

Ofwat complaints procedure



March 2003

Contents

	Page
1 Introduction	2
2 What to do if you have a complaint	3
3 Complaints dealt with by Ofwat and WaterVoice	4
4 How to contact us	5
- By letter	
- By e-mail	
- By phone	
- In person	
- Using languages other than English	
5 How WaterVoice will deal with your complaint	5
- After receiving your complaint	
- Investigating the complaint	
- Sorting out the complaint	
6 Keeping you informed	7
7 If you are not happy with the way WaterVoice has handled your complaint	8
8 Ofwat's internal review procedure	9
9 Complaints that neither Ofwat nor WaterVoice can deal with under the Water Industry Act 1991	10
10 Recording complaints and keeping them confidential	10
11 Our standards of service	11
12 Monitoring how we handle complaints	11
13 More information and how to contact Ofwat and WaterVoice	12
Appendices	
A Complaints that Ofwat must consider	16
B Disputes	16
C Complaints we cannot deal with	17
D Recording complaints	18

1 Introduction

Ofwat (the Office of Water Services) is the economic regulator of the water and sewerage industry in England and Wales. We are a non-ministerial government department that is led by the Director General of Water Services.

This guide tells you how to make a complaint to us if you need to, and how we will deal with it.

WaterVoice is the independent customer watchdog for the industry.

You can also get a WaterVoice leaflet, 'Water and sewerage: How we can help if you have a complaint', free of charge.

We have powers to decide on certain disagreements between customers and the water companies.

We also have powers to investigate complaints involving competition issues. These are likely to be complicated so they are not covered by the procedures explained in this publication. You can get a leaflet and range of information on the Competition Act 1998 on our website or from our library.

Our complaints procedure aims to:

- provide a service with simple steps and clear responsibilities;
- make sure that you know who to complain to at WaterVoice or Ofwat if you are not satisfied with answers from your water company;
- sort out complaints quickly;
- meet our published standards and targets;
- get full answers from the company, whether or not it is at fault;
- tell you how your complaint is progressing;
- tell you the outcome and reasons for our decisions after we have investigated your complaint; and
- tell you what you should do if you are not satisfied with the way we have handled your complaint.

When dealing with complaints we also aim to:

- use what we learn to increase customer protection; and
- monitor how satisfied customers are with our service and identify ways of improving it.

2 What to do if you have a complaint

The water and sewerage companies in England and Wales are responsible for giving their customers a good-quality, efficient service at a fair price.

If you have a problem or a complaint about the service that you receive from your local water and sewerage company, you should first speak to the company so that it has the chance to put it right.

You are entitled to guaranteed standards of service, as laid down by the Government. If a company fails to meet any of the standards set out in the Guaranteed Standards Scheme, you will usually be entitled to compensation from them. This could apply, for example, if they do not reply to your complaint within 10 working days. Some companies' compensation schemes go further than this scheme. Contact your water company for details.

You can get more information from your WaterVoice office and from Ofwat's website.

If you are not satisfied with the company's initial response to your complaint, you must tell the company. Someone more senior within the company (who has not previously been involved with your complaint) will review its response.

Each water company must have a procedure for dealing with complaints made by its customers. The company consults WaterVoice about its procedure, and Ofwat approves it.

Ask your company for a free copy of its procedure.

If something goes wrong and the company doesn't put it right, you can complain to us. WaterVoice and Ofwat will not normally deal with your complaint until the company has had an opportunity to sort it out.

3 Complaints dealt with by Ofwat and WaterVoice

Ofwat and your local WaterVoice Committee have legal duties to deal with customer complaints.

If you have followed the company's complaints procedure but are still not satisfied, you can ask your local WaterVoice Committee to investigate. Its services are free. Any household or business customer of a water or sewerage company can complain to WaterVoice.

The WaterVoice Committee is independent of your water company. It is financed by Ofwat and represents the customers of the water and sewerage companies in its region. WaterVoice members are local people who have a variety of backgrounds and experience, and are appointed by the Director.

Your local WaterVoice Committee represents your interests, deals with complaints about water companies, and monitors the service your water company provides.

Tell WaterVoice why you are not happy with the company's answer and what you want it to do to sort the matter out. If possible, please send copies of any papers that will help WaterVoice to understand your complaint.

Make your complaint to the WaterVoice Committee that is responsible for your water company. There are details in section 13.

Someone can complain on your behalf but we need to be sure that they have your agreement to do so.

Anonymous complaints

If you make your complaint anonymously, either in writing or by phone, your committee will consider it and decide whether it can investigate. We only keep details of anonymous complaints if we need to take further action.

4 How to contact us

(There are full contact details in section 13.)

By letter

It is best to put your complaint in writing as this will give WaterVoice a clear record of why you are unhappy and what you want us to do. If it is difficult for you to write, WaterVoice staff can write a summary of your complaint and ask you to confirm that it is accurate.

By e-mail

You can also e-mail your complaint. There is a complaints form on the website at www.ofwat.gov.uk/watervoice/complaintform

By phone

If you contact WaterVoice by phone, you can use a local-rate number. If you want, WaterVoice can phone you back. If your local office is closed when you phone, leave a message on the answering machine. WaterVoice staff will deal with your message when the office opens again.

In person

If you prefer to visit the WaterVoice office, please contact us to make an appointment.

Using languages other than English

We will do our best to respond to any requests to deal with complaints in languages other than English. All our offices have access to a phone interpretation service that covers more than 140 languages. WaterVoice can arrange a three-way phone call with an interpreter for customers who want to use this facility.

5 How WaterVoice will deal with your complaint

After receiving your complaint

When WaterVoice receives your complaint, it will look at:

- what has caused it;
- what needs to be done to help WaterVoice fully understand the problem;
and
- what you want done to sort it out.

If you have not given your water company a full opportunity to deal with it, WaterVoice will normally refer your complaint to the company to deal with. If WaterVoice does not have the power to deal with your complaint, it will explain why and try to offer some help.

Investigating the complaint

WaterVoice will investigate your complaint so it has all the facts from you and the water company. It will give both sides the chance to comment on information provided.

WaterVoice will contact you and the company to make any further enquiries that are necessary. Normally, it will ask you or the company to give information in writing if it may be crucial to the decision.

WaterVoice may ask to see the company's files or the staff involved. In some cases, it may need to visit you or the company.

WaterVoice may also prepare a full report which will include a statement of facts on the investigation. It may send the draft of that report, without conclusions, to you and the company to comment on. Comments received from either side are not normally sent to the other side unless they raise matters of fact which are crucial to WaterVoice's decision.

To minimise delay, WaterVoice will not get involved in a lengthy exchange of correspondence with the company or with you, unless it benefits the investigation.

In some cases, no investigation may be needed because the complaint is about a company policy or procedure that Ofwat or WaterVoice have previously agreed is reasonable. Examples include:

- using rateable values as a basis for charging;
- an increase in charges that Ofwat has approved as part of its duty as an economic regulator; and
- applying legislation that covers water meters.

In these cases, WaterVoice will write to you explaining the position. If WaterVoice needs technical or legal advice, it will ask Ofwat's specialist staff for help. If that is likely to take some time, it will tell you.

Sorting out the complaint

Your WaterVoice Committee will decide what it thinks is a fair and reasonable outcome. In doing so, it will take account of the company's explanation, the reasons why you are not satisfied and what action you would like it to take.

If the company's actions have been unacceptable, WaterVoice will ask the company to put the matter right. This may include:

- an explanation;
- an apology;
- a change in policy or procedure;
- a refund of charges if you have not received the service you have paid for; and
- compensation if you have suffered:
 - financial loss including loss of interest;
 - damage;
 - distress;
 - inconvenience; or
 - unreasonable trouble and expense as a result of the company's actions.

WaterVoice has no legal powers to force a company to act on its recommendations but, in practice, companies generally accept our decisions. Some companies have agreed to be bound by WaterVoice's decision on certain types of complaints. Your local WaterVoice Committee can provide details of any such agreements it has with your water company.

6 Keeping you informed

WaterVoice will write to you to explain what it is doing about your complaint and will contact you if it needs more information. It will write to you again when it thinks that your complaint has been sorted out and will give reasons for its decision. If the investigation of your complaint lasts a long time (typically for more than four weeks), it will write to you regularly to tell you how it is progressing.

If your local WaterVoice Committee cannot sort out your complaint to its satisfaction, it must refer the case to the Director General at Ofwat for further consideration. You will be told if this happens. Ofwat's Complaints and Disputes Team will then take over responsibility for the matter on behalf of the Director and will tell you how it is progressing.

Complaints which WaterVoice cannot sort out

By law, WaterVoice cannot deal with certain types of complaint. These complaints are referred directly to Ofwat – see appendix A. Ofwat also has the power to settle some disagreements – see appendix B. Ofwat's Complaints and Disputes Team manage these cases. So, if WaterVoice receives one of these complaints, it will pass it to Ofwat and will tell you it has done so.

7 If you are not happy with the way WaterVoice has handled your complaint

Your local WaterVoice Committee deals with most customer complaints. We hope that you will be happy with their service. But if you are not satisfied, tell them why and ask the Chairman to review the decision. The Chairman may ask a WaterVoice Committee member to carry out this review. After this, if you are not satisfied with the way that WaterVoice has dealt with your complaint, you have the right to ask the Director to review it.

The Director passes his powers relating to these complaints to Ofwat's Director of Consumer Affairs. He will step in if he believes that WaterVoice has not dealt with your complaint properly. He will not get involved if you are simply not happy about the outcome of the investigation.

He asks the Complaints and Disputes Team to investigate these complaints. They will tell you within 10 working days of receiving a complaint against WaterVoice whether they will investigate it. They aim to deal with 80% of investigations within 40 working days.

If WaterVoice is still investigating your complaint, the Complaints and Disputes Team will tell you that it will not get involved until WaterVoice has given its final decision.

If the WaterVoice investigation is complete, the Complaints and Disputes Team will review the case and tell you one of the following.

- That it sees no reason for criticising WaterVoice.
- Where the case has not already been considered by the WaterVoice Chairman or one or more WaterVoice Committee members and the Complaints and Disputes Team consider that significant aspects need to be investigated further by WaterVoice, the case will be referred to the WaterVoice Chairman. If you are still not satisfied after WaterVoice has considered the case, Ofwat will investigate the complaint.

- If the complaint has already been investigated by a WaterVoice Chairman or committee member. If the Complaints and Disputes Team thinks that more facts are needed, or that some facts have not been fully considered, it will investigate on behalf of the Director.

The Director of Consumer Affairs issues decision letters for cases that the Complaints and Disputes Team investigates.

If you are still not satisfied after the Complaints and Disputes Team has considered the case, you can ask us to consider it under our internal review procedure.

8 Ofwat's internal review procedure

We hope that you will be happy with our service. If you are not satisfied with the way we have handled your case, please tell us. We run our own internal review procedure and would like the chance to put the matter right.

Ofwat's Head of External Relations has had no previous dealings with your complaint. She will look at your case afresh and review the decision to see if the original investigation was properly carried out and if we considered all the facts.

Following her investigation, the Head of External Relations will write to you saying whether the original decision has been upheld or changed. She will tell the Director if your case has raised significant issues.

Writing to your Member of Parliament (MP)

When you make a complaint you are entitled to write to your MP about the matter. If you do so, your MP will usually write to Ofwat. He or she will normally receive a reply from the Director if the issues are appropriate to the regulator. This reflects the Director's responsibility to Parliament.

When you receive a reply from your MP, if you are still not satisfied with how Ofwat has handled your complaint, you can ask your MP to contact the Parliamentary Commissioner for Administration (the Parliamentary Ombudsman) to consider it. The Ombudsman is not limited to cases where an MP has been involved. The Ofwat internal review procedure does not operate in this case - an internal review cannot change the Director's decision.

The Ombudsman's job is to investigate complaints from members of the public that they have suffered an injustice through poor administration by government departments and certain public organisations. She also looks at complaints about being refused access to official information. She is independent of the Government and the Civil Service, and has wide powers to investigate complaints. Her services are free.

You can contact the Ombudsman's enquiry helpline on 0845 015 4033 or write to:

Millbank Tower, Millbank, London SW1P 4QP.

Website: www.ombudsman.org.uk

E-mail: OPCA.Enquiries@ombudsman.gsi.gov.uk

The Ombudsman can consider complaints about the way Ofwat (but not WaterVoice) has handled the complaint.

9 Complaints that neither Ofwat nor WaterVoice can deal with under the Water Industry Act 1991

There are particular sorts of complaints we cannot deal with. These are set out in appendix C.

WaterVoice will always try to help by passing on your complaint, with your agreement, to the right organisation, if there is one. They may suggest who you should contact or suggest how you and the company could try to deal with the complaint.

10 Recording complaints and keeping them confidential

Ofwat and WaterVoice record details of your complaint and the action we have taken on our database and management system. All offices do this in the same way – see appendix D for details.

We treat all the information we record as confidential and follow the Data Protection Act. We will only give other people and organisations information about you if you tell us that you agree to this.

However, we may refer to the subject of your complaint in published material. If we do, we will not say anything that might identify you or your property.

11 Our standards of service

We aim to be helpful and polite, and will try to sort out your complaint as quickly as possible. We can deal with some complaints quickly, but complicated or unusual complaints may take longer. It may also take us some time to get your water company to take the action we think is necessary to put the matter right.

We have performance standards and targets covering how quickly we respond to enquiries and complaints. These are set out in our leaflet 'Customer Charter – Our standards of service'. Our performance against these is set out in our annual report.

12 Monitoring how we handle complaints

We monitor how quickly and how well we handle complaints.

- WaterVoice publishes details of its performance in its annual report. Ofwat publishes the performance for complaints referred to it in the Director General's annual report.
- After we have dealt with your complaint, we will send you a short questionnaire. This will ask you how you heard about us, whether you were satisfied with the answer to your complaint, and how fast and how well we handled it. We also ask for any other comments you want to make. Your views help us to monitor and improve our service for handling complaints.
- We analyse the questionnaires that are returned to us. Summary information is published in WaterVoice's annual report.
- WaterVoice members regularly examine how WaterVoice staff handle complaints.

13 More information and how to contact Ofwat and WaterVoice

Ofwat Complaints and Disputes Team
Office of Water Services
Centre City Tower
7 Hill Street
Birmingham
B5 4UA

Phone: 0121 625 1300
Fax: 0121 625 1400
Textphone: 0121 625 1422
E-mail: enquiries@ofwat.gsi.gov.uk
Website: www.ofwat.gov.uk

Contact details for WaterVoice are on pages 13 and 14.

You can get copies of all the publications referred to in this booklet from your local WaterVoice office, the Ofwat library and our website.

Copies of the Director General's annual report are on sale at your nearest Stationery Office bookshop and you can visit the Stationery Office's website at www.tso.co.uk/bookshop to order a copy. You can also see a copy free of charge on Ofwat's website.

You can get copies of WaterVoice's publications on its website at www.watervoice.org.uk

WaterVoice addresses

Calls to the 08457 numbers are charged at local rates

Customers of Severn Trent Water and South Staffordshire Water

WaterVoice Central

First Floor, Chanelle House, 86 New Street, Birmingham B2 4BA

Phone: 0121 644 5252

Fax: 0121 644 5256

Lo-call: 08457 023953

E-mail: central@watervoice.org.uk

Customers of Anglian Water, Cambridge Water, Essex and Suffolk Water, and Tendring Hundred Water

WaterVoice Eastern

Carlyle House, Carlyle Road, Cambridge CB4 3DN

Phone: 01223 323889

Fax: 01223 323930

Lo-call: 08457 959369

E-mail: eastern@watervoice.org.uk

Customers of Northumbrian Water and Hartlepool Water

WaterVoice Northumbria

Eighth Floor, Northgate House, St Augustines Way, Darlington DL1 1XA

Phone: 01325 464222

Fax: 01325 369269

Lo-call: 08457 089367

E-mail: northumbria@watervoice.org.uk

Customers of United Utilities Water

WaterVoice North West

Suite 902, Ninth Floor, Bridgewater House, Whitworth Street,

Manchester M1 6LT

Phone: 0161 236 6112

Fax: 0161 228 6117

Lo-call: 08457 056316

E-mail: northwest@watervoice.org.uk

Customers of South West Water

WaterVoice South West

First Floor, Broadwalk House, Southernhay West, Exeter EX1 1TS

Phone: 01392 428028

Fax: 01392 428010

Lo-call: 08457 959059

E-mail: southwest@watervoice.org.uk

Customers of Southern Water Services, Portsmouth Water, Mid Kent Water, Folkestone and Dover Water Services, and South East Water

WaterVoice Southern

Fourth Floor (South), High Holborn House, 52/54 High Holborn,

London WC1V 6RL

Phone: 020 7831 4790

Fax: 020 7831 7253

Lo-call: 08457 581658

E-mail: southern@watervoice.org.uk

Customers of Thames Water, Three Valleys Water, and Sutton and East Surrey Water

WaterVoice Thames

Fourth Floor (South), High Holborn House, 52/54 High Holborn,

London WC1V 6RL

Phone: 020 7831 4790

Fax: 020 7831 4850

Lo-call: 08457 581658

E-mail: thames@watervoice.org.uk

Customers of Dee Valley Water and Dŵr Cymru (Welsh Water)

WaterVoice Wales

Room 140, Caradog House, 1-6 St Andrew's Place, Cardiff CF10 3BE

Phone: 029 2023 9852

Fax: 029 2023 9847

Lo-call: 08457 078267

E-mail: wales@watervoice.org.uk

Customers of Wessex Water, Bournemouth and West Hampshire Water, Bristol Water, Cholderton and District Water and Thames Water (at Tidworth)

WaterVoice Wessex

2 The Hide Market, West Street, St Phillips, Bristol BS2 OBH

Phone: 0117 955 7001

Fax: 0117 955 7037

Lo-call: 08457 078268

E-mail: wessex@watervoice.org.uk

Customers of Yorkshire Water

WaterVoice Yorkshire

Eighth Floor, Northgate House, St Augustines Way, Darlington DL1 1XA

Phone: 01325 469777

Fax: 01325 369269

Lo-call: 08457 089368

E-mail: yorkshire@watervoice.org.uk

Website: www.watervoice.org.uk

Appendices

A Complaints that Ofwat must consider

The Director deals with the following types of complaint.

- Those referred to Ofwat by WaterVoice because they have not been sorted out.
- Those referred to Ofwat by customers who are not satisfied with the way that WaterVoice has handled their complaint.
- Concerns that the water companies are allegedly breaking their licence conditions or their main water supply or sewerage duties.
- Complaints from suppliers of goods and services claiming that water and sewerage companies have used unfair trading practices.
- Those about water and sewerage companies' powers to lay pipes on private land.

B Disputes

Disputes that Ofwat can decide

A customer can refer certain disagreements with a water company to Ofwat. Both sides must follow Ofwat's decision. These disagreements include the following.

- A customer's right to a payment or credit under the Guaranteed Standards Scheme.
- The conditions and costs set by a company for making connections to water mains.
- The charges or disconnection costs that must be paid to a company before a business customer's supply is reconnected.
- The terms and conditions applied by a company for connecting a supply to the mains so that a meter can be installed.
- The need for a customer's property to have a separate service pipe.
- A refusal to allow a customer to pay by measured charge because a meter is not practical and is unreasonably expensive to install.
- The terms and conditions for a non-domestic supply.
- A proposal or refusal to adopt sewers or sewage-disposal works, or about the conditions in an adoption agreement.
- A refusal to allow private sewers and drains to be connected to public sewers.
- A requirement to inspect the drain or sewer before allowing a connection.

- The costs and security a company asks for when it connects premises to a sewer.
- The position or suitability of a drain or sewer to replace an existing private drainage system which the company considers to be unsuitable.
- The effectiveness of an alternative sewer that has been provided to replace an existing one that is due to be closed.
- A requirement that a proposed drain or sewer is built so it can become part of a general sewerage system.

Ofwat also decides appeals from traders who are not happy with the conditions set by sewerage companies about putting their waste into the public sewer. You can get more information from your local WaterVoice office or Ofwat's website. You can also get more information from our information note, number 21.

Disputes that an arbitrator will decide

In some cases, an independent arbitrator can make a formal decision about a disagreement. One is appointed by agreement between the customer and the company. If they fail to agree on an arbitrator, the President of the Institution of Civil Engineers, the Secretary of State for Environment, Food and Rural Affairs, the Welsh Assembly Government or the Director General of Water Services will appoint someone.

Disagreements about the following matters can be referred to an independent arbitrator.

- Certain conditions for a water main requisition. 'Requisition' is the procedure where a company must provide a public water main or sewer to make new domestic connections to its main or sewer.
- Costs of installing a meter and disagreements about where the meter should go if a water company asks a customer to pay for a meter to be installed.
- Certain conditions concerning sewer requisition.
- Compensation for street works and sewerage works.

C Complaints we cannot deal with

Neither Ofwat nor WaterVoice can deal with any complaint about the following.

- Non-regulated businesses. These are activities of the water companies which we do not regulate. These include plumbing services, waste

management, engineering and consulting services, hotels, vehicle leasing, media interests, fish farming and all overseas activities.

- Matters involving the Environment Agency. Its duties cover river and coastal water pollution, fisheries, recreation, navigation, water-resource management and river management. You can get more information on its website at www.environment-agency.gov.uk or by phoning 0845 933 3111.
- Issues between an individual and the company which can be dealt with through the courts. These include questions of law and assessing damages. In certain cases, the law allows the customer to make a claim for loss or damage through the courts.

D Recording complaints

Details of all the complaints we receive and the action we decide to take are recorded on Ofwat's complaints database and management system.

The following details are held about each case.

- The name, address and postcode of the customer.
- The name and address of the person making the complaint if it is not the customer.
- Whether the customer has already used the company's complaints procedure.
- The name of the water or sewerage company which is being complained about.
- How the complaint was made, for example, by letter or phone.
- The type of customer, for example, household or business.
- Who made the complaint, for example, a customer, consumer organisation or MP.
- What the complaint is about, for example, water pressure or a bill.
- The outcome of the complaint, for example, sorted out by Ofwat, referred to the water company or sorted out direct.
- What action has been taken. We record the steps that have been taken in dealing with complaints and compare them with target dates set by the system so that we can monitor progress.