

SPSO decision report

Case: 201508329, Business Stream
Sector: water
Subject: policy/administration
Outcome: some upheld, recommendations

Summary

Mr C complained about Business Stream on behalf of the owner of the company he works for. Mr C complained that the company's property had experienced flooding a number of times and that Business Stream had failed to investigate. Mr C consequently felt that it was unreasonable that the company should pay for surface water drainage when he did not receive an effective drainage service. We found evidence that Business Stream had informed Scottish Water (who manage the drainage network) of the flooding, and we noted that Scottish Water had missed opportunities to investigate. We noted that the company received an effective drainage service for a large proportion of the time and we accordingly considered that it was reasonable for Business Stream to charge the company for surface water drainage. While we did not uphold the complaint, we considered that Business Stream and Scottish Water had failed to investigate the flooding issue in accordance with their policies. This meant that Scottish Water had not considered whether the company was eligible for a payment under their guaranteed service standards, or eligible for compensation for increased insurance premiums as a result of the flooding.

Mr C also complained that Business Stream failed to handle his complaint reasonably. Business Stream acknowledged that they had failed to call Mr C back on an occasion. We considered that Business Stream could have made enquiries to Scottish Water in relation to the complaint much earlier. We also found evidence that Business Stream delayed in issuing their written response to Mr C's complaint. We were critical that Business Stream did not provide an update to Mr C about the delay and we upheld this aspect of the complaint.

Recommendations

We recommended that Business Stream:

- take reasonable steps (along with Scottish Water) to investigate the flooding the company experienced with a view to considering payment(s) under service standard 7;
- consider (along with Scottish Water) any claim from the company in respect of increased insurance premiums as a result of the alleged flooding;
- issue a written apology for the failings identified in this investigation; and
- feed back the findings of this investigation to relevant staff with a view to ensuring that complaints are handled in accordance with the relevant procedures.