

SPSO decision report



Case: 201807739, Clear Business Water
Sector: Water
Subject: Incorrect billing
Decision: upheld, recommendations

Summary

Mr C complained that Clear Business Water (CBW) unreasonably charged his business premises for water on the basis of estimated meter readings. He said these estimated readings were based on the usage of the previous owner who operated a different type of business and for many more hours per week than Mr C's business. He said the last time CBW read the meter at the premises was nearly a year before he had taken it over. He said that had CBW read the meter when they should have, they would have noted that it had been removed and he could have been charged on an 'unmetered' basis and his bills would have been considerably smaller.

CBW received a query from a meter reader who had attended to read the meter at Mr C's premises for the first time since Mr C had taken over the lease. The reader thought the meter may have been removed as they were unable to locate it. There followed a lengthy dispute during which several attempts were made by Scottish Water on behalf of CBW to attend and try to locate a meter. Mr C was advised he would need to remove boxing behind a cistern to allow for inspection and would need to cover the costs of this. He was unwilling to bear the cost himself and declined to have the boxing removed.

We found that had CBW read the meter every six months as they should, in terms of the Market Code for Licensed Providers, they may have identified an issue with the meter sooner and Mr C may not have been billed for so long based on the consumption of a previous tenant. We also found that Mr C's refusal to uncover the pipework at his own expense meant that CBW could not have carried out a full inspection. Mr C had a contractual responsibility to allow CBW access to the pipework even if that meant that he had to incur costs in doing so. However, we saw no evidence to show that CBW told Mr C of his contractual responsibilities. Had they done so, Mr C may have agreed to carry out the necessary works.

As CBW may have missed an opportunity to determine whether or not the meter was present prior to Mr C taking on the tenancy by failing to read the meter every six months as they are required to do, and as they failed to make clear to Mr C his contractual obligations to expose the pipework, at his own cost, we upheld this complaint.

While reviewing the complaint correspondence, we found aspects of the complaint handling to be poor and made a recommendation to address these failings.

Recommendations

What we asked the organisation to do in this case:

- Apologise for their failure to read the meter and for the impact this may have had on Mr C. 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
- Carry out a review of Mr C's outstanding account, taking into consideration the findings detailed in this decision, and make a reasonable offer of settlement to Mr C in order to bring this matter to a conclusion as quickly as possible.

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

- CBW should ensure that they arrange for meter readings on a six-monthly basis.

In relation to complaints handling, we recommended:

- CBW should adhere to the principles of good complaints handling. They should consider ensuring that final decisions submitted in response to complaints clearly detail the complaint which was investigated, explain the steps which have been taken to investigate the complaint and provide a full, evidenced decision clearly explaining whether or not the complaint is supported or rejected.

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.