

SPSO decision report



Case: 202101826, Clear Business Water
Sector: Water
Subject: Incorrect billing
Decision: upheld, recommendations

Summary

C operates a restaurant who contracted with Clear Business Water (CBW) for their water supply. C complained that prices charged by CBW increased which was in contrast to what had been agreed. C also complained that CBW unreasonably charged a termination fee when they changed supplier for a better deal.

CBW said that they agreed a contract with C for the supply for a fixed term of 3 years at a discounted rate. They told C that the price being charged increased because of a number of factors but that the discount applied to the account always remained the same. As C left CBW for another supplier, CBW were satisfied that a termination fee was correctly applied in line with the terms and conditions of the contract. C was dissatisfied with the response and brought their complaint to our office.

We reviewed the relevant call recording together with supporting materials CBW said were issued to C following the call. We also considered CBW's own processes and procedures with respect to the handling of such calls. We found that the communications with C were unreasonable as it was clear during the call that there was a barrier to C and the CBW adviser's ability to understand each other. The information provided to C after the call did not provide confirmation of certain key aspects of the contract, nor was there confirmation that prices may be subject to variation. Therefore, we upheld the complaint that CBW failed to communicate with C in a reasonable manner. We also found failings with respect to CBW's handling of C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for not communicating in a clear manner and failing to appreciate there was the potential for misunderstanding during the call. The apology should also acknowledge that the complaints investigation should have identified issues with respect to the quality of communication with C. 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:

- Clear failings should be identified by complaints investigations, with appropriate actions being taken to remedy these.
- Relevant managers and advisers should have a clear understanding on the difference between 'price' and 'discounts' and the importance of clear communication in this regard. Staff should receive appropriate training on communication with customers and be provided with supporting materials, including call scripts, which provide sufficient clarity and guidance during a call.
- Relevant staff should have an awareness of potential barriers to communication and be able to identify what these are and how these may be addressed and overcome.

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.