

Water Adjudication Consumer Guide

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CONTENTS

Introduction	3
About Us	3–5
Our Process	6–8
Our Scope	8–9
Evidence and Outcomes	10–12
Post Decision	12

INTRODUCTION

Our guide tells you about the work we do and how we can help. We'll explain how complaints are made and the evidence that we may ask you for, how we investigate and how we make our decisions.

We hope our guide will answer any questions you have. If not, please feel free to get in touch with us:

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ABOUT US

Who are we?

Dispute Resolution Ombudsman (DRO) is an independent, not-for-profit organisation. We provide a free and expert adjudication service for unresolved complaints about participating water service providers (WSPs). We also support the water industry to raise standards and improve services for customers.

We are not consumer champions or industry representatives. We act independently and impartially, with the aim of delivering our service to the highest standard in a fair and balanced way.

Our overall aim is to raise standards and inspire confidence and we work to uphold the following key principles whilst delivering our service:

- Independence
- Fairness
- Effectiveness
- Openness and Transparency
- Accountability

What powers to DRO have?

We are empowered to make decisions which are binding on WSPs if the customer accepts the decision. If the customer accepts the decision, the WSP has 20 working days to comply from the date of acceptance, unless another timescale has been agreed with the customer.

How do we remain independent?

DRO is neither a consumer champion nor an industry representative. We operate independently and impartially to ensure fairness in every case. We have an experienced Board of Directors which is comprised of both executive and non-executive directors whose role is to ensure that our independence is preserved.

The Ombudsman's [Standards Board](#) acts to oversee our work and how we operate. All Standards Board Members share our vision of inspiring consumer confidence and raising industry standards and participate on a voluntary basis. Governed by a set of bye-laws, the Standards Board regularly reviews a cross section of our adjudications, to ensure they are both fair and reasonable. It also oversees our rules, practices and procedures.

Can I see details of the awards you have made in other cases?

Our decisions remain strictly confidential between the parties involved. We do however publish [Annual Reports](#) which refer to case outcomes.

What are the benefits of our service?

- Confidence that your complaint will be considered in a fair, independent and balanced way
- A quick and simple process to help resolve disputes without the time, cost and stress of court proceedings
- Clear adjudication reports explaining the outcome and any required action
- Decisions that provide finality if you choose to accept them

Are we subject to Freedom of Information requests (FOI's)?

We are not a public body, so we are not subject to Freedom of Information (FOI) legislation. However, we publish information and data relating to complaints on our website and within our [Annual Reviews](#)

How is our service accessible?

We want to make sure our service is simple and easy to use for you. If you have any specific needs or preferences, please let us know and we'll make adjustments where we can.

In what language(s) is our service available?

Our service is available in English. If English is not a first language, we will try to make adjustments to help them use our service.

How do we use data?

For information on how we use data, please see our privacy information on our [website](#).

How do we ensure quality of service at DRO?

We recognise that our service is crucial in ensuring parties get to the right outcome when disputes occur. Our team are experts in ADR and all those involved in decision making have relevant legal qualifications. We have Quality Monitoring in place and our work is overseen by a Standards Board which provides independent scrutiny and feedback.

OUR PROCESS

Step 1: Case Received

The easiest way to submit a complaint is via our online form. If you prefer, you can request or download a paper form and return it to us by email or post.

We'll acknowledge your complaint and give you a reference number to use in any future contact with us.

Step 2: Review

We'll check whether the complaint is something we can look into. If it isn't, we'll explain why and, where possible, sign-post toward another organisation that may be able to help.

Step 3: Response

If we can take the complaint forward, we'll contact the WSP and ask for their formal response. The case will then be assigned to a dedicated adjudicator.

Step 4: Investigation

We'll review all the information provided, ask for more details if needed, and assess your case based on relevant law, regulations and what is fair. Once we have everything, we'll let you know the case file is complete.

Step 5: Adjudication

An independent adjudicator from our ombudsman team will make a fair and impartial decision based on the evidence received from both parties.

Step 6: Closure

Once a final decision has been made (usually within 25 working days of receiving the complete case file), the case will be closed. If the outcome is accepted, the decision becomes binding on the WSP.

What is an Adjudication?

An adjudicator will make an independent decision on the case based on the evidence and information provided. As we are independent, our decision may be different to what you may have offered previously. We treat each case fairly on the evidence provided and we'll let you know our decision in writing and the adjudicator will explain the grounds in which the outcome is based.

Our adjudicators will look at the history of the problem and all evidence presented by both parties. If further evidence is required to substantiate assertions made by either party, the adjudicator will request this.

Once the adjudicator is satisfied that they have all the information and evidence necessary to make a decision and has notified the parties that they have a complete case file, they will prepare an adjudication report.

A report is sent to both parties outlining our decision and what, if anything, should be done to resolve the dispute. This may include a refund, compensation, practical action, or an apology.

How will the Case Handler assess my complaint?

DRO is approved as an alternative dispute resolution body by the Chartered Trading Standards Institute. This means that we will decide cases along the same principles as those used by the courts. We will take account of relevant legislation, together with the requirements of the Guaranteed Standards Scheme (GSS) and the WSP's individual Charter. Like the courts we will make awards (which could include compensation) where appropriate.

However, unlike in a court of law, we have no power to cross-examine witnesses under oath. As such, there are occasions where we may not be able to come to a formal decision. We will always ensure we arrive at a decision based on what appears to be fair and reasonable in the circumstances.

Why may you need our help?

Even when WSPs try their best, sometimes things go wrong and you remain unhappy with the service you have received. You should always complain to the WSP first and give them a chance to respond and put things right. If the dispute remains unresolved, you may then refer the case to DRO for adjudication.

Can someone help you make a complaint?

Yes. You can ask someone to help you with your complaint, such as a family member, friend, or another representative. They must be aged 16 or over and agree to support you. You don't need a lawyer or adviser to make a complaint, but you can choose to use one if you wish.

How can a WSP support you in making your complaint?

Your WSP should let you know about us if they're unable to resolve your complaint. This usually happens once they've completed their complaints process and either:

- they've sent you a final response (sometimes called a deadlock letter), or
- 8 weeks have passed since you first complained

A deadlock letter means the WSP has reached their final decision and can't resolve the issue to your satisfaction. It should also explain your right to bring your complaint to us for an independent review, along with our contact details.

Once you're ready, you can submit your complaint to us using our online form or request a paper form to send by email or post.

How will we investigate a complaint?

We will weigh up the evidence provided, taking into consideration the rights and duties set out in law, having regard to regulatory duties and what is fair, reasonable, and practical.

We may need more information from the customer, the WSP, or both parties, and we will request this where necessary.

The adjudicator is entitled, but not obliged, to disclose to either party information, documents, and other materials obtained from the other. We will not disclose information if there is a valid reason not to do so, such as where it is sensitive or where disclosure would breach the law. We will always disclose information where required by law.

How should you communicate with DRO?

If we accept your complaint, we may ask you to provide further information or evidence to support your case. We ask that you respond within the timeframes we give you and let us know as soon as possible if you have any difficulty meeting a deadline.

How will you know what is happening with a complaint?

We will keep both parties informed as the case progresses. You should monitor the case portal and respond promptly to requests for information, evidence, or comments.

How long will our process take?

We aim to resolve disputes as quickly as possible. The sooner both the customer and the WSP provide the necessary information and evidence, the better.

Timescales will depend on the complexity of the complaint. We aim to complete all cases within 25 working days from a complete casefile, unless there are exceptional circumstances and will keep both parties updated.

Offers made to resolve complaints informally

Once a dispute has been referred to DRO for consideration, we will not be able to consider any further offers to resolve.

Please note that if the WSP has already made you any form of financial offer by way of settling your dispute, be it of compensation or goodwill, that offer will lapse on referral of your complaint to us. We will make our own decision based on the information and evidence submitted to us, and that decision may award more or less than any sum already offered by the WSP.

Who can complain to us?

Anyone over the age of 16 who has a dispute with a participating WSP may complain to us, provided they have exhausted the WSP's complaint process in the first instance.

OUR SCOPE

When can a customer raise a complaint with us?

DRO can only consider a dispute with a WSP if:

- The customer has completed the WSP's complaints process; and
- the customer has received a deadlock letter; or
- it has been 8 weeks since the customer's initial complaint.

Which countries are covered by our service?

We cover participating WSPs in England and Wales.

What is the difference between a household customer and a non-household customer?

Household premises are those primarily used as a home, whereas non-household premises are those primarily used as a business. For example, a self-employed individual who works from home may still be a household customer if the premises are primarily used as a home. A publican may live on the premises, but if the property's primary use is as a business, they will be a non-household customer.

What sort of complaints do we cover?

DRO will consider cases relating to the following:

- Bills, payments, collections and debt recovery;
- Metering;
- Water supply services;
- Wastewater/sewerage services, including water and sewerage adoption codes;
- Development and new supplies, insofar as they do not fall to be determined by Ofwat;
- Mis-selling for non-household retail customers only; and
- Other issues which have been the subject of an internal company complaint procedure and which are not excluded under the Scheme Rules.

What sort of complaints do we not cover?

We are unable to investigate a complaint in the following circumstances:

- The dispute has not previously been referred to the WSP;
- The dispute is being or has been dealt with by a court or other redress scheme;
- The dispute concerns alleged fraudulent or criminal activity;
- The dispute requires a full legal decision and/or legal sanctions;
- The value of the complaint is over £10,000 for a household dispute. This includes any amounts awarded for non-financial loss, which is limited to £2,500 per award;
- The complaint is reasonably determined to be frivolous or vexatious;
- The claim relates to disputes that are wholly or partly subject to an ongoing insurance claim, until the insurance claim receives a final outcome or six months have passed since the claim was made, whichever is earlier;
- The dispute concerns competition legislation, regulatory enforcement, bulk supply determinations, water supply licensing, whistleblowing, or matters over which Ofwat has powers to determine an outcome;
- The dispute relates to water quality legal standards or enforcement cases under environmental legislation;
- The dispute is the subject of an existing or previous valid application under the scheme;
- The dispute relates to complaints being or previously investigated by a statutory or regulatory agency, including the Drinking Water Inspectorate and/or the Environment Agency;
- The dispute relates to resale and third party complaints, claims for loss of property value, or the fairness of contract terms and/or commercial practices.

EVIDENCE AND OUTCOMES

What might we ask you for?

Depending on the complaint, we may ask the customer to provide:

- Copies of correspondence about the complaint, including any deadlock letter
- Proof of any payments incurred or made
- Dates and times of any relevant incident, such as a leak
- Offers or responses received from the WSP
- Photographs and/or videos
- Screenshots

What might we ask the WSP for?

We will ask the WSP to explain its understanding of the complaint, whether it agrees that it is at fault, and what it has done or plans to do to put things right.

Depending on the complaint, we may ask for:

- Company charters, policy documents, and relevant procedures
- Account notes, call records, correspondence, and complaint records
- Meter readings, billing history, payment history, and debt recovery records
- Proof of action taken, including site visits, repairs, investigations, or communications
- Any offers already made to resolve the complaint
- Evidence of any investigation carried out

What are the possible outcomes?

The outcome will depend on the case and may include a refund, compensation, practical action, or an apology.

As an adjudication scheme provider, we have more flexibility than the courts to identify creative remedies to resolve a situation.

Compensation

Not all complaints will result in compensation. Each case is assessed on its individual merits, and outcomes will depend on the specific circumstances and evidence available.

A service failure does not automatically mean compensation is payable. For compensation to be awarded, it must be demonstrated that:

- There has been a failure in service delivery; and
- This has resulted in a direct loss or impact to the customer.

When considering compensation, DRO will take into account whether:

- The issue arose from circumstances within the WSP's control
- The WSP has already taken appropriate steps to resolve the matter
- The customer allowed a reasonable opportunity for the issue to be put right
- The customer contributed to the issue or failed to mitigate their losses
- There is sufficient evidence to support any claimed loss

Types of remedies

Depending on the circumstances, DRO may require the WSP to:

- Provide a refund or billing adjustment
- Pay compensation for proven financial loss
- Take corrective action to resolve the issue
- Offer an apology or explanation
- Make a goodwill payment where appropriate

Awards are made based on what is considered fair and reasonable. DRO does not negotiate settlements and will not necessarily increase any previous offer made by the WSP. In some cases, a lower award may be made.

Consequential loss

Compensation for consequential loss may be considered where a customer has suffered a direct financial loss as a result of the WSP's actions or inaction.

Such claims must:

- Be directly attributable to the service failure
- Be reasonable and proportionate
- Be supported by appropriate evidence

Customers are expected to take reasonable steps to minimise their losses, including reporting issues promptly and allowing the WSP the opportunity to resolve them

Assessment principles

In assessing compensation claims, DRO will consider:

- Whether the loss was a direct and foreseeable result of the WSP's actions
- Whether the customer acted reasonably to mitigate the loss
- Whether sufficient evidence has been provided

A lack of supporting evidence may result in a reduced award or no compensation being made.

Exclusions

Compensation will not normally be awarded for:

- General inconvenience or minor service issues
- Costs associated with pursuing a complaint (such as postage or telephone charges)
- Legal or professional fees
- Losses that are not directly linked to the issue

False, exaggerated, or unsupported claims may result in the claim being rejected.

POST DECISION

Are our decisions binding?

Yes. Our decisions are binding on WSPs if accepted by the customer. This means the WSP must comply with the decision.

Our decisions are not binding on the customer, who does not have to accept them. For a decision to be binding, the customer must accept it within 20 working days from the date it was issued, unless the customer can show exceptional personal circumstances which prevented them from responding, for example they were in hospital or dealing with an emergency.

What happens after we issue our decision?

We always aim to be fair and reasonable. Once a decision has been made, the customer has 20 working days to accept it; otherwise, it will lapse.

If the customer accepts the decision, it becomes binding on the WSP, which must comply with the outcome.

If the customer does not accept the decision, the case will be closed. The customer may choose to pursue the matter through alternative channels, such as the courts.

What if the customer prefers the water service provider's previous offer?

Once an application has been accepted by DRO, any previous offers of settlement made by the Water Service Provider are deemed withdrawn and are no longer available for acceptance.

Who should I contact if I am unhappy with DRO's service?

Please contact complaints@disputeresolutionombudsman.org for any comments regarding our service.