

## SPSO decision report

**Case:** 201200321, Business Stream Ltd  
**Sector:** Scottish Government and devolved administration  
**Subject:** policy/administration  
**Outcome:** some upheld, recommendations

### Summary

Mrs C complained on behalf of a village hall committee about Business Stream. She was unhappy with the water services the committee had been given. In particular, she said that their water meter had not been read for over a year, significantly increased consumption had not been brought to their attention and that Business Stream had failed to communicate adequately with the committee. She also alleged that Business Stream took a large amount of money from the committee's bank account by direct debit, without warning, when their water account was supposed to be on hold.

In investigating the complaint we took all relevant information into account, including statements of account, details of meter readings and customer correspondence etc. We did not, however, uphold most of Mrs C's complaints. We found that the meter had not been read between December 2009 and June 2011 although Business Stream had a statutory obligation to take a meter reading at least once a year. However, we found that after the December 2009 reading, a reading was intended to be taken in December 2010. This, however, was prevented by adverse weather conditions on the day, which were well documented, and so the meter was next read on 19 June 2011. In the circumstances, we did not consider this unreasonable. During the period when the meter was not read, estimated bills were issued. After the reading in June 2011 a bill was issued based on the reading, which reflected very high comparative usage. Although Mrs C argued that their use of water had not changed, neither the committee nor Business Stream could find a problem with the meter. Business Stream explored other possible explanations for the spike in usage but found nothing. They, therefore, concluded that the apparent increase in use reflected the catch-up required after the committee had been sent a number of estimated bills.

On balance, we concluded that this was a reasonable position to take. While Mrs C complained about the way in which Business Stream communicated with the committee, and said that one of their letters had gone unanswered, we found that they had not in fact received this letter. Otherwise, our investigation showed that all correspondence and phone calls were replied to. We found that Business Stream placed the committee's account on hold pending the outcome of the investigation into the complaint but, meanwhile, more than £2000 was taken from the committee's account by direct debit. Although Business Stream confirmed that the account had been placed on hold, they had not stopped requesting the direct debit. We took the view that this would be a customer's normal expectation in the circumstances and so we upheld this

### Recommendations

We recommended that Business Stream Ltd:

- make a formal apology reinforced by a payment of £50; and
- seek to prevent such a situation recurring. Alternatively, they repay to the customer the amount of any direct debit taken under such circumstances as soon as the situation becomes known and while a complaint is still under investigation.