

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT/X122

Date of Final Decision: 9 October 2022

Party Details

Customer:

Company:

Complaint

The customer says the company has failed to investigate high water consumption at her property. She believes there is a leak and that she should not have to pay her bills which are inaccurate. She seeks an apology for poor service, that the company test for leaks and that the company waive her outstanding bill.

Response

The company says it has checked and found no evidence of any leak at the customer's property and her usage is as expected. The customer's outstanding balance is correct and due.

Findings

The evidence shows the company provided its services to the standard to be reasonably expected.

Outcome

The company does not need to take any action.

The customer must reply by 7 November 2022 to accept or reject this decision

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ADJUDICATOR'S FINAL DECISION

Adjudication Reference: WAT/12X2

Date of Final Decision: 9 October 2022

Case Outline

The customer's complaint is that:

- There was a leak at her meter which the company repaired however she suspected there were further leaks.
- She expected the company to investigate further.
- The company chased her for payment despite telling her she would not have to pay her bills while it investigated.
- It did not apply a leakage allowance and it did not investigate further.
- She seeks an apology for poor service, that the company test for leaks and that the company waive her outstanding bill.
- In comments on the company's response the customer says, in summary: the company has repeatedly failed to address the high consumption, leakage issues, and the fact her meter was broken for three years. She has never had compensation or resolutions to these matters and her complaint has been closed repeatedly over and over again. She recalls speaking to the company and being told her usage was abnormally high and that she should not pay her bills until this was resolved. She has records and notes to support her position but she cannot currently access these due to health issues.
- In comments on a preliminary decision the customer repeated her claim. She added that she had since received information from the company following a Subject Access Request though she had not yet had time to review this. WATRS had allowed her an extension to 7 October 2022 but refused further time.

The company's response is that:

- It has provided a chronology of actions and contact on the customer's account from 2014 to 2022. It has also provided documents in support.

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- It repaired a leak on the customer's pipework in 2014 and applied a leakage allowance at that time.
- In 2019 the customer called the company concerned about high usage. The company tried to book an appointment to visit the customer but despite leaving messages was unable to get through and eventually closed the case.
- In November 2021 it contacted the customer as she had an overdue balance on her account. She said she wanted an appointment to investigate a leak.
- It placed her account on hold until 3 March 2022 when it sent her the outcome of its investigation.
- This explained her consumption was in line with what it would expect. Several times technicians had attended and confirmed there was no movement on the meter, confirming no leaks at the property. The water usage recorded was genuine and the outstanding balance was payable. It applied a goodwill gesture of £50.00 to the customer's account, as it could have provided this written outcome sooner.
- It then continued to chase payment. However, the customer was unhappy with this.
- The current outstanding balance was correct and due.
- It denies the claim.

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.

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How was this decision reached?

1. On review of the customer's detailed comments on the company's response, I accept on balance that she has had many interactions with the company over the years and that these are not all reflected in the records provided by the company. I appreciate the customer's frustration and I acknowledge that she may have some evidence to support her account, however she cannot access this.
2. My role is to review and weigh up the information and evidence available to me and to reach findings on the balance of probabilities. Where it is one person's word against the other or, where the accounts or records of the customer and the company conflict, it is not possible for me to say, even on balance, what has occurred.
3. The company and the customer have very differing accounts of what has happened in this case. The company has provided account records, call notes and correspondence in support of its position. The customer, at this stage, has been unable to provide any supporting documents. The balance is therefore tipped towards the company.
4. The customer believes she has a leak that the company has failed to investigate. However, the company maintains it has carried out checks and found no evidence of a leak. This is supported in part by its written outcome to the customer of 3 March 2022. The limited evidence available does not show the company failed to provide its services to the standard to be reasonably expected, in responding to the customer's concerns of a leak.
5. In the absence of evidence of a leak, the company did not have to apply a leakage allowance. I therefore cannot say the company failed to provide its services to the standard to be reasonably expected in this regard.
6. Once the company decided its bills were correct and due, it was entitled to seek payment as it did. I recognise the customer expected payment to be placed on hold while her complaint was ongoing, however the company was not obliged to take such action. The evidence does not

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show the company failed to provide its services to the standard to be reasonably expected in this regard.

7. I appreciate the customer will be disappointed with this outcome. However, the WATRS scheme rules make clear this is an evidence-based process and customers are expected to provide evidence alongside their claim. The customer may have sought help from family or friends earlier to help her access supporting documents if she wished. That being said, the customer now has the opportunity to provide evidence in response to this preliminary decision and I have discretion to take such evidence into account under WATRS rule 5.5.4.
8. Customers usually have five working days to comment on a preliminary decision. The customer requested an extension in this case due to health reasons and she was given an additional ten working days. The customer then requested a further extension which I refused. This is because the customer had opportunity to gather and present evidence alongside her claim. She had further opportunity in response to the preliminary decision and she was then given more time taking into account her health issues. I considered it neither fair nor reasonable to delay the process further.
9. I acknowledge the customer's comments in response to the preliminary decision, however this does not affect my view of the complaint. This is because the customer has reiterated information already provided.

Outcome

The company does not need to take any action.

What happens next?

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

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- If you do not tell WATRS that you accept or reject the decision, this will be taken to be a rejection of the decision.



J Mensa-Bonsu LLB (Hons) PgDL (BVC)
Adjudicator

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