

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-X327

Date of Final Decision: 27 January 2023

Party Details

Customer: The Customer

Company: The Company

Complaint

The customer claims that the company accused her of excess water consumption. The customer is seeking the company to apologise and provide an explicit acknowledgement that the company was at fault for sending her correspondence accusing her personally of excess water consumption.

Response

The company has contacted several customers, including the customer, to advise of usage awareness. The correspondence was sent as an awareness piece and has not had any financial impact on the customer. The company has apologised several times and feels no further apology is required. The company has not made any offers of settlement.

Findings

I am satisfied that the company did not fail to provide its services to the customer to the standard to be reasonably expected by the average person concerning making the customer aware of water usage.

Outcome

The company needs to take no further action.

The customer has until 24 February 2023 to accept or reject this decision.

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Case Outline

The customer's complaint is that:

- The company accused her of excess water consumption.
- The customer is seeking the company to apologise and provide an explicit acknowledgement that the company was at fault for sending her correspondence accusing her of excess water consumption.

The company's response is that:

- The company has contacted several customers, including the customer, to advise of usage awareness.
- The correspondence was sent as an awareness piece and has not had any financial impact on the customer.
- The company has apologised several times and feels no further apology is required.

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 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.

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How was this decision reached?

1. This dispute centres on whether the company has failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning an awareness email sent to the customer.
2. The company is required to meet the standards set out in the Water Industry Act 1991 and the Water Supply and Sewerage Services (Customer Service Standards) Regulations 2008.
3. From the evidence put forward by the customer and the company, I understand that on 16 September 2022, the company emailed the customer with a usage awareness email advising the customer that she was using more water than her neighbours and providing advice on how to reduce water usage.
4. On 20 September 2022, the customer contacted the company saying that as her neighbours had children and water stock, she was surprised that she was using more water than them. I understand that she asked for the data on which the company's email was based. The company advised her that the email was generic and purely a usage awareness email. The customer was unhappy with the company's response as she believed that as the email was addressed to her, it was personal and not generic.
5. Between 23 September 2022 and 10 October 2022, various correspondence occurred between the parties on whether the email was personal or generic. The company believed that the correspondence was sent as an awareness piece. However, it apologised for any distress caused by the correspondence. However, the customer disputed this as she believed that the correspondence accused her of using more water than her nearest neighbour without giving or having any evidence to base this allegation.
6. The customer remained unhappy with the company's responses and escalated the dispute to CCWater on 19 October 2022 to resolve it without success. On 9 December 2022, the customer commenced the WATRS adjudication process.
7. I note the customer's comments that the correspondence accused her of using more water than her nearest neighbour without giving or indeed having any evidence. Whilst I sympathise with the

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customer, on reviewing the correspondence, I find that whilst it is addressed to the customer, it is clearly an awareness email.

8. The company says that water usage is monitored at a District Metered Area level, where a district is defined by postcodes. The evidence shows that the number of postcodes included in each area will depend on several factors, including where the company's supply pipes are, the number of properties and the level of demand in the area. This may mean that rural locations may include more postcodes than inner city areas. Usually, a District Metered Area consists of 1000 to 1500 properties.
9. The company then tracks water usage at the district metered area by looking at flow data both on its supply pipes and individual customer meters. This data shows the company how much water is being used in various places, which can help the company to quickly identify any problems on the company's network but also shows if water usage is high in certain areas. This then allows the company to provide its customers with some advice and tips on how to quickly reduce their water usage.
10. The evidence shows that the email sent to the customer was such an awareness email and generic to the customer's District Metered Area. Considering the above, I find the evidence does not show that the company failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning the awareness email sent to the customer.
11. 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 and data behind the awareness email sent to the customer. I note that the company has apologised on several occasions throughout its dialogue with the customer, and having carefully considered the various correspondence put forward in evidence, I am satisfied the company has sufficiently apologised where appropriate within its dialogue with the customer. Therefore, I find the company is not required to provide a further apology.
12. The customer has made comments on the preliminary decision and 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.

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13. Considering the above, I find the evidence does not show that the company failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning the awareness email sent to the customer.

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 24 February 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.



Mark Ledger FCI Arb
Adjudicator

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