

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-X070

Date of Final Decision: 9 September 2022

Party Details

Customer:

Customer's Representative:

Company:

Complaint

The customer claims the company overcharged him as his consumption does not reflect his household usage. Furthermore, the company provided poor customer service once his issues were raised. The customer is seeking the company to explain the charges and remove the outstanding balance on his account.

Response

The company says to date it has found no fault with the meter installed at the customer's property; therefore, the recorded consumption was an accurate reflection of the water used. The company is in the progress of having the meter tested by a third party to confirm its accuracy. If found to be accurate, the customer will be liable for any balance on his account. Furthermore, no leaks have been found on the company's pipework, and the company cannot explain why the customer's consumption was higher than his previous usage. The company has not made any offers of settlement.

Preliminary 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.

Preliminary Outcome

The company needs to take no further action.

The customer has until 7 October 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.
- Furthermore, the company provided poor customer service once his issues were raised.
- The customer is seeking the company to explain the charges and remove the outstanding balance on his account.

The company's response is that:

- To date it has found no fault with the meter installed at the customer's property; therefore, the recorded consumption was an accurate reflection of the water used.
- The company is in the progress of having the meter tested by a third party to confirm its accuracy, and if found to be accurate, then the customer will be liable for any balance on his account.
- Furthermore, no leaks have been found on the company's pipework, and the company cannot explain why the customer's consumption was higher than his previous 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 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 26 April 2012, a meter was fitted to the customer's property with serial number REDACTED. The meter readings put forward in evidence show that from 2012 onwards show that, usage at the customer's property has been over the average expected for three occupiers, which would be approximately an average daily usage of 0.44cm³ or what would be expected for a six-occupant property.
6. On 19 August 2021, the company issued a bill to the customer for £1,285.30. On 9 September 2021, the customer's representative contacted the company to query the customer's charges. Following this contact, the company advised that the meter readings were inconsistent with an

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external leak. However, the customer was also informed that he should employ a plumber to check the pipework within the customer's property. I understand that on 27 September 2021, the customer representative contacted the company to advise no issues were found within the customer's property.

7. Following further discussions between the parties, the company organised an engineer to attend the property to conduct a supply investigation. The investigation showed no leaks on the company's pipework, and the meter with serial number REDACTED was recording the customer's consumption.
8. After the investigation results were fed back to the customer, the customer advised that British Gas was to inspect the plumbing within the property. On 30 November 2021, the company contacted the customer's representative to query the visit by British Gas. The customer's representative advised that the meter was challenging to read, and she had thought that the customer had been billed twice. On 8 December 2021, the customer informed the company that British Gas had found no issues with the plumbing within the customer's property.
9. Various discussions took place between 30 December 2021 and 1 April 2022 between the parties concerning whether the meter had been used due to confusion over the serial number, as it was challenging to read, and its face was dirty.
10. It was established by the company that due to information from the customer, the company incorrectly updated its records with the meter serial number from REDACTED to REDACTED, even though the meter readings were correct. Once this had been explained to the customer, the company made various goodwill and Customer Guarantee Scheme payments due to the confusion on the meter serial numbers and delays in the company responding to the customer enquiries.
11. On 4 April 2022, the company advised the customer that based on its investigations, the company would not be altering his charges. 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 offered to send a technician to recheck the meter, which was declined.

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12. However, the company was of the view that to be prudent, it would test the meter in any event at no cost to the customer, and I understand that at the time of this adjudication, the company is still awaiting the result. However, the customer remained unhappy and, on 8 August 2022, commenced the WATRS adjudication process.
13. Regarding the customer's comments that he has been overcharged, the company should waive his bill. The evidence shows no leaks or errors with the company pipework. However, the meter calibration certificate has not been provided, so if there is an error with the meter, it cannot be presently be determined.
14. With no meter errors 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 or additional usage for personal matters. All the meter readings have been in line with one another, and the meter face was cleaned, and this, in turn, has confirmed the meter serial number and readings were correct.
15. Furthermore, the evidence shows that the company has adequately explained why its charges have been determined from the customer's meter readings. Bearing this in mind and the fact that the customer in normal times has higher than average consumption for a three-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.
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.
17. I note that the company has provided details of its REDACTED, REDACTED, Customer Assistance Fund and Smarter Home Visit schemes. Furthermore, the company has made goodwill payments totalling £230.00 and various Guaranteed Standards Scheme payments for delays in contacting the customer.
18. After carefully considering all the evidence put forward by both parties, I find the various goodwill payments and the Guaranteed Standards Scheme payment are appropriate compensation for the failings regarding the delay in contacting the customer and the confusion surrounding the meter serial numbers.

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19. The customer's representative has made various comments on the preliminary decision. Considering the customer's comments, I have clarified some points in this decision. However, having carefully considered each aspect of the comments, I find that they do not change my findings, which remain unaltered from the preliminary decision.

20. 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?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 7 October 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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