

## SPSO decision report

**Case:** 201103537, Business Stream Ltd  
**Sector:** scottish government and devolved administration  
**Subject:** policy/administration  
**Outcome:** upheld, action taken by body to remedy, recommendations

### Summary

Mr C complained that Business Stream sent him a water bill that was much larger than usual. He established that there was a leak to his supply which he quickly remedied. He then wrote to Business Stream about the bill saying how shocked he had been to receive it; that he would have great difficulty in paying and he wished to be given an extended period over which to pay. He received no response to this and sent a second letter. Meanwhile, he received a further bill for a larger sum. Business Stream applied twice to Mr C's bank for the amount due, in accordance with a direct debit. The bills were returned unpaid and on each occasion Mr C incurred bank charges. Business Stream went on to involve a debt collection agency for recovery of the sum.

Mr C's MSP contacted Business Stream on his behalf. This resulted in an enquiry and a letter to Mr C in which Business Stream agreed that they had had an obligation to tell Mr C earlier about his apparent increased usage. As they had not done so, they credited him with an amount to represent the water used between the date they discovered the increased usage and the date they told Mr C. They also credited him with £20 as Mr C did not receive an email sent to him after he had written his first letter. Business Stream confirmed that they would allow Mr C to pay the sum owed over a period of 12 months.

Mr C remained unhappy. He continued to complain and said that his bill should be reduced further. He maintained that had Business Stream engaged with him earlier and when he first wrote to them, the involvement of debt collectors and increased anxiety could have been avoided.

When we investigated Mr C's complaint we found that Business Stream had delayed telling Mr C about his apparent increased usage. To remedy this, they reduced his bill. We also found that, apart from their email response to Mr C's letter (which was not received), Business Stream had not replied in any meaningful way to him until after his MSP became involved. We upheld Mr C's complaints.

Our investigation found that Business Stream had twice applied to Mr C's bank for the money despite his request for a special payment arrangement. As a result of their action, he incurred bank charges. We concluded that if Business Stream had engaged earlier with Mr C, they could probably have established a payment plan. We upheld this complaint and recommended that they reimburse Mr C for the bank charges.

Business Stream also involved a debt agency when Mr C did not pay his bill (there was an obligation under their terms and conditions for Mr C to pay what he thought he owed). While we did not criticise Business Stream for instructing such an agency, they failed to tell the agency when they reached agreement with Mr C for payment and he was sent a letter initiating legal action. As, however, Business Stream had apologised for this, we made no recommendation.

### Recommendations

We recommended that Business Stream:

- apologise for their delay in responding to Mr C's letter;
- emphasise to relevant staff that customer correspondence should be properly replied to and ensure that where an explanation is required, it is given; and
- repay Mr C's bank charges.