

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-X091

Date of Final Decision: 2 September 2022

Party Details

Customer:

Company:

Complaint

The customer claims the company failed to bill him correctly as it had based his bills on a neighbouring meter and once this issue was resolved failed to fully investigate the customer's high consumption. Furthermore, the company placed negative markers on his credit file for a bill that had not been issued. Once the customer raised this issue with the company, it provided poor customer service. The customer is seeking the company to apologise, produce correct bills and pay compensation to reflect the inconvenience and distress caused.

Response

The company says the billing error was due to the customer being billed on a neighbouring property's meter. The error with the billing was found on 10 December 2021, and it adjusted the customer's account immediately. The customer had been undercharged by £420.00, which the company waived, and as an apology, the company apologised and cleared the customer's outstanding balance of £208.44. The company acknowledges there were various failings in customer service, and the customer has been paid £100.00 compensation for such. The company has not made any offers of settlement.

Findings

I am satisfied that, whilst the evidence shows the company did fail to provide its services to the customer to the standard to be reasonably expected concerning the customer's charges, the customer has been adequately compensated. Furthermore, I am satisfied there have been no failings concerning customer service for which the customer has not already been paid adequate compensation.

Outcome

The company needs to take no further action.

The customer has until 30 September 2022 to accept or reject this decision

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Case Outline

The customer's complaint is that:

- The company failed to bill him correctly as it had based his bills on a neighbouring meter and once this issue was resolved failed to fully investigate the customer's high consumption.
- Furthermore, the company placed negative markers on his credit file for a bill that had not been issued.
- Once the customer raised this issue with the company, it provided poor customer service.
- The customer is seeking the company to apologise, produce correct bills and pay compensation to reflect the inconvenience and distress caused.

The company's response is that:

- The billing error was due to the customer being billed on a neighbouring property's meter.
- The error with the billing was found on 10 December 2021, and it immediately adjusted the customer's account.
- The customer had been undercharged by £420.00, which the company waived, and as an apology, the company apologised and cleared the customer's outstanding balance of £208.44.
- The company acknowledges there were various failings in customer service, and the customer has been paid £100.00 compensation for such.

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.

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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.

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 provided poor customer service when it failed to bill the customer correctly and placed negative markers on his credit file for a bill that had not been issued.
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 October 2019, the customer contacted the company to advise of a leak on a meter outside his property that was causing his usage to be high. On 31 October 2019, the company attended to the property and repaired a leak coming from the rubber fitting underneath the meter.

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6. On 14 September 2020, the customer contacted the company, concerned that his bills were still high. The company arranged a meter reading, and on 10 November 2020, arranged a visit to check the customer's supply.
7. On 10 December 2020, whilst checking the customer's supply, the company found that the customer had been billed on the wrong meter (serial number REDACTED), which recorded use at a neighbouring property. The correct meter was serial number REDACTED. The evidence shows that the customer had been undercharged by £420.00 whilst billed on the wrong meter.
8. I understand that the company waived the £420.00 for its failure to charge on the correct meter, and the customer advised that he would not have to pay the undercharge, but future bills would be different as the customer would now be billed on the correct meter. The evidence shows that the customer was unhappy with the company's response, and to resolve the complaint, the company credited the customer's account to clear the remaining balance of £208.44 and sent a written apology.
9. Between January 2021 and October 2021, various discussions occurred between the parties concerning billing on the wrong meter and the customer's high consumption. The evidence shows that the company attended the customer's property on various occasions throughout this period and concluded on each occasion that it had the right meter details for the customer and that there were no leaks.
10. On 22 October 2021, the company contacted the customer explaining that it had put everything right following his original complaint and had since credited their account with a further £50.00 because of the issues experienced. I understand that the company gave the customer the option of having the meter independently tested, however the evidence does not show whether the customer accepted this option.
11. The customer remained unhappy with the company's position and, in December 2021, progressed his complaint to CCWater. As a result of the discussions with CCWater, the company arranged for a further run of hourly readings to be taken, which confirmed the meter details were right and that water was drawn on demand from the supply.
12. On 6 June 2022, the customer complained that late payments had been shared on his credit report when he had not received his latest bill. The evidence shows that the company investigated and

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found that, although the customer's account had been charged, no bill for the latest quarter had been produced and sent to the customer. Following this, the company arranged for the late payments to be removed and credited the customer's account with a further £50.00 by way of an apology. The customer remained unhappy with the company's customer service and, on 19 June 2022, commenced the WATRS adjudication process.

13. Regarding the customer's comments that the company failed to bill him correctly as it had based his bills on a neighbouring meter, the evidence shows that his consumption was higher than his neighbour's daily consumption. On reviewing the actual consumption recorded on the customer's actual meter with serial number REDACTED and from the consumption recorded on the neighbour's meter serial number REDACTED, I find that the company was correct to find an underpayment of £420.00.
14. On careful review of all the evidence, I find that I am satisfied with the company's position that it has undertaken investigations into the cause of the raised consumption and, where appropriate, has acted. Whilst I appreciate the customer's position and the time taken to try to establish the cause of the increased consumption, as shown by the company's response documents, it was found that the raised consumption was not due to the customer being charged on the neighbour's meter with serial number REDACTED.
15. I note that the company has adjusted the customer's account to remove any balance and has not charged the customer for the underpayment. Bearing this in mind and the fact that, due to the refund, the customer has suffered no loss being billed on his neighbour's meter, I find that whilst the company has failed to provide its services to the standard one would reasonably expect regarding billing, the customer has been adequately compensated.
16. Regarding the customer's comments that the company placed negative markers on his credit file for a bill that had not been issued, the evidence shows the company accepts this failure in customer service and has removed the negative credit markers and compensated the customer £50.00. Concerning this aspect of the customer's claim, I find that the company dealt with the customer's concerns efficiently and appropriately, considering the circumstances. Where there were failings in the service provided, I find that the customer has been adequately compensated, and no further sums are due.

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17. The company has certain obligations in respect of its customer services. From the evidence provided, I am satisfied that, by the end of the company's dialogue with the customer, the company had adequately explained the reasons behind its calculation of the customer's charges.

Furthermore, reviewing the various correspondence, I find that the company dealt with the customer's concerns efficiently and appropriately, considering the circumstances. Where there were failings in the service provided, I find that the customer has been adequately compensated, and no further sums are due.

18. The customer has requested an apology from the company. Having carefully considered the various correspondence put forward in evidence, I am satisfied that the company has failed to provide its customer services to the standard expected by the average person. However, as above, I am satisfied the company has sufficiently apologised and offered compensation where appropriate within its dialogue with the customer. Therefore, I find the company is not required to provide a further apology.

19. The customer has made comments on the preliminary decision and having carefully considered each aspect of the customer's 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 that, whilst the company did fail to provide its services to the standard to be reasonably expected concerning the customer's charges, the customer has been adequately compensated. Furthermore, I am satisfied there have been no failings concerning customer service for which the customer has not already been adequately compensated.

Outcome

The company needs to take no further action.

What happens next?

- This adjudication decision is final and cannot be appealed or amended.

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- The customer must reply by 30 September 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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