

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ 0564

Date of Decision: 25 August 2017

#### Complaint

The customer submits that he noticed several damaged valve covers (for the company's apparatus) on a public road and reported this to the company because he believed that this may pose a danger to the public. However, the company did not handle this issue satisfactorily and it took significant effort on his part to have the matter resolved. The company has accepted liability for this oversight. The customer is therefore seeking an apology and for the company to provide a better service.

#### Defence

The company accepts that it did not deal with this issue satisfactorily and took time to resolve the matter. It has therefore offered the customer several apologies and £50.00 in recognition of the inconvenience experienced. The company accepts that it can also offer the customer a further written apology.

#### Findings

As the company accepts that it did not deal with the customer's complaint satisfactorily and took time to resolve the issue, I am satisfied that the company failed to provide its services to the standard that one would reasonably expect. I therefore find it fair and reasonable to direct that the company provides the customer with a written apology and that it shall take all reasonable steps to endeavour to provide a better service in future in relation issues of this nature.

#### Outcome

The company shall provide the customer a written apology and take all reasonable steps to endeavour to provide a better service in future in relation to issues of this nature.

The customer must reply by 26 September 2017 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 DECISION

Adjudication Reference: WAT/ /0564

Date of Decision: 25 August 2017

## Party Details

Customer: ██████████

Company: ██████████

## Case Outline

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

- He noticed several damaged valve boxes on a public road which related to the company's apparatus.
- He contacted the company to have these replaced as he believed that they posed a danger to the public. However, the company did not respond within a reasonable timeframe and it took significant effort on his part to have the company eventually resolve the issue.
- The company accepts that it did not handle the customer's complaint as well as it should have and has apologised and offered £50.00 as a gesture of goodwill for the inconvenience that the customer experienced.
- The customer is now seeking an apology and for the company to provide a better service.

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

- The customer contacted it about damaged valve covers for its apparatus on a public road. These were not located near the customer's property but he stated that he was concerned for public safety.
- The company accepts the customer's assertion that it did not handle this issue to the best of its ability and it took some time to fully resolve the matter.
- The company submits that it has provided several apologies to the customer for its failings and is happy to provide a further apology as requested. It has also provided the customer with £50.00 as a gesture of goodwill for any inconvenience experienced by the customer.

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## 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.

If the evidence provided by the parties does not prove both of these issues, the company will not be directed to do anything.

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 crux of this dispute lies with the customer's assertion that the company failed to provide its services to a reasonable standard with regards to responding to a complaint about damaged valve covers for the company's apparatus on a public road.
2. I note that the company does not dispute the customer's assertions and accepts that it did not respond to the customer's complaints to the best of its ability. Accordingly, in light of the company's acceptance of liability, I am satisfied that the company's service did fall below the standard to be reasonably expected by the average person in this instance.
3. I am mindful that the customer has requested an apology and that the company provides a better service. Upon review of all the evidence provided by the parties, I note that the company has provided several apologies in its correspondence with the customer. However, it accepts that it can offer a further written apology to the customer as requested. Consequently, I find it fair and reasonable to direct that the company provides the customer with a further written apology as requested.

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4. Furthermore, taking into account the company's acceptance of liability for this matter and its affirmation that it should have handled the issue better, I am also satisfied that it is fair and reasonable to direct that the company takes all reasonable steps to endeavour to provide a better service in future in relation issues of this nature.
5. Consequently, I am satisfied that the company has failed to provide its services to the customer to the standard to be reasonably expected by the average person and I direct that the company shall provide the customer with a written apology and that it shall take all reasonable steps to endeavour to provide a better service in future in relation issues of this nature.

#### **Outcome**

The company shall provide the customer with a written apology and take all reasonable steps to endeavour to provide a better service in future in relation issues of this nature.

#### **What happens next?**

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 26 September 2017 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.



**E. Higashi** LLB (Hons), PGDip (LPC), MCI Arb.

**Adjudicator**

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