

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-X976

Date of Final Decision: 23 June 2022

Party Details

Customer:

Company:

Complaint

The customer claims the company overcharged him as his consumption does not reflect his household usage between February and August 2021. Furthermore, the company provided poor customer service once his issues were raised. The customer is seeking the company to reduce his outstanding bill by £693.02.

Response

The company says after testing, it found fault with the meter installed at the customer's property which has led to the meter under recording and, therefore, the recorded consumption was less than the actual consumption. The customer's water consumption is less than what it should have been, and as a gesture of goodwill, the company has decided not to adjust its charges back six months as it is entitled to. Furthermore, no leaks have been found on the company's pipework, and it cannot explain why the customer's consumption was higher between February and August 2021 than his previous household usage. The company has not made any offers of settlement.

Findings

I am satisfied the evidence shows the company did not fail to provide its services to the customer to the standard to be reasonably expected regarding its charges. Furthermore, I am satisfied there have been no failings regarding customer service for which the customer has not already been adequately compensated.

Outcome

The company needs to take no further action.

The customer has until 23 July 2022 to accept or reject this decision.

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Case Outline

The customer's complaint is that:

- The company has overcharged him as his consumption does not reflect his household usage between February and August 2021.
- Furthermore, once his issues were raised, the company provided poor customer service.
- The customer is seeking the company to reduce his outstanding bill by £693.02.

The company's response is that:

- After testing, it found fault with the meter installed at the customer's property which has led to the meter to under record and, therefore, the recorded consumption was less than the actual consumption.
- The customer's water consumption is less than what it should have been, and as a gesture of goodwill, the company has decided not to adjust its charges back six months as it is entitled to.
- Furthermore, no leaks have been found on the company's pipework, and it cannot explain why the customer's consumption was higher between February and August 2021 than his previous household usage.

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.

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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 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 customer's consumption reflects his household usage and whether he has been billed correctly.
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. Furthermore, the company also has certain obligations regarding its customer services as set out in the OFWAT Guaranteed Standards Scheme and the company's Customer Guarantee Scheme.
4. Under Section 142 to 143 of the Water Industry Act 1991, the company is permitted to charge for water and wastewater services provided and make a Charges Scheme which essentially fixes charges to be paid for services provided. However, as made clear in WATRS Rule 3.5, "*any matters over which OFWAT has powers to determine an outcome*" cannot be considered by WATRS. The question of whether a company has adhered to Section 142 to 143 of the Water Industry Act 1991 is a matter for OFWAT to determine, and therefore I will make no findings on this matter in this decision.
5. From the evidence put forward by the company, I understand that on 10 August 2021, the company took a meter reading of 3835m³ from the customer's meter and on 11 August 2021, a bill for the period 6 February to 10 August 2021 was sent to the customer.
6. On 19 August 2021, the customer contacted the company to query his charges and advise that his meter would spin erratically at times even when his supply had been isolated. Following this contact, the company organised an engineer to attend the property to conduct a supply investigation. The investigation showed that there were no leaks on the company's pipework, and the meter was recording the customer's consumption.

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7. After the investigation results were fed back to the customer, it was agreed that a new Smart meter would be installed, and the old meter would be removed for testing by accredited weights and measures company to establish whether a fault existed with the meter.
8. On 19 November 2021, the company received the testing certificate from the accredited weights and measures company which showed that the meter was under recording rather than as the customer suggested over recording. The company advised the customer that based on the testing certificate, the company would not be altering its charges. The customer disputed this and requested that the company review his usage now that a new meter was fitted.
9. On 13 January 2022, the company reviewed the consumption rate on the new meter and then contacted the customer to advise that whilst his daily consumption was at the higher end of what the company would expect of a household of four, it was in line with the customer's consumption before the disputed bill, and therefore it would not be adjusting the disputed bill.
10. The customer remained unhappy with the company's response and progressed his complaint to CCWater. As a result of the discussions with CCWater, the company applied £20.00 to the customer's water services account as a goodwill gesture. In addition, a Guaranteed Standards Scheme payment of £20.00 was applied due to a failed call back on 6 January 2022.
11. However, the customer remained unhappy and, on 29 April 2022, commenced the WATRS adjudication process.
12. Regarding the customer's comments that has been overcharged, and the company should reduce his bill by £693.02 the evidence shows that there were no leaks or errors with the company pipework. However, the meter calibration certificate provided by REDACTED shows an error with the customer's meter leading it to be under record at all flow rates.
13. I note the customer's comments that if the meter failed the accuracy test by under-recording, it could have also over-recorded at some stage. However, the evidence shows that whilst a meter might have different levels of accuracy at different flow rates. The testing process takes this into account, so if the meter calibration certificate states that the meter is under-recorded, then it cannot also be over recording simultaneously.

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14. With a meter under recording and no leaks on the company's pipework, I find that the increase in customer consumption is likely due to an issue with the customer's private pipework, additional usage for personal matters or as the higher consumption had been recorded during the later stages of the Coronavirus lockdown when consumption had increased generally for everyone, this also could be a reason for the increase in consumption.
15. Bearing this in mind and the fact that the customer in normal times has higher than average consumption for a four-person property, I find that the company has not failed to provide its services to the standard one would reasonably expect regarding billing. Accordingly, I find the company does not have to reduce the customer's water bill by £693.02.
16. The company has certain obligations in respect of its customer services. From the evidence provided, I am satisfied that the company accepts it provided poor service in this respect. This poor service is explained in the company's response. After careful consideration of all the evidence put forward by both parties, I find the goodwill payment of £20.00 and the Guaranteed Standards Scheme payment of £20.00 is appropriate compensation for the failings regarding the delay in contacting the customer. I also note that the company has agreed not to adjust the customer's charges back six months to consider the meter under recording.
17. In light of the above, I am satisfied the company did not fail to provide its services to the customer to the standard to be reasonably expected concerning the customer's charges. Furthermore, I am satisfied there have been no failings concerning customer service, for which the customer has not already been paid adequate compensation, as the company has provided a good level of service at all other times throughout its dialogue with the customer.

Outcome

The company needs to take no further action.

What happens next?

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- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 23 July 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

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