

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-X535

Date of Decision: 07/09/2021

#### Party Details

Customer:

Company:

#### Complaint

The customer says that he was not notified by the company of the benefit of having a meter installed.

He requests compensation for the excess charges he has paid.

#### Response

The company says that it regularly notifies its customers of the possibility of having a meter installed, and that when the customer requested a meter it was installed promptly.

No offer of settlement has been made.

#### Findings

The company has provided its services to the customer to the standard to be reasonably expected by the average person.

#### Outcome

The company does not need to take any further action.

The customer must reply by 05/10/2021 to accept or reject this decision.

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**Adjudication Reference:** WAT-X535

**Date of Decision:** 07/09/2021

## Case Outline

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

• He contacted the company in March 2021 about having a meter installed at the Property. • The company initially told him that a meter could not be installed. • After reconsideration, a meter was installed at the Property on 21 April 2021. • The company has backdated the metered charges to 9 March 2021. • The company never advised him that he could save money with a meter. • He requests that the company refund the difference between the metered charges and his actual bills since he moved into the Property. The customer's comments on the company's response are that: • The rating value for the Property was established three decades ago when more people lived at the Property and a pool was attached. • The notification on his bills about the possibility of getting a meter is in very small print. • He is not asking for a full refund, but a compromise.

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

• The customer has been with the company since 2004. • He made contact on 9 March 2021 about his bill and was advised of the possibility of having a meter fitted. • An attempt to fit a meter at the Property was made on 22 March 2021 but it was unsuccessful. • The customer believed that a meter could be fitted and so another attempted was made on 21 April 2021. This attempt was successful. • Charges from 9 March 2021 to 21 April 2021 have been cancelled. • Customers are informed on every bill of the option to have a meter fitted. • The company is unaware of the personal circumstances of each customer and so is unable to judge if they will benefit from having a meter fitted.

## How is a WATRS decision reached?

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

- Whether the company failed to provide its services to the customer to the standard to be reasonably expected by the average person.
- 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. The customer argues that the company has made inadequate efforts to notify him of the possible benefits of having a meter fitted. The company has noted that each bill sent to the customer mentioned the possibility of having a meter fitted, but the customer emphasises that this is done in small print.
2. Ultimately, while the customer is correct that the notification on the customer's bill about the possibility of metering is relatively easy to miss, the information is provided by the company and is only intended to serve as a supplement to the relatively widespread public information about water metering. If the company was under a formal obligation to provide certain notifications to its customers in a certain form, and failed to do so, then it could be found to have failed in its obligations if it did not provide such notifications. However, no such obligation is imposed on the company.
3. Rather, the company's obligation is a reactive one, to respond promptly when a customer requests a meter and make reasonable efforts to install one. The evidence shows that the company fulfilled this obligation, and that when a second attempt to fit a meter was required, the company voluntarily waived charges from the time that a meter was requested until one was installed.
4. The customer emphasises that his circumstances have changed substantially since he moved into the Property, however the company has no way of knowing its customers personal circumstances until it is notified about them. Given the evidence in this case, there is no basis on which I can find that the company received information from the customer that would have put the company on notice that the customer could have benefited from a meter, but that the company then failed to highlight this point to him. The evidence shows instead that when the customer made contact to question his bill, the company promptly suggested a meter as an alternative.
5. The customer also suggests that the company is attempting to avoid having meters fitted, as a means of maximising its income. However, while it is clear that the customer personally would have benefited financially from having a meter installed, many customers are financially better off with bills based on the rateable

value of their property and actively resist having a meter installed. Because of this, while I accept that the customer would personally have benefited from earlier installation of a meter, there is no evidence on the basis of which I could reasonably conclude that the company has an incentive to avoid the installation of meters and so avoids notifying customers of that possibility.

6. For the reasons given above, the customer's claim does not succeed.

### **Outcome**

1. 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 within 20 working days to accept or reject this final 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.

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**Tony Cole**  
**Adjudicator**