issue.
2. I remind the parties that adjudication is an evidence-based process and in order for any remedy to be awarded, the evidence must show that the company has not provided its services to the standard that would reasonably be expected of it.
3. Following a review of all the submissions provided, I note that the company accepts and details its various failures with respect to the customer's account. Accordingly, I am satisfied that the company did fail to provide its services to the standard to be reasonably expected by the average person.
4. I note that the customer's singular claim is for compensation for stress and inconvenience in the amount of £500.00. However, I note that the company (in its defence submission) has now offered the customer £685.45 in compensation to the customer. Under the circumstances, taking into account the nature and extent of the company's failures (and bearing in mind the company's own offer of compensation to the customer), I am satisfied that it would be fair and reasonable to direct that the company provides the customer with £685.45 in compensation (as offered).
5. In summary, I am satisfied that failures on the part of the company to provide its services to the standard to be reasonably expected by the average person have been established. Under the circumstances, I find it fair and reasonable to direct that it provides the customer with a compensation payment in the amount of £685.45.

*This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.*

6. This concludes the WATRS stage of the customer's complaint. I remind the parties that the customer is not obliged to accept this decision and is free to continue pursuing their complaint through all other resolution avenues as available to them.

#### **Outcome**

The company shall pay the customer compensation in the sum of £685.45.

#### **What happens next?**

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 4 November 2019 to accept or reject this decision.
- When you tell WATRS that you accept or reject the decision, the company will be notified of this. The case will then be closed.
- If you do not tell WATRS that you accept or reject the decision, this will be taken to be a rejection of the decision.



**E. Higashi** LLB (Hons), PGDip (LPC), MCI Arb.

**Adjudicator**

*This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.*