

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/1965

Date of Decision: 27 July 2020

#### Complaint

The customer submits the company was wrong to remove him from its discount scheme and then refuse to automatically renew the scheme. He submits the company failed to call him as agreed and has bullied him. He claims for the company to place him back on the scheme without requiring him to make a new application and pay him compensation in the sum of £2500.00.

#### Response

The company submits the customer has to apply to the scheme every 12 months in accordance with its Scheme of Charges. It offered the customer a home visit to help him complete the application form and later offered to renew the scheme provided the customer pay the outstanding balance, however the customer has not taken up these offers. It denies the claim.

#### Findings

The customer has not proven any failing by the company.

#### Outcome

The company does not need to take any further action.

The customer must reply by 24 August 2020 to accept or reject this decision.

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# ADJUDICATOR'S DECISION

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Date of Decision: 27 July 2020

## Party Details

**Customer:** (Removed)

**Company:** (Removed)

## Case Outline

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

- The company removed him from its discount scheme in December 2019 and then refused to assist him despite knowing he has disabilities.
- The CEO promised to personally call him but then failed to do so.
- The company has bullied him and refused to accept fault.
- He claims for the company to reinstate the discount scheme without requiring he complete an application form and pay him compensation in the sum of £2500.00.
- In comments on the company's response to the claim, he asserts the company should waive the debt, reinstate the discount scheme, pay him compensation and amend his credit file.

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

- Customers can apply for its (Removed) scheme to receive a discount on their water bills. The scheme runs for 12 months and customers must reapply each year.
- In order to help vulnerable customers it will automatically renew the scheme provided they have kept to their payment arrangements.

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- The customer failed to make payments as due and his account reverted to standard charges in December 2019.
- It offered the customer a home visit to help him reapply to the scheme but the customer did not accept this offer. Later it offered to reinstate the scheme provided the customer paid the amounts owing, however the customer has still not made payment.
- It has outlined its interactions with the customer since 2017 and commented on other matters.
- It denies the claim.

### 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.

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. I remind the parties that it is up to the customer to set out his claim, provide supporting evidence and prove the company has failed to provide its services to the standard to be reasonably expected.
2. The customer's claim and the complaint that has progressed through the CCW complaints process concerns the company's decision to revert the customer's account to standard charges in December 2019 and its refusal to automatically reinstate the discount scheme without requiring a further application. Therefore, while I acknowledge the company's response covers

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many years and complaints, these are not part of the customer's claim and I make no comment upon such.

3. The company has referred to the terms of its (Removed) scheme as set out in its Scheme of Charges. In view of the terms referred and the relevant section of the Scheme itself, I accept that a customer will benefit from the scheme over 12 months and then must reapply.
4. I acknowledge the customer is unhappy that the company required him to reapply to the scheme, however this is in accordance with its Scheme of Charges, as approved by (Removed). I therefore find no failing on the part of the company in this regard.
5. I recognise that some customers may have difficulties in completing an application form due to a disability. Although the customer had not expressed difficulty in completing the form, I note the company offered a home visit to help him complete the application form. I consider it acted reasonably in doing so.
6. The documents provided by CCW show the customer requested a call from the CEO but there is no evidence the company agreed to this. The customer has not provided any evidence to show he was promised a call and then this was not forthcoming. I therefore find no failing by the company in this respect.
7. The customer asserts the company has bullied him and he seeks compensation for stress and inconvenience. However, the customer has not provided any details or evidence to support this claim. The CCW documents provided alongside the customer's application form show the company consistently told the customer he would need to reapply to the scheme and offered to help him do so. I find no evidence the company failed to provide its services to the standard to be reasonably expected.
8. Based on my review of all the available information, as the customer has not proven any failing by the company, I find his claim is unable to succeed.

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## Outcome

The company does not need to take any further action.

## What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 24 August 2020 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.



**Justine Mensa-Bonsu**, LLB (Hons), PGDL (BVC)

**Adjudicator**

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