

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-X793

Date of Final Decision: 4 March 2022

Party Details

Customer: CUSTOMER

Company: COMPANY

Complaint

The customer claims that the company increased his wastewater charges without justification. Furthermore, once this issue was raised, the company provided poor customer service, which has led to inconvenience and distress. The customer is seeking the company to justify the increase in charges, refund the additional charges previously paid, and pay compensation for the inconvenience and distress caused.

Response

The customer's charges have been raised in accordance with the volume of water used and based on meter readings provided REDACTED. On occasions, estimated readings were used, and in line with the company's Charges Scheme, the estimated readings were adjusted when actual meter readings became available. As some of the previously estimated readings were low, the company cancelled the estimated invoices. It re-issued the invoices based on the true meter readings, which gave a higher usage than it would normally be. The company has not made any further offers of settlement.

Findings

I am satisfied that the evidence shows that the company did not fail to provide the customer's services to the standard reasonably expected concerning its charges.

Outcome

The company needs to take no further action.

The customer has until 1 April 2022 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.

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Case Outline

The customer's complaint is that:

- The company increased its wastewater charges without justification.
- Furthermore, once this issue was raised, the company provided poor customer service, which has led to inconvenience and distress.
- The customer is seeking the company to justify the increase in charges, refund the additional charges previously paid, and pay compensation for the inconvenience and distress caused

The company's response is that:

- The customer's charges have been raised in accordance with the volume of water used and based on meter readings provided by REDACTED.
- On occasions, estimated readings were raised, and in line with the company's Charges Scheme, the estimated readings were adjusted when actual meter readings became available.
- As some of the previously estimated readings were low, the company cancelled the estimated invoices and re-issued the invoices based on the true meter readings, and this gave a usage that was higher than it would normally be.

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 another disadvantage as a result of a failure 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.

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I have carefully considered all 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 dispute centres on whether the company has increased the customer's wastewater charges without justification and based on incorrect meter readings.
2. The company must meet the standards set out in OFWAT's Charges Scheme Rules, the Water Supply and Sewerage Services (Customer Service Standards) Regulations 2008 and the Water Industry Act 1991.
3. The company also has certain obligations regarding its customer services as set out in the OFWAT Guaranteed Standards Scheme and its own Guarantee Standards Scheme (GSS).
4. From the evidence put forward by the customer and the company, I understand that the company provides sewage service for the customer's property, and REDACTED.
5. From the evidence put forward by the customer and the company, I understand that the customer contacted the company on 4 March 2021 to query his direct debit amount and his increase in charges. The customer also highlighted that he was discussing his meter readings with REDACTED. I understand that following this contact, the company contacted REDACTED to query if it had made any amendments to the customer's reading or had applied for a leakage allowance.
6. The evidence shows that the customer used around 125m³ a year based on a reading of 2,447 on 25 April 2015 and 3,200 on 13 April 2021. This equates to an annual sewerage bill of approximately £263.00 or £22.00 a month. The company says that the meter readings received from REDACTED were in-line with these predictions. However, the readings provided during the period 2018/2019 suggested that the customer had only used 50m³, and as such, his payments were reviewed and reduced accordingly.
7. However, the company then received estimated readings for October 2019 and April 2020. The company raised its invoices based on these estimated readings, and the customer's payments were again reviewed.

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8. In November 2020, REDACTED provided an actual meter reading of 3,131, which was taken on 16 October 2020. The company says that as the previously estimated readings were low, this gave a higher usage than it would normally be and therefore, this invoice was a 'catch up' invoice and was the reason for the increase in charges.
9. I understand that following this, REDACTED then reviewed its accounts and advised that due to an error with the meter readings, they would credit the customer for the extra use of 77m³. As the company raised sewerage charges at 90% of the volume of water used, the company then credited the customer 69.3m³, which was 90% of the 77m³.
10. Between 1 April 2021 and 9 August 2021, various discussions occurred between the customer and the company concerning whether the company was overcharging him for his wastewater. The customer believed that as the company had based its charges on REDACTED meter readings, which had later been found to be incorrect, the company charges were incorrect. However, the company's position was that it had credited the customer for the error with the REDACTED meter readings and its charges were correct and due.
11. The customer was unhappy with the company's position and progressed matters to CCWater, which resulted in the company maintaining its position that it had already credited the customer for the error with the REDACTED meter readings and any changes to the customer meter would need to be done by REDACTED, the customer's water provider. On 12 January 2022, the customer was still of the view that he was being penalised by the company for the error by REDACTED with its meter readings and commenced the WATRS adjudication process.
12. As to whether the company increased the customer's wastewater charges without justification and based its charges on incorrect meter readings by REDACTED, the evidence shows that the company amended its records to mirror the actions taken by REDACTED. Furthermore, the company was entitled to base its charges on REDACTED readings. The evidence shows that the company has no control over the customer's meter or taking the readings. Considering the above, I find that it was reasonable for the company to rely on the estimate and actual reads provided by REDACTED and accordingly, the company did not increase the customer's wastewater charges without justification.

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13. The evidence shows that the company calculates its sewerage charges at 90% of the water supplied as measured by the meter, plus a standing charge to cover the cost of surface water drainage. The corrected meter readings taken by REDACTED were actual readings, and the company says it based its final invoices on these readings. Furthermore, when the issue with the meter readings was resolved, the company credited the customer £107.70, which equated to 90% of the total cubic meters credited to the customer by REDACTED.
14. On careful analysis of all the evidence, I find that the customer is now in the same position as he would have been if correct meter readings were used for invoicing him. Bearing this in mind, I find the compensation applied to the customer's account is fair and reasonable. Considering the above, I find that it has not been proven that the company failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning its charges. Accordingly, this aspect of the customer's claim does not succeed.
15. The company has certain obligations in respect of its customer services. As evidenced by the timeline within the company's response documents, I am satisfied that by the end of the company's dialogue with the customer, the company had adequately justified the reasons behind its charges and why the 90% credit of 69.3m³ was correct.
16. I note the customer's comments that he has telephoned and emailed the company without a reply. Whilst I sympathise with the customer, WATRS is an evidence-based scheme, and without any evidence to the contrary, I find I cannot say with any certainty that the company did ignore the customer. The evidence provided by the company shows that the company was in dialogue with the customer throughout his complaint. Accordingly, I am satisfied there have been no failings concerning customer service.
17. Considering the above, I find the evidence has not proven the company failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning its charges, nor has it shown the company failed to provide services to the standard to be reasonably expected when investigating these issues. Furthermore, I am satisfied there have been no failings regarding customer service.

Outcome

The company needs to take no further action.

What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 1 April 2022 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.



Mark Ledger FCI Arb
Adjudicator