

# WATRS

## Water Redress Scheme

### ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /1440

Date of Decision: 22 August 2019

#### Complaint

The customer is displeased with the company's customer service and feels that, because there was an error with their water service charges and it took time to investigate and resolve this matter, the company should reduce the customer's outstanding balance.

#### Defence

The company accepts that billing issues on the customer's account occurred when the account was transferred over from the water wholesaler (RST Water). Specifically, the company confirms that the meter reading transferred from the wholesaler was incorrect. However, after it was made aware that there was an issue, it investigated the matter and took appropriate remedial action to correct the error. The company apologises for the difficulties experienced by the customer. In recognition of the issues experienced, the company has now offered the customer a reduction of £1729.02 on their outstanding bill with a further £100.00 for stress and inconvenience. Accordingly, the company has offered the customer a total reduction of £1829.02. The company believes that it has now appropriately addressed the customer's issues and does not accept any further liability.

#### Findings

I am satisfied that the company failed to provide its services to the standard to be reasonably expected by the average person. However, having regard for the nature and extent of the company's established failures and bearing in mind the reasonable degree of stress and inconvenience that would have been experienced by the customer as a direct result of these failures, I am inclined to accept that the balance reduction of £1829.02 as offered by the company is fair and reasonable.

#### Outcome

The company shall carry out its offer to reduce the customer's outstanding balance by a total of £1829.02.

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The customer must reply by 19<sup>th</sup> September 2019 to accept or reject this decision.

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

- The company accepts that billing issues on the customer's account occurred when the account was transferred over from the water wholesaler (RST Water). Specifically, the company confirms that the meter reading transferred from the wholesaler was incorrect.
- However, after it was made aware that there was an issue, it investigated the matter and took appropriate remedial action. The company confirms that it placed a block on the customer's account to stop any further invoices being issued during its investigation.
- The company confirms that it liaised with the wholesaler to obtain the correct reading and then issued a request for the wholesaler to adjust their records so that the customer's account could be updated on the billing system with the correct information.
- The company confirms that this work was completed on 1 August 2018 and the customer was then issued with their correct invoice. However, the company appreciates that due to a block being placed on the customer's account during the investigation, arrears had built up.
- The company states that the customer's outstanding balance is £6,555.60. The company accepts that there were failures on its part. Therefore, in recognition of the issues experienced, the company has now offered the customer a reduction of £1729.02 on their outstanding bill with a further £100.00 for stress and inconvenience. Accordingly, the company has offered the customer a total reduction of £1,829.02.
- The company apologises for the inconvenience and stress experienced by the customer as a result of this issue.
- In light of all the above, the company believes that it has now appropriately addressed the customer's issues and does not accept any further liability.

### **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 customer is displeased with the company's customer service and feels that, because there was an error with their water service charges and it took time to investigate and resolve this matter, the company should consider reducing the customer's outstanding balance.
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, I find it important to highlight that I am unable to consider any issues relating to third party organisations who are not a party to this adjudication. Accordingly, any issues concerning RST Water (the customer's previous water provider), who is not a party to this adjudication, cannot be considered.
4. It is not in dispute that there was an error with the customer's water service charges and that this took some time to investigate and resolve. I note that the company therefore accepts that it did fail the customer in connection with this matter and it apologises for these failures. Accordingly, in light of the company's acceptance of liability, I am satisfied that the company's service provision fell short of the standard to be reasonably expected.
5. I am mindful that, in recognition of its failures, the company has provided an apology and offered the customer a reduction of £1,729.02 on their outstanding balance with a further £100.00 for stress and inconvenience. Accordingly, I note that the company has offered the customer a total reduction of £1,829.02.
6. Having regard for the nature and extent of the company's accepted failures and bearing in mind the reasonable degree of stress and inconvenience that would have been experienced by the

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customer as a direct result of these failures, I am inclined to accept that the balance reduction of £1,829.02 as offered by the company is fair and reasonable. Consequently, I direct that the company carries out its offer to reduce the customer's outstanding balance by a total of £1,829.02.

7. This marks the end of the WATRS stage of the customer's complaint. The customer is not obliged to accept this decision and is free to pursue resolution through all other avenues as available to them.

#### **Outcome**

The company shall carry out its offer to reduce the customer's outstanding balance by a total of £1829.02.

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

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 19<sup>th</sup> September 2019 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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