

SPSO decision report

Case: 201806670, The Water Industry Commission for Scotland
Sector: Scottish Government and Devolved Administration
Subject: complaints handling
Decision: upheld, recommendations

Summary

Mr C complained that the Water Industry Commission for Scotland (WICS) failed to take reasonable or appropriate action in respect of the concerns he raised about a water provider.

We found that WICS did not handle Mr C's concerns in line with their Policy for Licence Contraventions. We considered that Mr C had attempted to raise a concern about a potential breach of licence conditions but WICS did not handle his correspondence in line with the relevant policies and procedures. We noted it was very difficult to find information about how to raise a complaint about a potential licence breach on the WICS website. As such, it would have been reasonable to expect WICS to provide Mr C with more information about their statutory role and details of the process for raising a complaint about an alleged breach of licence.

We concluded that it was unreasonable for WICS not to have accepted Mr C's original correspondence about an alleged licence breach or to have provided him with information about how to make such a complaint. Therefore, we upheld this complaint. In addition to this, we identified failings in how WICS handled Mr C's complaint about their service and provided feedback about this.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C for the failings identified as part of our investigation. The apology should meet the standards set out in the SPSO guidelines on apology available at [HYPERLINK "http://www.spsso.org.uk/information-leaflets"](http://www.spsso.org.uk/information-leaflets) www.spsso.org.uk/information-leaflets .
- If Mr C wishes to make a complaint about a potential license breach, WICS should accept this and consider it in line with their Policy for Licence Contraventions. If Mr C is not at the stage to make such a complaint, WICS should provide him with appropriate advice.

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

- Complaints about potential license breaches should be handled and considered in line with the Policy for License Contraventions and WICS' statutory requirements.
- Details about how someone can make a complaint about a potential license breach and what the role of WICS is in this regard should be clearly accessible on the WICS website.

In relation to complaints handling, we recommended:

- Complaints should be handled in line with the procedure detailed on the WICS website and on [HYPERLINK "http://www.spsso.org.uk/how-to-handle-complaints"](http://www.spsso.org.uk/how-to-handle-complaints) www.spsso.org.uk/how-to-handle-complaints .

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.