

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-X991

Date of Final Decision: 2 September 2022

#### Party Details

**Customer:**

**Customer Representative:**

**Company:**

#### Complaint

The customer claims the company failed to bill her for her metered charges correctly. Once the customer raised this issue with the company, it provided poor customer service. The customer is seeking the company to produce accurate bills and pay £2,500.00 compensation to reflect the inconvenience and distress caused.

#### Response

The company says it has not billed the customer incorrectly. However, it admits that a refund was sent in error rather than applied directly to the customer's account. The company admits various failings in customer service when dealing with the customer's complaint but says it has provided adequate compensation by cancelling her outstanding charges, apologising, and providing an additional £50.00. 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 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 provided 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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# ADJUDICATOR'S FINAL DECISION

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## Case Outline

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

- The company failed to bill her correctly for her metered charges.
- Once the customer raised this issue with the company, it provided poor customer service.
- The customer is seeking the company to produce accurate bills and pay £2,500.00 compensation to reflect the inconvenience and distress caused.

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

- It has not billed the customer incorrectly. However, it admits that a refund was sent in error rather than being applied directly to the customer's account.
- The company acknowledges there were various failings in customer service when dealing with the customer's complaint but it says it has provided adequate compensation by cancelling her outstanding charges, apologising, and providing an additional £50.00.
- Accordingly, no further sums are due.

## 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.

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

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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 correctly billed the customer and then provided poor customer service once the issue was raised.
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 the customer pays her bills weekly on a payment plan which then sits on the customer's account until a quarterly bill is produced. However, I understand that no quarterly invoices were sent to the customer, only an annual statement.
6. On 4 January 2022, the customer contacted the company to query the account and was advised that her account was in credit. Following this contact, the company sent a cheque of £113.34 to the customer, leaving a zero balance on the account. Shortly after the cheque was sent, the company issued a new quarterly bill for £126.57, putting the customer's account in debit.

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7. Following this new bill being issued, the customer contacted the company to query her bill and ask why the credit had not been applied to her account. The company acknowledges various failings in customer service during the call with the customer, in which the company did not inform the customer correctly how her bill was arrived at and why the credit was not used to offset the new quarterly bill. The company says this was due to an inexperienced staff member and agreed to cancel the outstanding charges of £126.57. I understand the company also credited the customer a further £50.00 for the failure in customer service.
8. The customer was unhappy with the company's position and, in March 2022, progressed her complaint to CCWater, without success. The customer remained dissatisfied with the company's previous compensation and customer service and, in May 2022, commenced the WATRS adjudication process.
9. Regarding the customer's comments that the company failed to bill her correctly, as it should have applied the credit to her new quarterly bill, the company admits that a refund was sent in error rather than being applied directly to the customer's account.
10. 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 error in refunding the credit on the customer's account and, where appropriate, has acted.
11. Whilst I appreciate the customer's position, I note that the company has adjusted the customer's account to remove any balance and paid an additional £50.00. Bearing this in mind and the fact that due to the cancelling of the balance, the customer has suffered no loss due to being refunded the credit on the account, 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.
12. 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

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there were failings in the service provided, I find that the customer has been adequately compensated, and no further sums are due.

13. 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, I am satisfied that 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.

14. 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.
- 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**

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**Adjudicator**

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