

SPSO decision report



Case: 201801701, Clear Business Water
Sector: water
Subject: incorrect billing
Decision: upheld, recommendations

Summary

Mr C complained on behalf of a tennis club that they were unreasonably billed for water it did not use. Mr C said that Clear Business Water (CBW) had failed to read the meter as required. This meant that a leak had not been identified and an excessive amount of water had been lost. Mr C also complained about CBW's handling of his complaint. Mr C received correspondence which appeared to be from a debt collection agency. Mr C said that he had discovered this was in fact part of the same organisation as CBW, although this was not communicated clearly. Mr C felt that this was deliberate and designed to intimidate.

We found that CBW had acquired the account from another licensed provider, who had failed to read the meter as required of them. Consequently, CBW were responsible for this failure and should have identified and addressed it in their complaint investigation.

We also found that the approach taken by CBW to debt recovery was inappropriate, as the correspondence sent to Mr C had failed to explain the reason why a different organisation was pursuing payment. It also referred inaccurately to the English court system. We found that CBW had refused to suspend recovery while the sum was in dispute and had been unable, or unwilling, to allow the club to continue paying for their ongoing water usage, insisting that all payments should be put towards the disputed amount. This meant that Mr C's club was continually hit by late payment charges. Therefore, we upheld Mr C's complaints.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C for their failure to provide an appropriate and reasonable level of service. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/leaflets-and-guidance.
- Calculate the average usage of the club and reimburse the difference between this and the recorded usage for the period that meter readings were not taken in line with the requirements of the operational code. The payment should be made by the date indicated. If payment is not made by that date, interest should be paid at the standard interest rate applied by the courts from that date to the date of payment.

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

- Any correspondence from Universal Debt Collections must make it clear that they are not a licensed debt collector, they must make it clear that they are an internal department of CBW's parent organisation and they must provide accurate information about CBW's debt recovery process.
- CBW should review their processes, so that automated requests for payment can be stopped if a complaint is received.