

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /0912

Date of Decision: 11 October 2018

Complaint

The customer feels that her water bills have been too high since 2011. The customer states that when she initially complained to the company it confirmed that her charges were correct. The customer continued to complain to the company so it investigated the matter further. The company took almost a year to complete its investigations. The company confirmed that the charges are correct and based on the customer's water meter readings. The customer is still concerned that her water bills have been too high and is now claiming for the company to provide her with a refund of any overpayments since 2011.

Defence

The company acknowledges the customer's concerns that her water bills have been too high since 2011. However, it is satisfied that there are no leaks or faults that would affect the customer's water charges. The company has confirmed that the customer's water meter serves only her property, she is not on a shared supply and that each of the meter readings used for billing purposes are actual meter readings (with the exception of the first activation reading). The company states that it has exhausted its investigations and has conclusively proven that the customer's water bills are correct and based on the actual water usage recorded at her property. However, the company accepts that there were service failings on its part because it did not proactively keep the customer updated on the progress of its investigations. Accordingly, it has provided the customer with £150.00 in recognition of this failure. Furthermore, it has also provided the customer with a payment of £40.00 for a late response. The company states that the customer's water bills are a correct and accurate reflection of the water usage at her property. The company states that, in light of all the above, it does not accept any liability for the customer's claim for redress.

Findings

I am not satisfied that that the company has failed to provide its services to the standard to be reasonably expected by the average person. I find the company has shown that the customer's water charges are correct and I am satisfied that the customer's water bills provide an accurate reflection of the water usage

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at their property.

Outcome

The company does not need to take any further action.

The customer must reply by 8 November 2018 to accept or reject this decision.

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The company's response is that:

- It acknowledges the customer's concerns that her water bills have been too high since 2011. However, it has conclusively determined that there are no leaks or faults that would affect the customer's water provision charges.
- The company has confirmed that the customer's water meter serves only her property, she is not on a shared supply and that each of the meter readings used for billing purposes are actual meter readings (with the exception of the first activation reading).
- Therefore, the company is certain that the customer has been charged correctly for the water used at her property.
- The company states that it has exhausted its investigations and has shown that the customer's water bills are correct and based on the actual water usage recorded at her property. In the absence of any evidence that the bills are incorrect, the company states that it has no reason to provide the customer with any refund.
- In spite of the above, the company accepts that there were service failings on its part because it did not proactively keep the customer updated on the progress of its investigations. Accordingly, it has provided the customer with £150.00 in recognition of this failure. Furthermore, the company submits that it has also correctly provided the customer with a payment of £40.00 for a late response.
- The company states that the customer's water bills are a correct and accurate reflection of the water usage at her property. This is proven by the customer's water meter readings.
- The company states that, in light of all the above, it does not accept any liability for the customer's claim for redress.

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

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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 crux of this dispute lies with the customer's belief that her water bills have been too high since 2011. The customer states that she has complained to the company but it found no leaks, shared supply issues, faults or any other problem that would affect her water service charges. After a lengthy investigation, the company concluded that the customer's water bills are a completely accurate reflection of the water used at her property. However, the customer still believes that her water bills might not be accurate. Therefore, the customer is now claiming for the company to provide a refund of any overpayments made to the company since 2011.
2. I remind the parties that adjudication is an evidence-based process and in order for any remedy to be awarded, the evidence must show that the company has not provided its services to the standard that would reasonably be expected of it.
3. At this stage, it is important to highlight that it is not within my power to commission any new investigations to address the customer's concerns regarding her water charges. I am, however, able to review the evidence and submissions put forward by the respective parties and draw conclusions accordingly.
4. I have been provided with the customer's water meter readings dating back to 2011 (which have been used to calculate the customer's water bills) and a detailed account of the company's investigations in response to the customer's concerns. Upon careful review of this evidence, and in the absence of any other evidence to show otherwise, I am only able to conclude that the customer has been charged correctly based on the water usage at their property. Accordingly, I find that the evidence does not support the customer's belief that she may have been incorrectly charged by the company.

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5. Further to the above, having reviewed the company's actions in response to the customer's concerns, I note that it conducted numerous lengthy investigations and ultimately confirmed that the customer was charged correctly. It duly reported these findings to the customer.
6. Consequently, I am inclined to accept the company has shown that the customer has been correctly charged for water usage at their property. I note that this position has been consistently maintained by the company. Accordingly, I am not satisfied that the company's actions in response to the customer's concerns (and its repeated confirmation that the customer has been correctly charged for water usage at their property) amount to a failure to provide its services to the standard to be reasonably expected by the average person.
7. Notwithstanding the above, the company accepts that it did fail to keep the customer adequately updated on the progress of its investigations into her complaint. Accordingly, I am satisfied that a failure to provide the company's services to the standard to be reasonably expected by the average person has been established. However, I also note that in recognition of its failure, the company provided the customer with a gesture of goodwill in the amount of £150.00 and also provided her with a further £40.00 payment for a late response. Under the circumstances, I find that this remedial action was fair, reasonable and proportionate. Therefore, I do not find that any further action is warranted in relation to this issue.
8. Following careful review of all the submissions provided, I am not satisfied that there are any unresolved failures on the part of the company at this time. Consequently, in the absence of any unresolved failures on the part of the company, I am unable to uphold the customer's claim for redress.

Outcome

The company does not need to take any further action.

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What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 8 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.



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

Adjudicator

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