

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT/X673 Date

of Final Decision: 12 September 2023

#### Party Details

**Customer:** The customer

**Company:** The Company

#### Complaint

The customer says the company has unfairly refused to accept a £15.00 per month payment plan. She wants the company to confirm it has agreed a £15.00 per month payment plan, stop debt collection action and apologise for its delay in taking these steps.

#### Response

It cannot accept the plan as this would result in the debt increasing over time. It denies the claim.

#### Findings

The evidence shows the company provided its services to the standard to be reasonably expected.

#### Outcome

The company does not need to take any action.

The customer must reply by 10 October 2023 to accept or reject this decision.

# ADJUDICATOR'S FINAL DECISION

Adjudication Reference: WAT/X673

Date of Final Decision: 12 September 2023

## Case Outline

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

- She wants to set up a payment plan at £15.00 per month as this is all she can afford.
- However, the company has refused to accept this and has chased payment of her debt.
- She wants the company to confirm it has agreed a £15.00 per month payment plan, stop debt collection action and apologise for its delay in taking these steps.
- The customer has not commented on the company's response.
- The customer did not comment on a preliminary decision.

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

- The customer is already on a tariff which reduces her bills by 45%.
- She completed a Financial Assistance form from which it determined that she was not eligible for any further assistance.
- The outstanding balance of £1,185.08 on the customer's account has been accruing since 2016.
- A payment plan of £15.00 per month would not cover future bills, nor would it clear the outstanding balance, and would result in the customer's debt increasing each time a new bill is issued.
- It has enclosed records of contact with the customer showing all contact and attempted contact to discuss her payments. It has also enclosed correspondence to show it followed its policy in seeking payment of an outstanding debt.
- It denies the claim.

## 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. It is up to the company whether or not to accept a payment plan offered by the customer.
2. The company has provided correspondence that shows it clearly explained to the customer why it could not accept the £15.00 per month she offered. It has repeated these reasons in its response to the customer's claim. This evidences that it provided its services to the standard to be reasonably expected.
3. The company has provided records that show it engaged with the customer, ensured she was on the best value tariff and checked if she was eligible for any other financial assistance from it. This evidences it provided its services to the standard to be reasonably expected.
4. The company is entitled to take debt collection action in line with its published policy, as it did. I am satisfied it provided its services to the standard to be reasonably expected.
5. I recognise the customer feels the situation is unfair and that she is struggling to pay her bills. However, it is not reasonable to expect the company to waive its policies and procedures. The customer may wish to seek free financial advice from an independent third party such as Citizens Advice.

#### **Outcome**

The claim does not succeed.

The company does not need to take any action.

[www.WATRS.org](http://www.WATRS.org) | [applications@watrs.org](mailto:applications@watrs.org)

### What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 10 October 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.



J Mensa-Bonsu LLB (Hons) PgDL (BVC)  
**Adjudicator**