

SPSO decision report

Case: 201603405, Scottish Water
Sector: water
Subject: reinstatement
Decision: some upheld, recommendations

Summary

Mr C raised a number of concerns about the service he received from Scottish Water. Mr C lived in a property which is not served by a typical mains water supply, but instead involves a private pump system drawing water from a Scottish Water storage tank. Mr C experienced issues with this system and replaced his pump with a new one. When this did not resolve the supply issue, Scottish Water agreed to investigate the problem. We found that Scottish Water provided Mr C with an alternative supply of water throughout their investigation, and after almost three weeks the source of the supply issue was identified. Scottish Water replaced the pump Mr C had installed with a different kind, which restored the system to its original design. After a short delay in commissioning this pump, the supply issue was resolved.

Mr C felt that Scottish Water was responsible for his pump failing in the first place and complained that there was an unreasonable delay in Scottish Water reinstating his water supply. We took independent advice from a chartered engineer who has experience in the water industry. The adviser noted that the pump was owned by Mr C and was his responsibility. They did not find evidence that Scottish Water was responsible for the pump failing and said that Scottish Water was not obliged to replace the pump, but did so in good faith. The adviser considered that there were good reasons for the delay in investigating the cause of the supply issue and did not consider that the delay in commissioning the new pump was unreasonable. We did not uphold this complaint.

Mr C complained that Scottish Water unreasonably contaminated his water supply during their investigation of the supply issue. Scottish Water acknowledged that, during the investigation, an operative failed to follow correct water hygiene practice, which resulted in the contamination of Mr C's water supply. Scottish Water said that an apology was offered to Mr C at the time and they confirmed that the operative's training record showed that training in water hygiene and operating processes was up to date. The adviser found that once Scottish Water became aware of the incident, it followed the expected procedures and appropriately escalated the issue. The adviser noted that Scottish Water took and analysed three sets of samples, flushed the system between each sample, and provided bottled water to Mr C property in the meantime. In view of the failing, the adviser said that they would have expected the operative to have undergone further training and reassessment. On balance, we upheld this aspect of Mr C's complaint.

Mr C also raised concern that Scottish Water staff failed to appropriately communicate with him regarding the supply and contamination issues. We did not find evidence of significant delays in staff returning Mr C's calls or failing to call him back when this had been agreed. Based on the evidence available, we were unable to conclude that the communication maintained was unreasonable. While we did not uphold this complaint, we considered that Scottish Water's record-keeping of phone conversations with Mr C could have been better.

We also considered how Scottish Water handled Mr C's complaint. We were critical that Scottish Water's complaint response had not addressed all of the main issues that Mr C raised in his complaint and we upheld this aspect of his complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C for the contamination incident, and for the complaints handling shortcomings. This apology should comply with SPSO guidance on making an apology, available at www.spsso.org.uk/leaflets-and-guidance.

What we said should change to put things right in future:

- Operatives should carry out their work in accordance with the Hygiene Code of Practice and Scottish Water Distribution, Operation and Maintenance Strategy procedures.

In relation to complaints handling, we recommended:

- Staff should appropriately respond to the points of concern within customers' complaints. Staff should ensure that each aspect of the correspondence is addressed.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.