



Southern Water

Redress

Version 1 December 2020

Introduction

In January 2021 Water UK published Water Sector Guidance in relation to the adoption of self-laid assets by Water Companies in England.

Section 10 of the sector guidance sets out the process for redress where a level of service metric has not been met by the water company.

We have created this document for ease of reference to capture both the redress guidance and link to the associated metrics within one single document.

Redress - Section 10 of the Water Sector Guidance

10.1 Where the Water Company fails to comply with a Metric set out in Appendix G (Levels of Service), without prejudice to any liability on the part of the Water Company under the WAA, the consequences shall be as follows:

10.1.1 where the failure arises in relation to a Category One Metric, the Water Company shall within thirty working days of the failure arising and without any requirement on the part of the SLP to notify the Water Company of the failure, send to the Customer a refund for the fee in question.

10.1.2 where the failure arises in relation to a Category Two Metric, without any requirement on the part of the SLP to notify the Water Company of the failure, the following procedure shall apply:

- within one working day of the failure, the Water Company shall email the SLP with such information as shall reasonably be available to it regarding the nature and cause of the failure with relevant supporting evidence, and an indication of the proposed remedial action;
- that email shall also contain a new date for the performance of the service in question (and in the case of a failure to meet the Delivery Date, that email will also contain a new date for the performance of the service which will be as soon as reasonably practicable taking account of the circumstances which led to the original delay);



- the SLP may either confirm acceptance of this information or request escalation to the Compliance Manager;

10.2 Where the SLP requests such escalation, the Compliance Manager shall, within five working days of receipt of such notification, issue a written report setting out the causes of the failure, proposals to remedy the failure and lessons learnt by all parties which might prevent a recurrence of similar failures.

10.3 If before the due date for performance of an activity to which a Category Two Metric applies, a Water Company anticipates not being able to fulfil its obligations on the due date, it shall instigate the procedures set out in section 10.1.2 above.

10.4 Where the SLP considers that it has suffered direct financial loss as a result of any Water Company failure to comply with its obligations under section 10.1.2, it may make a written complaint to the Water Company Compliance Manager. The Water Company shall ensure that its internal complaints procedures are sufficiently robust and capable of processing complaints of this nature and able to make ex gratia payments where SLPs reasonably demonstrate such financial loss.

10.5 The above provisions represent a minimum level of redress and where individual companies consider it appropriate, they may adopt other forms of redress in addition to those set out.

10.6 Repeated failure may raise questions about the compliance of the Water Company with its competition law obligations and may result in legal/regulatory consequences.

Appendix G of the sector guidance – Levels of Service

You can review which category is associated with which metric here in Appendix G of the sector guidance, located on the Water UK Website:

<https://www.water.org.uk/wp-content/uploads/2020/10/WSG-App-G-LoS-and-Reporting-030920.pdf>