

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-X204

Date of Final Decision: 24 November 2022

Party Details

Customer:

Company:

Complaint

The customer claims the company incorrectly charged her as its bills were consistently incorrect. Once these issues had been raised with the company, she endured poor customer service through her dialogue with the company. The customer is seeking the company to apologise, ensure that her bills are accurate and correct, and pay compensation for the inconvenience and distress incurred.

Response

The company says that the customer's charges relate to a district heating system, not a water supply. The electricity used to heat the water in this system is supplied through a private network which sets the charges, and the company are not the owner or the party responsible for the upkeep of the system. The company is purely a billing agent on the owner's behalf. However, the company has made a Guarantee Standards Scheme payment for a delayed response to the customer's complaint and £60.00 compensation for any poor customer service received. The company has not made any offers of settlement.

Findings

I am satisfied the company did not fail to provide its services to the customer to the standard to be reasonably expected concerning billing. Furthermore, I am satisfied there have been no failings regarding customer service for which the customer has not already been adequately compensated.

Outcome

The company needs to take no further action.

The customer has until 15 December 2022 to accept or reject this decision.

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Case Outline

The customer's complaint is that:

- The company incorrectly charged her as its bills were consistently incorrect.
- Once these issues had been raised with the company, she endured poor customer service through her dialogue with the company.
- The customer is seeking the company to apologise, ensure that her bills are accurate and correct, and pay compensation for the inconvenience and distress incurred.

The company's response is that:

- The customer's charges relate to a district heating system, not a water supply.
- The electricity used to heat the water in this system is supplied through a private network which sets the charges, and the company are not the owner or the party responsible for the upkeep of the system.
- The company is purely a billing agent on the owner's behalf.
- However, the company has made a Guarantee Standards Scheme payment for a delayed response to the customer's complaint and £60.00 compensation for any poor customer service received.
- The company has not made any offers of settlement.

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 should pay compensation for alleged errors in its billing and customer service.
2. I note the company's objection on the basis that customer's charges relate to a district heating system, not a water supply. However, I find that the alleged billing errors and customer service is within scope.
3. The company must meet the standards set out in OFWAT's Charges Scheme Rules and the Water Industry Act 1991.
4. The company also has certain obligations regarding its customer services as set out in OFWAT's Guaranteed Standards Scheme and its own Guarantee Standards Scheme (GSS).
5. Since April 2017, a non-household customer only has a relationship with the company, not the wholesaler. Therefore, if a non-household customer has an issue with their water supply or sewerage services, they must approach the company, which is responsible for chasing the wholesaler and trying to resolve the matter. Accordingly, all parties must bear in mind that I cannot find the company liable for something that only the wholesaler is responsible for within this decision.
6. From the evidence put forward by the customer and the company, I understand that the customer has a meter fitted to her property which tracks the property's hot water usage. The meter and the property hot water supply are owned by a third party for which the company bills on its behalf. The company produces monthly bills based on the data automatically transmitted from the hot water meter. Where the company has not received an actual reading, the company bases its charges

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on an estimated reading and then the customer's charges are adjusted once an actual reading is received.

7. The evidence shows that the customer contacted the company to query her hot water charges since January 2022 as she felt that her direct debits were not being accounted for on her account. Furthermore, her charges did not reflect her hot water usage and property size.
8. The company responded and advised the customer that most of its charges were based on actual readings and that all the customer's payments had been correctly allocated to the customer's account. It admitted that there was an error in its July 2022 bill, where it stated that the bill was based on actual reading, but in fact, it was based on an estimated reading. The July 2022 bill was adjusted in August 2022 once an actual reading became available. Concerning the customer's comments that her charges did not reflect her hot water usage and the size of her property, the company believed that it was not something it could comment on. The charges are based on the hot water meter, which only tracks the customer's consumption. Furthermore, as electricity rates in the current market are very volatile, this will affect the customer's monthly charges.
9. Concerning whether the customer has been correctly billed, the evidence shows that the customer was billed on the actual information received from her hot water meter. Where the information was available, the customer was billed on an estimated reading and then adjusted once the actual reading became available. I note the customer's July 2022 bill was incorrectly stated to be based on an actual reading. However, it was for a lower amount than the true actual reading, which the company received in August 2022. The evidence shows that on receiving the actual reading, the company immediately adjusted and reissued the July 2022 bill. Therefore, in my view, there was no loss to the customer due to this error.
10. I note the customer's comments that her charges do not reflect her hot water usage and the size of her property compared to her neighbours. However, each customer's consumption and circumstances are different, and the company can only base its charges on the hot water meter's readings. On reviewing the available evidence, there is no indication that the hot water meter is faulty, and even if it were, this would be the responsibility of the third-party owner, not the company.

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11. Considering the above, I find that it has not been proven that the company failed to provide its services to the standard to be reasonably expected by the average person concerning the customer's account and billing.
12. The company has certain obligations in respect of its customer services. As evidenced by the timeline within the company's response documents, I am satisfied that by the end of the company's dialogue with the customer, the company had adequately explained the reasons behind why its charges were correct and payable.
13. However, I note the delayed response to the customer's complaint, the confusion surrounding the allocation of the customer's direct debits and the estimated charges, as shown by the CCWater documentation put forward in evidence. On a careful review of the evidence and considering the length of time this dispute has been ongoing, I am satisfied that this failure falls within Tier 1 of the WATRS Guide to Compensation for Inconvenience and Distress. However, I note that the company has made a Guarantee Standards Scheme payment for a delayed response to the customer's complaint and £60.00 compensation for any poor customer service received, which in my view adequately compensates the customer for any failings in customer service.
14. The customer has made various comments on the preliminary decision concerning customer service and the hot water charges. 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.
15. Considering the above, I find the customer has not proven the company failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning the customer's account and its billing, nor has the customer proved the company failed to provide services to the standard to be reasonably expected when investigating these issues. Furthermore, I am satisfied there have been no failings regarding customer service for which the customer has not already been adequately compensated.

Outcome

The company needs to take no further action.

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What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 15 December 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



Mark Ledger FCI Arb
Adjudicator

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