

SPSO decision report

Case: 201806006, Business Stream
Sector: Water
Subject: Incorrect billing
Decision: resolved, recommendations

Summary

C purchased a former business premises for conversion to domestic property. At the time of the original purchase the business was deemed to have a 'nil' value for business water charges. The law later changed, bringing that part of the property which had not yet converted, back into charge. C was not made aware of this until they received demands for payment sometime later. C complained that they were not liable for any charges as the water supply and discharge of waste water at the property was now covered by domestic council tax. They also raised concerns about the time taken to advise them of the charges and the threatening nature of the correspondence.

Business Stream did not accept that there was an error and noted the existence of a supply number as evidence for charging. C complained to this office, noting that the complaint had not been dealt with adequately and no one had been to inspect the site to establish if there was a connection.

We upheld the complaints about communication of the debt and complaint handling. However, we found that the existence of the supply number entitled Business Stream to charge under the new regulations so did not uphold that aspect of C's complaint.

C disagreed, stating there was no actual water/waste water usage for the unconverted parts of the property and requested a review of our decision. We approached Business Stream who agreed to carry out a site visit to establish the position. Following the visit, Business Stream advised that they now consider there was no charge attached to the property for business water and all water charges were covered by council tax. While they could not say precisely when the change occurred, they agreed to remove all charges from the account and remove the supply reference to ensure no future problems. Business Stream also apologised to C that they had not carried out this site visit from the outset, making an ex-gratia (voluntary) payment to reflect this. C accepted these apologies and advised us they now considered the matter was resolved. We changed our decision regarding the water charges from not upheld to resolved.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the failures identified. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

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

- Business Stream should review their procedures for contacting customers when accounts are brought into charge to ensure that proactive attempts at contact are made in line with the Water Industry Commission for Scotland guidance.

In relation to complaints handling, we recommended:

- Business Stream need to ensure that complaint responses explain clearly and directly the basis for their actions and that all points raised by the complainant are 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.