

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /0847

Date of Decision: 10 August 2018

#### Complaint

The customer states that the company does not provide sufficient information on his bill to allow him to ensure the accuracy of the company's billing. He seeks to be provided with a comprehensive, detailed and correct bill, as he used to receive when he was a customer of [ ] Water.

#### Defence

The company argues that it cannot provide the information the customer seeks, as it relates to the water usage of another customer, but that it plans to be able to provide this information in the future. No offer of settlement has been made.

#### Findings

The company has failed to provide to the customer a clear and understandable explanation of its position, but is not obligated to include on the customer's bill the information he seeks.

#### Outcome

The company needs to take the following further action: It must apologise to the customer for failing to provide a clear and consistent response to the customer's complaint.

The customer must reply by 10 September 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.*



### **The customer comments on the company's response that:**

- It is unreasonable of the company to provide no timescale within which it plans to commence supplying information that had previously been supplied by [ ] Water.
- The sub-meter is publicly accessible, and so the reading on the sub-meter cannot be protected private information.
- His neighbour has never objected to him receiving information on his water usage, but is unwilling to sign a Letter of Authority.

### **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 states that since the company took over his account, he is no longer provided with the information he requires to confirm that he is being billed accurately. This is because the customer is billed on the basis of the reading from a master water-meter, from which must be deducted the reading on a sub-meter that records the water usage of a neighbour. When the customer was billed by [ ] Water, he was provided with the reading of the sub-meter, but the company does not provide this information.

***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.***

2. The company argues both that it cannot supply information on the sub-meter without the consent of the customer's neighbour, which the customer has been unable to secure, and that it will nonetheless supply this information in the future, but it cannot say when.
3. I find that the company has not been adequately clear in its explanations to the customer of why it is unwilling to include information on the sub-meter on his bill. Indeed, I note that in its defence in this proceeding it advances the mutually inconsistent positions that (a) it is "unable" to provide information to the customer on the water usage of another customer without the consent of that customer, and (b) it has "plans to re-introduce the sub meter details back onto customers' invoices once the issue with our billing system has been fixed".
4. The company does not explain how fixing a problem with its billing system can eliminate the need for the consent of the customer's neighbour. Moreover, the company has already directed the customer how to calculate the sub-meter reading based on the information that it is already supplying to him – which is difficult to reconcile with its statement that it cannot supply the sub-meter reading to the customer without his neighbour's consent.
5. This does not mean that the company is intentionally misleading the customer, or that there is no way that its apparently inconsistent statements can be reconciled. However, the company's position remains unclear, despite the customer having now sought clarification for a significant period of time.
6. I find, therefore, that with respect to its response to the customer's complaint, the company has failed to provide its services to the standard to be reasonably expected by the average person, as it has failed to provide to the customer a clear and understandable explanation of its position.
7. Consequently, the company must apologise to the customer for failing to provide a clear and consistent response to the customer's complaint.
8. Nonetheless, the customer's request in this proceeding is not that he be provided with an explanation of the company's position, but that he be provided with a bill that includes the information on the sub-meter that was previously included on his [ ] Water bill.

*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.*

9. There is, however, no obligation on the company to provide the specific information on the customer's bill that he requests. The company must be expected to provide information sufficient to allow the customer to monitor the accuracy of his billing, however I find that the information currently included on the customer's bill meets this requirement. Just as a customer with a single-user water meter can only monitor the accuracy of her billing by examining the month-to-month consistency of her bill, and by examining whether variations in her bill match variations in her own water usage, so the customer is being placed by the company in the same position, as he is indeed being provided by the company with information on his own water usage. The customer may have concerns that the company will make an error in its subtraction of the water usage recorded by the sub-meter from his own bill, but such an error would reveal itself in an unexpected and unjustified variation in the customer's own reported water usage.
10. As a result, while the customer is receiving less information than he previously received from [ ] Water, the absence of this information does not place him in a worse position with respect to monitoring the accuracy of his bill than is the case of a regular customer with a single-user water meter.
11. In addition, I acknowledge that the company does plan to re-introduce a more detailed bill that will show information from the sub-meter, which will directly address the customer's concern.
12. Consequently, I find that with respect to its billing of the customer, the company is providing its services to the customer to the standard to be reasonably expected by the average person, and need take no further action.
13. For the reasons given above, the company must apologise to the customer for failing to provide a clear and consistent response to the customer's complaint.

#### **Outcome**

The company needs to take the following further action:

It must apologise to the customer for failing to provide a clear and consistent response to the customer's complaint.

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

*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.*

- This adjudication decision is final and cannot be appealed or amended.
  - The customer must reply by 10 September 2018 to accept or reject this decision.
  - If you choose to accept this decision, the company will have to do what I have directed within 20 working days of the date on which WATRS notifies the company that you have accepted my decision. If the company does not do what I have directed within this time limit, you should let WATRS know.
  - If you choose to reject this decision, WATRS will close the case and the company will not have to do what I have directed.
  - If you do not tell WATRS that you accept or reject the decision, this will be taken to be a rejection of the decision. WATRS will therefore close the case and the company will not have to do what I have directed.
- 

Tony Cole

**Tony Cole, FCI Arb**

**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.*