

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /1081

Date of Decision: 15 November 2018

Complaint

The customer's claim is that the company has provided no assistance in solving a leak on her supply pipe, despite the customer having the leak from January 2015 to July 2017. The customer asserts this inaction led to ever increasing bills, as well as inconvenience and distress. The customer is seeking an apology, and £2,500.00, comprising a further leakage allowance and compensation for the time and costs wasted when dealing with this issue.

Defence

The company states that the leakage from the customer's private supply pipe is a private issue, which the company is not responsible for. Accordingly, the company cannot provide a further leakage allowance, on top of the £9,514.91 credit already provided, as the customer is liable for the usage and any leaks on her supply pipe. Furthermore, the company has provided an apology on two separate occasions for the fact that the customer does not have an automatic right to any allowance where a leak occurs on her own supply pipe. Therefore, no further sums or apology are due. The company has not made any further offers of settlement.

Findings

I am satisfied from the evidence that the company did not fail to provide its services to the customer to the standard to be reasonably expected, with regard to fully investigating the source of the leakages and applying any appropriate leakage allowance. Furthermore, I am satisfied there have been no failings with regard to customer service as I find the company has provided a good level of service at all times throughout its dialogue with the customer.

Outcome

The company needs to take no following further action.

- The customer must reply by 13 December 2018 to accept or reject this decision.

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ADJUDICATOR'S DECISION

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Date of Decision: 15 November 2018

Party Details

Customer: []

Company: []

Case Outline

The customer's complaint is that:

- The company has provided no assistance between January 2014 to July 2017 in solving and identifying a leak on her supply pipe.
- This inaction led to ever increasing bills, as well as inconvenience and distress.
- The customer is seeking an apology and compensation of £2,500.00, comprising a leakage allowance and compensation for the time and costs wasted when dealing with this issue.

The company's response is that:

- The leakage from the customer's private supply pipe is a private issue, which the company is not responsible for.
- There is no automatic right to any allowance where a leak has occurred on a customer's own supply pipe; however, the company in this instance has given the customer a leakage allowance of £9,514.91 for the period January 2014 to July 2017.
- On each occasion the customer made a complaint, this was taken seriously and fully investigated. The company asserts it kept the customer updated on the investigations that identified the source of the leakage as the customer's own supply pipe.
- The company state it should not pay any compensation as when dealing with the customer's complaint the company did all it could, as quickly as it could with regard to investigating the source of the customer's high consumption, and there was no intention to cause the customer stress, inconvenience or waste their time.
- The company details that it has twice apologised within its dialogue with the customer for the fact that the customer does not have an automatic right to any allowance where a leak occurs on her own supply pipe.

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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.

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 dispute centres on whether the company provided assistance to the customer with regards to the high consumption recorded due to leaks from the customer's private supply pipe. The company is required to meet the standards set out in the Water Industry Act 1991 and the Water Supply and Sewerage Services (Customer Service Standards) Regulations 2008. The combined effect of these is to place an obligation on a water and sewerage company that when there is a report of a leak, the company needs to investigate fully if the company's assets are to blame and, if repairs are needed, make such repairs to prevent further leaks.
2. Furthermore, the company also has certain obligations in respect of its customer services as set out in OFWAT Guaranteed Standards Scheme (GSS).
3. The customer initially contacted the company in 2014 querying the excessive water consumption recorded. The company undertook various investigations and it was established in January 2015 that the customer's supply pipe was leaking. The evidence shows that the customer then undertook her own investigations that led to her replacing her complete water supply pipe in July 2017, which stopped the leakage. From both the company's and customer's

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evidence it is agreed between the parties these leaks have increased the customer's bill; however, the company states the customer is still liable for the bill as leakage from a private supply pipe is a private matter for which the company has no responsibility. As set out in the company's correspondence and OFWAT's website, the supply pipe from the meter to the customer's property is the responsibility of the property owner. After careful analysis of the evidence, I agree with the company interpretation that any leaks from the customer's own supply pipe are the responsibility of the customer. Furthermore, I am satisfied that the company did what it could regarding establishing the source of the leak and did not need to take any further action in this regard. Therefore, I find the company did not fail to provide its services to the customer to the standard to be reasonably expected with regard to the customer's supply pipe.

4. With regard to the customer requested redress of a further leakage allowance, the evidence shows that even though the customer was not entitled to any automatic right to a leakage allowance, the company applied one. The evidence shows that from January 2014 to July 2017 the company credited the customer £9,514.91 in leakage allowances. I am satisfied that this shows that the company provided assistance to the customer with regards to the high consumption recorded due to leaks from the customer's private supply pipe. Therefore, I find the company did not fail to provide its services to the customer to the standard to be reasonably expected with regard to providing assistance with the high consumption recorded due to leakages on the customer's supply pipe.
5. The company has certain obligations in respect of its customer services. After careful review of both the customer's letters and the company's responses, I am satisfied that by the end of the company's dialogue with the customer, the company had adequately explained how it investigated the source of the leaks surrounding the customer's property and the reasons why the customer is responsible for the leaks on her own supply pipe.
6. From the timeline set out within the various correspondence, I find the company responded adequately, to all the customer's concerns. Furthermore, after careful analysis of all the correspondence submitted in evidence, I am not satisfied that it has been proven the company failed to provide its services to the customer to the standard to be reasonably expected by the average person in respect of customer service.
7. I note that the customer has requested redress of £2,500.00, which includes a further leakage allowance and compensation for the time and costs wasted when dealing with the leak from the supply pipe. As above, I am not satisfied that it has been proven the company failed to

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provide customer service to the standard to be reasonably expected and as I have already found that the company are not responsible for the leaking supply pipe I therefore cannot find the company liable for these costs. The company's customer service and actions were reasonable and did not cause any loss. Accordingly, I find the evidence does not support the customer's position and so this aspect of the customer's claim fails.

8. The customer has requested an apology from the company. Having carefully considered the various correspondence put forward in evidence, I am satisfied the company has not failed to provide its services to the customer to the standard to be reasonably expected by the average person. Further, I am satisfied the company has apologised where appropriate within its dialogue with the customer. Therefore, I find the company is not required to provide a further apology.
9. In light of the above, I find the customer has not proven the company failed to provide its services to the customer to the standard to be reasonably expected by the average person with regard to providing assistance for the leakage on the customer's supply pipe, nor has the customer proved the company failed to provide services to the standard to be reasonably expected when investigating these issues. Furthermore, I am satisfied there have been no failings in respect of customer service as the company has provided a good level of service at all times throughout its dialogue with the customer.

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 13 December 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 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.

A handwritten signature in black ink, appearing to read 'ML', followed by a long horizontal line extending to the right.

**Mark Ledger FCI Arb
Adjudicator**

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