

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT/X187

Date of Final Decision: 26 October 2022

#### Party Details

Customer:

Company:

#### Complaint

The customer received a letter from the company regarding a blocked drain that he felt was targeted at him specifically and blamed him for the blockage. The letter caused him significant distress and upset. The customer requests compensation (unspecified amount) from the company and a full written apology.

#### Response

The company states on attending a neighbouring property that had reported a sewage escape from a manhole on their grounds, it found a blockage that was caused by a build-up of fat, oils and grease in the sewer restricting the flow. It subsequently sent a letter to all properties connected to that section of the sewer. The letter sent was not aimed at the customer personally as it is a standard letter meant to educate customers about what can and cannot be put into its sewers. In its complaint response, it explained this, apologised to the customer for the way the letter made him feel and agreed that the wording of the letter will be reviewed in light of the customer's complaints. As there were no failures in service, a compensation payment is not warranted. The company did not make any settlement offer.

#### Findings

In the circumstances explained by the company, it was reasonable for it to send the letter in question to properties connected to the section of sewer affected by an issue caused by the build up of fat, oils and grease in the sewer restricting the flow. The company has demonstrated that the letter was not targeted at the customer personally or inappropriately worded. It is clear that it was sent to educate and inform customers about the disposal of unsuitable materials into its sewers. There is no evidence of the company's service

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provided, including when handling the customer's complaint about this issue, not reaching the standard to be reasonably expected.

**Outcome**

The company does not need to take any further action.

The customer must reply by 23 November 2022 to accept or reject this decision

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## Case Outline

### **The customer's complaint is that:**

- The customer complained to the company on 9 July 2022 regarding a letter he received dated 5 July 2022, regarding a blocked sewer.
- The customer feels the letter targeted him specifically and blamed him for the blockage.
- REDACTED.
- The letter sent addressed him as though he was a child stating he should not put oil or food waste down the sink and then stated how he should use the toilet advising to only put "pee, poo or toilet paper" down the toilet.
- He found the letter "shocking" and "disgraceful".
- The customer seeks that the company pay him compensation and provide a full written apology.

### **The company's response is that:**

- It was contacted in May 2022 by a neighbouring property that had an issue with a sewage escape from a manhole on their grounds. When it attended it found the issue was caused by a build-up of fat, oils and grease in the sewer restricting the flow.
- It resolved the issue and issued standard unsuitable materials letters to all properties that connect into that section of the network on 5 July 2022.
- The letter sent is a standard letter sent to any connected properties to a sewer affected by unsuitable materials.
- It has agreed to review the wording of the letter.
- Several apologies have been made to the customer expressing that it did not set out to negatively affect his mental health.
- It has declined to respond to the customer further, regarding the same points, as all queries have been responded to and the sheer volume of contacts received has been deemed as excessive under its Customer Conduct Policy.

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- Regarding the customer's claim for compensation for distress and inconvenience, due to all usual processes being followed, it feels there are no failures in service that warrant any compensation payments.

### **Comments on Preliminary Decision**

- The customer submitted comments reiterating the main points made in the claim.
- The company confirmed it has no further comments.

### **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.

### **How was this decision reached?**

1. The customer's complaint concerns a letter he received from the company regarding a blocked sewer that he felt was targeted at him personally and was worded in a condescending manner.
2. The company states the letter in question was sent following a blockage found on the sewer that the customer's property is connected caused by a build-up of fat, oils and grease. It says the letter was sent to residents of connected properties to inform and advise them in regards to the disposal of unsuitable materials into its sewers. The company has provided a timeline, copies of

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correspondence exchanged with the customer and its Customer Conduct policy document, in support of its stated position.

3. Based on the party's submissions and supporting evidence, it is clear from the customer's communications with the company and the Consumer Council for Water (CCW) that the company's letter dated 15 July 2022 had a negative impact on the customer, causing him significant distress. However, having reviewed the letter I am satisfied that:
  - a. The wording was such that it did not target the customer personally.
  - b. The wording was such that it did not intend to cause the recipient distress or offence.
  - c. The letter was intended to inform and educate customers regarding the consequences of putting unsuitable materials down the toilet or sink.
  - d. The letter was not worded inappropriately.
  
4. Further, having reviewed the correspondence exchanged between the parties following the customer's initial complaint raised on 12 July 2022, I am satisfied that the company handled the customer's complaints and communications in a reasonable manner. This is because the company's responses:
  - a. reasonably sought to explain its position in relation to the points raised by the customer regarding the letter sent.
  - b. Apologised for the way the letter made the customer feel.
  - c. Agreed to review the wording of the letter.
  - d. Issued its responses promptly and in accordance with its own timescales
  - e. Explained its decision to decline to respond the customer's communications if they concerned the same points already responded to and due to it deeming the contacts received from the customer as excessive. This action was in accordance with its Customer Conduct policy.
  
5. Therefore, taking into account my above findings, there is a lack of evidence to establish any instance of the company's service not reaching the standard to be reasonably expected.
  
6. As a consequence, the remedies requested for the company to provide the customer with a further written apology and a compensation payment, have not been justified. The customer's comments

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on the Preliminary Decision does not affect my findings and as such I have made no change to the Final Decision.

#### Outcome

The company does not need to take any further action.

#### What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 23 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.
- If you do not tell WATRS that you accept or reject the decision, this will be taken to be a rejection of the decision.



**A. Jennings-Mitchell**, Ba (Hons), DipLaw, PgDip (Legal Practice)

**Adjudicator**

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