

SPSO decision report

Case: 201201554, Scottish Water
Sector: Scottish Government and devolved administration
Subject: damage caused / compensation
Outcome: upheld, recommendations

Summary

Mr C's house sustained water damage when Scottish Water carried out work to replace a valve in his area. Mr C was not notified that the water supply would be shut off, and when it was turned back on, dirty water was forced through his bathroom tap at high pressure, soaking the room and seeping through the floor to the ceiling and walls below. Mr C complained about the lack of notice that the water was to be turned off and about Scottish Water's handling of his claim for the cost of redecorating the affected areas of his house.

Scottish Water investigated Mr C's claim and concluded that a tap must have been left on in the bathroom. They accepted that he was not notified that the water was to be turned off, but explained that there had been no plan to turn the water off in his street. Arrangements had been made to set up a diversion of the water supply so that his street was not affected, but a valve was left shut in error and around 200 properties were unexpectedly left without water. Whilst no notification was given that the water would be shut off, we accepted that there should have been no reason to notify Mr C, as it was not foreseen that the valve would be left shut.

Mr C's redecoration claim was rejected based on information provided by Scottish Water to their insurers. Scottish Water told the insurers that their investigation had concluded that Mr C must have left a tap on and that this was the cause of the water flooding his property. We found Scottish Water's conclusions to be supported by the evidence available to them. That said, we considered that Scottish Water's error with the shut valve would also have contributed to the flooding, as Mr C's water supply should not have been interrupted on that day. We found that Scottish Water failed to tell their insurers about their mistake and the impact that it had, as well as other information that may have been relevant to the determination of liability.

Recommendations

We recommended that Scottish Water:

- resubmit Mr C's claim to their insurers for consideration with full details of the circumstances surrounding the damage to his property.