

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-X198

Date of Final Decision: 1 November 2022

Party Details

Customer:

Company:

Complaint

The customer claims the company had incorrectly charged her on a Rateable Value basis instead of an Assessed Household Charge. The customer is seeking the Assessed Household Charge to be applied from February 2007, when she moved into the property.

Response

The company says that the Assessed Household Charge is only applicable when an application for a water meter has been made and it is found that it's not possible to fit one. As the customer did not apply for a water meter before 1 June 2021, and in line with its policy, the company should not backdate the Assessed Household Charge. The company further submits that up until 15 September 2021, when it was found that a meter could not be fitted, the customer was correctly billed. Furthermore, the company has provided a good level of service at all times throughout its dialogue with the customer and where there has been a perceived drop in customer service, the company has provided goodwill gestures and Customer Guarantee Scheme payments totalling £160.00. The company has not made any offers of settlement.

Findings

I am satisfied the evidence points to the fact the company did not fail to provide its services to the customer to the standard to be reasonably expected regarding billing for the period February 2007 to September 2021 and the Assessed Household Charge. 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 does not need to take any further action.

The customer has until 29 November 2022 to accept or reject this decision.

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

ADJUDICATOR'S FINAL DECISION

Adjudication Reference: WAT-X198

Date of Final Decision: 1 November 2022

Case Outline

The customer's complaint is that:

- The company had incorrectly charged her on a Rateable Value basis instead of an Assessed Household Charge.
- The customer is seeking the Assessed Household Charge to be applied from February 2007, when she moved into the property.

The company's response is that:

- The Assessed Household Charge is only applicable when an application for a water meter has been made and it is found that it's not possible to fit one.
- As the customer did not apply for a water meter before 1 June 2021, and in line with its policy, the company should not backdate the Assessed Household Charge.
- The company further submits that up until 15 September 2021, when it was found that a meter could not be fitted, the customer was correctly billed.
- Where there have been failings with the customer's account, the customer has been adequately compensated.

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.

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

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 around whether the company should charge the customer on an Assessed Household Charge basis rather than a Rateable Value basis before she requested that a water meter be installed.
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. The company also has certain obligations regarding its customer services as set out in OFWAT Guaranteed Standards Scheme and its own Customer Guarantee Scheme (CGS).
4. The evidence shows that the customer has been billed at the same address since February 2007, and until 1 June 2021, the customer had raised no issues with being billed on a Rateable Value basis or applied for a water meter.
5. On 1 June 2021, the customer registered for the company's online account management and applied for a water meter under the company's Optional metering Scheme. On 3 June, a work order was raised so that the company could undertake a meter survey of the property. The company says that due to the customer's absence, a meter survey could not take place until 15 September 2021. However, the customer disputes this and says the reason for the delay was that the company had incorrectly closed her request for a meter survey.
6. I understand that the company undertook a meter survey on 15 September 2021 and found that a meter could not be installed at the property. Following this, the customer's tariff was changed to the Assessed Household Charge basis rather than the Rateable Value basis from 15 September 2021.

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

7. Further correspondence occurred between the parties from 15 September 2021 to 8 March 2022 concerning the Assessed Household Charge date and the previous 14 years billed on a Rateable Value basis. However, the customer remained unhappy as she believed that the Assessed Household Charge should be backdated to February 2007 and progressed the dispute to CCWater to resolve. I understand that further sums were credited to the customer's account for errors in customer service during this period. However, CCWater could not resolve the dispute to the customer's satisfaction, and on 4 April 2022, the customer commenced the WATRS adjudication process.
8. As to whether the company correctly charged the customer on its single occupier Assessed Household Charge, from the evidence put forward by the company, the Assessed Household Charge is only applied after a request for a meter has been made, and the company is unable to either install the meter or use the meter for recording consumption at the property in question.
9. The evidence shows in this instance, the company was unable to use a meter for recording consumption at the property. Therefore, the company was correct in applying the Assessed Household Charge at the customer's property from 5 September 2021, the date of the meter survey.
10. Regarding whether the previous rate charges from February 2007 to September 2021 were correct, the evidence shows the customer was billed on a Rateable Value. The Rateable Value is based on the value of the customer's property, location, and proximity to local amenities. It was set in the 1970s by an independent District Valuer and the Local Authority. The Rateable Value system does not consider whether the property has single occupancy, and the company offers no single-person reduction. The company has two tariff systems in place, either the Rateable Value or by a meter, and the evidence shows until June 2021, there was no request by the customer for a meter to be installed. Therefore, I find the customer has been billed the correct Rateable Value tariff up until September 2021.
11. In light of the above and after a careful review of all the evidence, I find the company has not failed to provide its services to the standard one would reasonably expect concerning billing on Rateable Value. The customer has suffered no loss or detriment; as soon as it was requested and then found that a water meter could not be installed, the customer was moved to the Assessed

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

Household Charge. Accordingly, I find the company does not have to backdate its Assessed Household Charge to February 2007.

12. The company has certain obligations in respect of its customer services. From the evidence provided, such as the timeline set out in the company's defence, I am satisfied that by the end of the company's dialogue with the customer, the company had adequately explained the reasons behind the Rateable Value Charge, the Assessed Household Charge and how both are applied. Furthermore, why would it not backdate the charge to February 2007
13. However, on reviewing the company response and CCWater documentation, I note there were some delays in responding to the customer on multiple occasions and other customer service failures. The company admits these failures, and I note that the company has made payments totalling £160.00 for these customer service failures. Considering this, I find that the sum of £160.00 already paid adequately compensates the customer for any failures in customer service and the inconvenience and distress incurred.
14. The customer and company has made minor comments on the preliminary decision and having carefully considered each aspect of both sets of comments, I find that they do not change my findings, which remain unaltered from the preliminary decision.
15. Considering the above, I find the evidence does not prove the company failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning the Rateable Value Charge, the Assessed Household Charge and its charges from 2007 to 2021. Regarding customer service, I am satisfied the £160.00 paid to the customer is adequate to cover the various failings of customer service.

Outcome

The company needs to take no further action.

What happens next?

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 29 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.



Mark Ledger FCI Arb
Adjudicator

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.