

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /0699

Date of Decision: 23 April 2018

#### Complaint

The customer submits he should be entitled to compensation for stress and inconvenience in the sum of £2500.00 as a result of receiving an incorrect invoice from the company. The customer does not dispute that the company promptly rectified the incorrect invoice after he contacted it but it did not offer him any financial compensation.

#### Defence

The company accepts that it sent the customer an incorrect invoice in the amount of £15687.69 as a result of a system error. However, it submits that it promptly rectified the issue and apologised to the customer. It submits that under the circumstances, it did not believe any compensation was warranted. The company has not made any offers of settlement.

#### Findings

I am satisfied that a failure to provide the company's services to the standard to be reasonably expected has been established and that the customer did experienced a degree of stress and inconvenience as a result of this issue. I am therefore satisfied that the company should provide the customer with compensation in the sum of £50.00.

#### Outcome

The company shall provide the customer with compensation in the sum of £50.00.

The customer must reply by 22 May 2018 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/ /0699

Date of Decision: 23 April 2018

## Party Details

Customer:[ ].

Company:[ ].

## Case Outline

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

- The company sent him a very high invoice in the sum of £15687.69.
- The customer complained to the company and it accepted that this was a billing error on its part.
- The company amended the invoice to the correct sum of £96.33.
- The customer submits that he experienced stress and inconvenience as a result of this issue and he is therefore claiming compensation of £2500.00 from the company.

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

- An invoice was generated for the customer in the sum of £15687.69 on 8 December 2017.
- It accepts that this was caused by a system error which affected a large number of its customer invoices.
- The customer contacted the company on 21 December 2017 to complain about this issue. Following investigation, the company contacted the customer on 2 January 2018 to apologise for the error and for any distress that may have been caused.
- The invoice was promptly corrected to £96.33 and this was confirmed to the customer by e-mail on 4 January 2018.
- The customer then contacted the company to request financial compensation for this issue. The company submits that it rectified the issue promptly and apologised to the customer. Therefore, it did not feel that any financial compensation was warranted under the circumstances.

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- The customer did not accept this position and has continued to seek financial compensation.

### 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.

If the evidence provided by the parties does not prove both of these issues, the company will not be directed to do anything.

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 from the papers that the crux of this dispute lies with the customer's assertion that he should be entitled to compensation for stress and inconvenience in the sum of £2500.00 as a result of receiving an incorrect invoice from the company. The customer does not dispute that the company promptly rectified the incorrect invoice issue but he submits that it did not offer him any financial compensation.
2. I must remind the parties that adjudication is an evidence-based process and it is for the customer to prove that the company has failed to provide its services to the standard that would reasonably be expected of it; and that as a result of this failure, they have suffered loss/disadvantage.
3. It is not disputed by the parties that the company sent the customer an incorrect invoice in the amount of £15687.69 as a result of a system error. Accordingly, I am satisfied that the company did fail to provide its services to the standard to be reasonably expected. Furthermore, I am also satisfied that the customer would have inherently experienced a degree of stress and inconvenience as a result of this failure.

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4. I note it is not disputed that the company promptly rectified this issue and offered the customer its apologies for this failure. However, taking into account the nature and extent of the company's failure and the time taken to resolve the matter (and the reasonable degree of stress and inconvenience that would have been experienced by the customer as a direct result of this issue), I find that it would be fair and reasonable for the company to also provide the customer with compensation in the sum of £50.00.
5. Consequently, upon review of all the evidence provided by the parties at the time of adjudication, I find that a failure to provide the company's service to the standard to be reasonably expected has been established (as detailed above) and I therefore find it fair and reasonable to direct that the company provides the customer with compensation in the sum of £50.00. Based on the evidence provided, I am not satisfied that any further compensation is warranted under the circumstances.

#### **Outcome**

The company shall provide the customer with compensation in the sum of £50.00.

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

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 22 May 2018 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**

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