

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-X269

Date of Final Decision: 6 January 2023

Party Details

Customer: The Customer

Company: The Company

Complaint

The company has billed the customer incorrectly and provided very poor customer service during the complaints process. During a telephone call on 23 August 2022, the company's employee was very rude to the customer and she was very upset. The company sent the customer a letter of apology and offered her £20.00 as a gesture of goodwill; however, she is still waiting for an accurate bill and feels that the gesture of goodwill offered is inadequate. In view of this, the customer would like the company to cancel her bill.

Response

The company has not provided a response to the customer's claim. However, from the documents provided by CCW it is clear that the company believes that it has billed the customer correctly and the balance on the customer's account is correct and payable. The evidence also shows that the company sent the customer a written apology following the telephone call on 23 August 2022 and has offered her a £20.00 gesture of goodwill, but it denies responsibility to compensate the customer further by removing the balance on her account.

The company has not made an offer of settlement.

Findings

The evidence shows that, on the balance of probabilities, the charges applied to the customer's account are correct and payable. However, the customer has not received the revised bill promised by the company, so I direct the company to send the customer a copy by post. The evidence shows that the customer service provided by the company failed to meet the standard expected by the average person during the telephone call on 23 August 2022. I cannot direct the company to cancel the customer's bill, but I direct the company to pay the

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customer £50.00 in compensation for the distress she suffered as a result of the company's failing.

Outcome

I direct the company to send the customer a copy of her bill by post, and pay her £50.00 in compensation for distress and inconvenience.

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Case Outline

The customer's complaint is that:

- She is unhappy with the bills she has received from the company and has been trying to sort the problem out for the last eighteen months.
- The company then issued a bill using an incorrect meter reading provided by **XXX** in January 2022. The company promised to send her a correct bill, but she has not received one.
- The customer is also unhappy with the customer service she received from the company during the complaints process; she has been given conflicting information about her account, and the customer service representative she spoke to on 23 August 2022 was so rude she was left in tears.
- The company listened to the telephone call and accepted that the customer service representative had been rude to her, so it sent her an apology letter and has offered her £20.00 as a gesture of goodwill.
- However, in view of the upset she has suffered, she would also like the company to cancel her bill.

The company's response is that:

- The company has not provided a response to the customer's claim, but the evidence provided by CCW demonstrates that the company has provided water services to the customer's property since 2019, but it was in dispute about this with **XXX**.
- The dispute was resolved in July 2022, and an agreement was reached for the company to bill the customer for services provided from January 2022. The company then issued the customer with two quarterly bills; the first for services provided in the period from January 2022 to March 2022, and the second for services provided in the period from April 2022 to June 2022.
- The customer disputed the meter reads on the bills, so the company updated them and revised the bills; however, not all the revised bills were sent.
- The company said it would reissue the bills again, and reassured the customer that the charges on her account were correct.

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- The company reviewed the recording of the telephone call of 23 August 2022 and said that the customer service representative was from a third party company that handles overflow calls on the company's behalf. The company explained to the customer that it was unhappy with the way she was spoken to, and said that it would provide more training so that the incident was not repeated.
- The company apologised but the customer requested a written apology and this was sent on 2 September 2022.
- The company also offered the customer £20.00 as a gesture of goodwill but the customer asked the company to waive her bill instead. The company declined to do this on the basis that it had already sufficiently apologised and the £20.00 offered was adequate.

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 says that the first two quarterly bills the company sent her were incorrect and she has not received an accurate bill from the company following her complaint. The customer also wants the company to waive her bill by way of an apology for the poor customer service she received during the telephone call with the company on 23 August 2022.

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2. In order to direct the company to cancel the charges on the customer's account, I must find on the balance of probabilities that the company has failed to provide its service to the standard reasonably expected by the average person by billing the customer incorrectly. I cannot direct the company to cancel the customer's bill as a remedy for causing her upset as the appropriate remedy for such matters is a compensatory award in accordance with the WATRS Guide to Inconvenience and Distress.
3. However, having considered the comments made by the customer in her application form, I find it reasonable to interpret the customer's claim as being for compensation, in the amount of her outstanding charges, for the distress and inconvenience she has suffered as a result of the company's poor customer service.
4. It is not clear to me whether or not the customer still believes that the charges on her account are incorrect. In view of this, I will review the evidence to establish whether the company has failed to meet the expected standards of service by applying charges to the customer's account that are not correct and payable, I will then determine whether the evidence shows that the company has sent the customer an accurate bill, and I will then consider whether the customer service provided by the company during the telephone call on 23 August 2022 met the expected standards or service. If I find any failings on the company's behalf, I will then consider whether the company should provide a remedy to the customer.
5. The evidence shows that the customer's bill was revised after she complained that the meter reading provided to the company by her former water supplier was incorrect. Having reviewed the evidence provided by **XXX**, I do not find anything to suggest that the company has used inaccurate meter readings to produce the revised bills, and the customer has not provided any other evidence to show that it has. Therefore, on the balance of probabilities, I find the charges on the customer's account are correct and payable.
6. The evidence demonstrates that on 24 August 2022, the company told **XXX** that it would re-issue the customer's revised bill and it would take approximately five working days to reach her. On 22 November 2022, the customer added a note to the WATRS database saying that she had still not received the revised bill. On the balance of probabilities and in the absence of evidence from the company to show that the revised bill was sent, I accept that the company has failed to meet the expected standard of service in this regard. Therefore, I direct the

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company to send the customer a copy of her revised bill, and I remind the company that the customer has asked for all communications to be sent by post, not email.

7. The evidence shows that the customer was very upset following a telephone call with the company on 23 August 2022, and the company listened to the telephone call recording and said it was unhappy with the way the customer had been spoken to. The company then sent the customer a letter of apology and offered her £20.00 as a gesture of goodwill. In view of this, I accept that the customer service provided to the customer during the telephone call did not meet the expected standards of service.
8. The company has not responded to the customer's claim and, therefore, I have not been provided with a transcript of the telephone call, but after considering the level of upset the customer suffered as a result of the company's failing, I have consulted the WATRS Guide to Compensation for Inconvenience and Distress to see whether the £20.00 offered by the company is adequate in the circumstances. After reviewing this document, I find a middle range Tier 1 compensatory payment is appropriate and, therefore, the amount offered by the company is not enough and I direct the company to pay the customer £50.00. I understand that this is not as much as the customer hoped for and she may be disappointed; however, I am satisfied that it is a fair amount of compensation for the company to pay in the circumstances.
9. Following the preliminary decision, the parties made some comments. The customer said that she was generally happy with the decision, but is concerned that there will be an on-going issue with her bills in the future. The company said that it posted a bill to the customer and believes she has received it as she has made contact to question why it is based on estimated reads. The company says that the estimates used were based on an average daily consumption calculated by using two actual reads provided by **XXX**, however, where possible, it will use actual reads to bill the customer in the future. I accept that a water company is entitled to use estimated readings to bill customers at times and, as above, I find the reads provided by **XXX** are most likely accurate; therefore, I find no failing on the company's behalf in this respect. Furthermore, I hope that the customer will be reassured by the company's commitment to use actual readings whenever possible to bill her in the future. I thank the parties for their comments, but find no need to change my decision.

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Outcome

I direct the company to send the customer a copy of her bill by post, and pay her £50.00 in compensation for distress and inconvenience.

What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 20 January 2023 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.

K S Wilks

Katharine Wilks

Adjudicator

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