

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /0766

Date of Decision: 22 October 2018

#### Complaint

The customers say the company provided poor customer service. They want the company to explain why the service failures occurred; explain why the process was not explained to them and; inform them of the changes it has made to its customer service. They would also like the chance to present their experience to senior executives in the company.

#### Defence

The company states it has already addressed the customers' concerns, provided apologies, explanations and a goodwill gesture. It has also offered the customers a meeting with a senior executive. It therefore disputes the customers' application.

#### Findings

The company provided a poor level of customer service however; it has already provided suitable remedies for this.

#### Outcome

The company does not need to take any further action.

The customers must reply by 19 November 2018 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.*



- It cannot find any evidence that shows the customers asked about the process but this information would have been given if requested.
- It cannot say if changes will be made specifically as a result of the customers' experience.
- It has offered a meeting with managers but the customers have not taken up this offer.

### 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 company explains that a third party employed a private contractor to clear out a blockage in a sewer that served a number of properties, including the customers. However, the contractor's equipment became stuck in the sewer. The customers then reported a blockage to the company.
2. The company has provided a timeline of its actions from the date the blockage was reported on 15 October 2016 to date this was rectified on 14 December 2016.
3. The company has also provided an outline of its contacts with the customers. This shows the customers were unhappy with the time taken by the company to rectify the sewer and they wanted assurances the situation would not recur in the future.

***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.***

4. The company has provided correspondence which shows it apologised to the customers for the time taken, explained what went wrong, outlined the steps it would take to prevent recurrence and gave a goodwill gesture of approximately £800. The correspondence shows the customers were satisfied with this.
5. The company had agreed to carry out a survey of the sewer in July 2017 to ensure it was working properly. The company experienced some issues, though this was completed on 14 August 2017. The company has provided evidence that it then apologised to the customers, explained what went wrong, outlined how lessons would be learned and made goodwill payments totalling £110 for the further service failings.
6. The CCWater documents provided show the customers were very unhappy with the service received from the company and wanted it to be held accountable in some way. The customers recognised they had no current dispute with the company but were told WATRS would review the customer service provided.
7. I have considered all the information and evidence provided. The company accepts there were service failings including; delays in rectifying the sewer, missed appointments and poor communications with the customers. It has already provided remedies to the customers, by way of apologies, explanations and payments. However, I will consider whether any further remedy is due.
8. In relation to the customers' claim for an explanation for the service failures, I find the company has already provided explanations to the customers. It outlined the actions it took to rectify the sewer and gave reasons for the delays. It also outlined the actions it took to complete a survey of the sewer and gave reasons as to why it experienced difficulties. I am also mindful the company has provided a full explanation in its defence. And, the customers have not raised any queries following this. I am therefore satisfied that no further explanation is due and the customers' claim for such is unable to succeed.
9. As to the customers' claim for an explanation as to why the process was not explained to them, it is not clear to which process the customers refer. The correspondence evidence provided shows the company provided explanations when asked. This included an explanation of the

*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.*

process for rectifying the sewer and an explanation of the process for carrying out a survey. I therefore find no further explanation is due and the customers' claim for such is unable to succeed.

10. The customers seek the company inform them of the changes it has made to its customer service. However, the company has confirmed within its defence that it has not made specific changes in response to the customers' experience. I therefore find the company cannot provide the information sought and so this claim is unable to succeed.

11. It is not within my remit to direct the company to meet with the customers and therefore the customers' claim for such is unable to succeed. However, I note the company offered a meeting between management and the customers, though this offer was not taken up.

12. It is clear the customers experienced a poor service from the company. However, the company has evidenced that it provided apologies, explanations and payments to redress this. Having reviewed all the information provided I find no further remedy is due.

#### **Outcome**

The company does not need to take any further action.

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

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 19 November 2018 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.

*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.*



---

**Justine Mensa-Bonsu, LLB (Hons), PGDL (BVC)**

**Adjudicator**

*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.*