

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT-X614

Date of Decision: 14 November 2021

Complaint

The customer says that she incurred a substantial bill because she was not notified of a leak. She experienced poor customer service.

Response

The company says that the customer was notified of a possible leak once her meter was read. The customer has not experienced poor customer service.

The customer has received applicable GSS payments.

Findings

The company 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 13 December 2021 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-X614

Date of Decision: 26 October 2021

Party Details

Customer:

Company:

Case Outline

The customer's complaint is that:

- In September 2020 she was notified by the company that there appeared to be a long-term leak at the Property and a bill of over £600.00 was owing on the account.
- She immediately turned off the supply to the cattle trough in question.
- She was unable to find a plumber to investigate the leak due to lockdown restrictions.
- She subsequently received a bill for £692.54.
- She raised a dispute with the company, but nonetheless was subjected to collection action.
- She has received bills for differing amounts, so that she has been unclear exactly what was owed.
- She requests an apology, that the bill be cleared, and that she receive unspecified compensation.

The company's response is that:

- It became aware of a possible leak when the meter was read on 21 September 2021, two days after the annual meter reading was due.
- The customer was notified of the possible leak on 25 September 2021.
- The customer moved out of the Property on 7 December 2021 without remedying the leak, and so no leak allowance is due.
- A credit of £40.00 has been added to the customer's account in recognition of the late meter reading.

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 offered the customer a 12 month payment plan, but this was declined.
- The company remains willing to offer the customer a 12 month payment plan.
- The customer only experienced collection action when an agreed hold on her account expired, and the customer was aware of when each hold would expire.

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. The customer's claim focuses on a substantially increased bill she received from the company, which the company suggests may have resulted from a long-term leak. The customer emphasises that she was not notified of the leak until a substantial bill had developed, and so was deprived of the opportunity to address the leak.
2. However, as argued by the company, it is not obligated to read a customer's water meter more than once per year. In the present case, the company has acknowledged that it was two days late in reading the customer's meter, but it has paid the customer compensation of £20.00 per day for that delay.

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.

3. In her comments on the Proposed Decision in this case, the customer argued that while the company may have been acting within its obligations, the standards to which the company is being held are inadequate. However, WATRS is not a regulator and a WATRS adjudicator may not reject the standards adopted by Ofwat, the regulator in this sector. Any argument that the standards applied to water companies are inadequate must be raised to Ofwat, and not to WATRS.
4. Therefore, while I accept that the yearly period between meter readings will have substantially reduced the customer's ability to avoid incurring charges resulting from a leak, because the company has not breached an obligation by only providing annual meter readings I cannot find that it failed to provide its services to the standard to be reasonably expected by the average person in this respect.
5. The evidence also shows the company promptly notifying the customer once it had evidence of a potential leak. Moreover, the company then offered the customer a 12 month payment plan to permit her to pay the amount owed in a more affordable way.
6. The customer has objected that she was subjected to collection action despite having raised a dispute with the company, but the mere fact of a dispute cannot by itself suspend the customer's obligation to pay her bills, as this would allow customers with no substantive objection to their bills to delay payment just by raising a complaint. The company is obligated to respect any hold that it agrees to put on the customer's account, and to be reasonable in its decisions regarding holds, but no evidence has been provided that the company breached its responsibilities in either of these respects.
7. The customer also objects to the varying bills that she received. However, these bills will have varied as charges were applied due to collection action and no evidence has been produced that is inconsistent with this explanation.
8. Evidence of a second and smaller bill has been produced to CCWater, but this bill is expressly listed as being for a period prior to that covered by the current dispute, and is directed to the customer's ex-husband, rather than the customer. I find that this is clearly explained in the communication the customer received about the bill.

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.

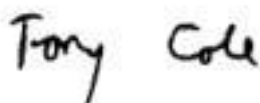
9. Therefore, based on the evidence produced by the parties, I find that the company provided its services to the customer to the standard to be reasonably expected by the average person, and so the customer's claim does not succeed.

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 13 December 2021 to accept or reject this decision.
- If you choose to accept this decision, the company will have to do what I have directed within 20 working days of the date on which WATRS notifies the company that you have accepted my decision. If the company does not do what I have directed within this time limit, you should let WATRS know.
- If you choose to reject this decision, WATRS will close the case and the company will not have to do what I have directed.
- If you do not tell WATRS that you accept or reject the decision, this will be taken to be a rejection of the decision. WATRS will therefore close the case and the company will not have to do what I have directed.



Tony Cole, FCI 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.