



Dŵr Cymru  
Welsh Water

# The collection of unpaid charges from household customers

A welsh water code of practice



## Not for profit

Here at Dŵr Cymru Welsh Water, we don't have shareholders and we want to do as much as we can to help all our customers to pay their bills, for everyone's benefit.

This booklet sets out the processes and duties of Dŵr Cymru Welsh Water in the collection of outstanding water and sewerage charges. It has been submitted to Ofwat, the water industry's economic regulator.

Our aim when collecting outstanding water and sewerage charges is to act fairly, proportionately and within the law.

We will make decisions properly and we have particular regard to customers in vulnerable groups/ circumstances.

We will demonstrate our commitment to offering excellent customer service working within the parameters of the legislation covering the collection and recovery of water and sewerage charges including the Human Rights Act 1998, the Data Protection Act 1998, the Equality Act 2010 and any other Act of Parliament relevant to Dŵr Cymru Welsh Water.



# Understanding your bill

## Unmetered customers

If you are not on a water meter your bill is calculated based on the Rateable Value of your property or the Uniform Service Charge (if your property does not have a Rateable Value).

### Your Water Charge is:

The Rateable Value of your property multiplied by a rate per pound of Rateable Value subject to a minimum charge or the Uniform Service Charge.

### Your Sewerage Charge is:

The Rateable Value multiplied by a rate per pound of the Rateable Value dependent on the services that the property receives or benefits from surface water drainage, highway drainage and foul sewage or the Uniform Service Charge.

The Rateable Value of your property was calculated by your local council valuation office. It is an assessment of the open market annual rental value of your property, on the date of valuation, as if it was being offered on the open market. We only have the details of the final Rateable Value figure. The Rateable Value is not related to the current Council Tax bands and a change these does not impact on the Rateable Value.

The Rateable Value varies from property to property, so yours might be different to that of your neighbours.

If your property has had a change of use we may need to make adjustments to your charges, so contact us immediately.

You will be billed once a year and we will send you your bill in February/March.

Please let us know if you move house before the billing period and your bill will be amended accordingly.

## Metered customers

We will send you a bill at least once every six months and the bill is payable on receipt, unless you have agreed a payment arrangement with us.

Metered charges are made up of three elements: water supply, used water, and service charge. Water supply and used water charges are based on the volume of water used as recorded by a meter. This is measured in cubic meters (m<sup>3</sup>); 1m<sup>3</sup> is equal to 220 gallons or 1000 litres of water. You are charged for the amount of water used which is calculated using the difference in recorded consumption between your previous and latest meter readings. The service charge is calculated on a daily basis and is based on the size of the meter. The service charge covers the cost of reading and maintaining the meter and replacing it when necessary.

More details about our charges can be found in our 'Our Scheme of Charges' which can be found at [dwrcymru.com](http://dwrcymru.com)

## Surface water

If none of the rainwater falling on your property enters the public sewer you will be exempt from the element of your bill relating to the cost of draining, treating and disposing of it. Further information can be found at [dwrcymru.com/surfacewater](http://dwrcymru.com/surfacewater)



## Paying my Bill

The Water Industry Act 1991 provides that an occupier of a property is legally responsible for paying the bill.

It is your responsibility to advise us if you move house.

### Tenants

As you are the occupier, even if you rent your home, you are responsible for paying the bill. However, in some cases your water bill may be included with your rent. It is very important that you check this with your landlord, or check your tenancy agreement, so that the bill is issued to the correct person.

### Local Authority/Housing Association tenants

We have agreements with some Local Authorities and Housing Associations (Registered Social Landlords) which enable them to bill and collect water charges from their tenants. If you are a tenant of a Local Authority or Housing Association you may receive your water and sewerage bill from them, in which case you should make your payment to them. If you are unsure please contact your Local Authority/Housing Association.

### Landlords and owners not in occupation

If you are the owner of a property which is occupied by anyone other than you, e.g. tenants, then the Water Industry (Undertakers Wholly or Mainly in Wales) (Information about Non-owner Occupiers) Regulations 2014 require you to provide us with specified information regarding occupiers within 21 days of them taking occupation. If this isn't done then you may be held liable with the occupier for any outstanding charges such that we are entitled to require you to pay. The Regulations require you to notify us of the following information within 21 days of the occupier taking occupation:

- The full names of all adult occupiers;
- The dates of birth (where provided to you) of all adult occupiers; and
- The date or dates on which they took occupation

You can notify us using a web portal developed by the water industry to help landlords manage their portfolio of accounts – [www.landlordtap.co.uk](http://www.landlordtap.co.uk). This provides you with a reference to show that you have done so.

## When you need to pay

Payment of your Bill is due within 14 days of the date of your bill.

Many of our customers prefer to spread their bills, making payments on a monthly, fortnightly or weekly basis. Setting up a Direct Debit helps manage the payments and takes the worry out of remembering to make payments. To set up direct debit go to [dwrcymru.com](http://dwrcymru.com) or contact us on **0800 052 0145**.

If you make an arrangement with us to pay by instalments and don't make payments on time, the whole amount becomes due. It is therefore important that you pay the correct amount on the due dates. Please see page 8 for more information on what happens if you do not pay on time.

Payments received will always be allocated to the oldest debt.

## If you are having difficulty paying

Please don't ignore any problems paying. We may be able to offer an alternative payment plan which is more affordable, and we have schemes and tariffs to reduce your bills.

Contact us now and we:

- will check whether you are eligible for any of our discounted charges;
- will try to reach an agreement with you – this will be about paying the bill within a reasonable period of time at an amount you can afford;
- We will always try and resolve any issues you may have; and
- deal with your case sensitively.



## Help to pay

### Assistance schemes

If you are having problems paying your bill, let us know as soon as possible. We offer a number of schemes to help make it more affordable:

#### HelpU

If the total income of your household is less than £15,000 a year, you may be able to get some help through our HelpU scheme.

#### WaterSure Wales

Available to eligible low income households served by a water meter, who have either a large family, or a family member with a medical condition, that require the use of a significant amount of extra water. If eligible your charges will be capped.

#### Customer Assistance Fund

Helps customers in severe financial hardship who are behind with their payments. If you pay your current charges in instalments for a year and we will cancel any remaining debt.

#### Water Direct

If you receive certain benefits and are in behind with your payments, you can pay directly through your benefits and we'll reduce your bill by £25 per annum.

For more information on the assistance schemes go to [dwrcymru.com](http://dwrcymru.com)

### Water meters

You may benefit from having a meter installed. For more information go to [dwrcymru.com](http://dwrcymru.com)

## Independent advice directory

If you are struggling with Debt, or need help on maximising your benefits, the following organisations can help you with Free Debt Advice:

### National Debtline

Phone: 0808 808 4000  
Visit: [www.nationaldebtline.org](http://www.nationaldebtline.org)

### Step Change

Phone: 0800 138 1111  
Visit: [www.stepchange.org](http://www.stepchange.org)

### Citizens Advice Bureau

Visit: [www.adviceguide.org.uk](http://www.adviceguide.org.uk)

### Money Service Advice

Phone: 0300 500 5000  
Visit: [www.moneyadviceservice.org.uk](http://www.moneyadviceservice.org.uk)

### Advice UK

Phone: 0300 777 0107  
Visit: [www.adviceuk.org.uk](http://www.adviceuk.org.uk)

### Civil Legal Advice

Phone 0845 345 4 345  
Visit: [www.gov.uk/legal-aid](http://www.gov.uk/legal-aid)



## Issues with my bill

### Disputes

If you do not think that you are responsible for the bill, or if you dispute the amount, you must tell us immediately.

If you are a metered customer and the amount of water billed is higher than expected, there may be a number of reasons for this. For example, you may have had visitors to stay or you may have had new appliances installed. Please consider whether there may be factors like this influencing your bill.

### If you don't pay

If you do not pay your bill or keep to an agreed instalment arrangement, we may pass your account to a Debt Collection Agency or take legal action through the Court to recover all the money you owe us. If you receive any payments from the Department of Work and Pensions we may obtain a direct deduction from these payments. We also share your data with Credit Reference Agencies.

### Credit Reference Agencies

We share our Data with Credit Reference Agencies. Paying your bills on time can be useful to you in building up your credit profile. If you fail to pay your bills when they become due, we may register a late payment marker or default against your credit score which may impact on your ability to get credit.

### Use of Debt Collection Agencies

We may use a Debt Collection Agency at any stage in the recovery process, although normally this would be after a reminder is sent. These agencies are regulated by the Financial Conduct Authority and operate in accordance with Codes of Practice. These agencies may send out reminder notices on our behalf.

We would like to help you before things become too much of a problem, so please return our calls or answer our letters.

### County Court Claim Process

Should you fail to pay your bill or keep to a payment plan that has been agreed with us, we may issue a claim at the County Court to recover outstanding debt. Detailed below is a step by step process explaining the procedure that we will follow should we proceed with this course of action:

#### Step 1 – final notice letter

If you fail to pay your bill within 21 days of the bill becoming due, or fail to adhere to a payment arrangement, a Final Demand letter will be sent to you confirming the amount outstanding owed to us and requesting that sum be paid.

#### Step 2 – letter before action

If no payment or contact is received by Dŵr Cymru Welsh Water in response to the Final Notice, a Letter Before Action will be sent to you. This is a final formal letter notifying you of our intention to issue a claim against you at the County Court

to recover outstanding debt owed to us. The Letter Before Action will explain that a claim will be issued within 14 days of the date of that letter in the event that you fail to pay the full outstanding balance owed to us within that time period, we agree an arrangement for you to resolve the balance or you provide sound legal justification as to why that debt is not owed.

### **Step 3 – issue a county court claim against you**

If you fail to make the required payment, we will issue a County Court claim against you for the debt. If we issue a claim then we will ask the Court to make an award in respect of any legal costs we incur in addition to the arrears claimed.

We may also seek to recover interest on the debt through the Court at a rate of 8% from the date that the charges were originally due for payment up to the claim issue date.

Once the claim has been issued then its progression will be the subject of a timetable set by the Court in accordance with the Civil Procedure Rules 1998.

Typically, you will be provided with a short period of time to acknowledge and respond to the claim. If during that time you fail to contact us to pay the sum claimed, or submit a defence, we will request a judgment against you. If you dispute the claim then it may progress to a trial.

Should a judgment be granted by the Court it will be entered on the Register of Judgments, Orders and Fines for England & Wales. A judgment will remain on the register for 6 years from the date of registration, unless set aside or reversed, or paid in full within 1 calendar month of the judgment date, in which case we would expect it to be cancelled. If you pay

the outstanding judgment debt after 1 calendar month, the judgment will remain on the register for the 6 year period but it will be marked as 'satisfied'.

The register is a matter of public record and other organisations will be able to view information regarding that judgment. The granting of a judgment against you, which may include interest from the date of issue and/or the date of judgement. This may affect your credit rating.

## **Enforcing the judgment**

If you do not pay us in full after judgment has been granted by the Court, we may use any of the following enforcement options available to us:

### **Instructing a county court enforcement officer**

We may request a Warrant of Control from the County Court permitting a County Court Enforcement Officer to attend your property with the aim of taking control of enough of your possessions for the purpose of selling them at auction to satisfy the judgment debt.

You have the right to apply to the Court to suspend this warrant. This means it will not be put into operation as long as you keep to the terms agreed by the Court. For example, the Court may agree to suspend a warrant as long as you pay a certain amount each month. If you fail to pay, the warrant will be permitted to continue with this method of enforcement.

Enforcement Officers are employed by County Courts and are required to keep to specified standards and procedures. If you have a complaint about any Enforcement Officer please contact the relevant County Court.

### **Instructing a high court enforcement officer**

We can apply to the Court for a Writ of Control to be issued, which will then permit a High Court Enforcement Officer to attend your property with the aim of taking control of enough of your possessions for the purpose of selling them at auction to satisfy the judgment debt, interest and the charges they have incurred during the execution of the Writ of Control.

You have the right to apply to the Court to suspend this warrant. This means it will not be put into operation as long as you keep to the terms agreed by the Court. For example, the Court may agree to suspend a warrant as long as you pay a certain amount each month. If you fail to pay, the warrant will be permitted to continue with this method of enforcement.

Enforcement Officers are required to keep to specified standards and procedures. If you have a complaint about any Enforcement Officer please contact the relevant Court.

### **Obtaining an attachment of earnings order**

If you are in paid employment we may make an application to the Court requiring your employer to make deductions from your wages to satisfy the judgment debt. A Court will consider your means when making a decision as to the appropriate level and period of deductions. Your employer will make a court ordered deduction from your wages and send it directly to the court who will in turn make payment to us.

The law governing Attachment of Earnings Orders permits Dŵr Cymru Welsh Water to have in operation more than one Attachment of Earnings Order at a time.

### **Charging orders**

If you own a property we can apply to the Court requesting that a legal charge be placed on the title to your property to secure the judgment debt. An interim charging order is usually granted by the court to stop you from selling your property without your creditor knowing before the final order can be made.

If we are granted a charging order, it will be necessary for your property to be sold so that the judgment debt can be deducted from the proceeds of sale. This will either happen by you selling the property voluntarily or us or another of your creditors applying to the Court for an Order for Sale and enforcing the same. If the courts have granted a final charging order then we are entitled to have the judgment debt satisfied from the proceeds.

### **Application for order for questioning**

Once judgment has been obtained against you, we can request an order requiring you to attend Court to answer questions about your means and other matters relevant to the enforcement of the judgment.

If you repeatedly failed to comply with an order requiring you attend Court for questioning you may be found in contempt and a committal order may be issued by the Court providing that you should serve a short prison sentence.

### **Third Party Debt Order**

If we become aware that a third party, such as a bank, holds money to which you are entitled, we may apply to the Court for an order requiring your assets held by that third party to be frozen to the value of the judgment debt and then paid over to us.



## Bankruptcy

We may decide to take insolvency action against you if the total debt you owe us is more than £5,000.00. If the Court declares you bankrupt then your home and other assets could be realised to pay your debts and the significant additional costs which are likely to be incurred as a result of our application and the bankruptcy process.

Prior to taking any action we would send you a letter warning of bankruptcy proceedings and give you a final chance to pay before taking such action.

If you do not make an agreed payment, on receipt of that letter, we will serve a 'Statutory Demand' on you. This is the first formal stage in a process that may lead to your bankruptcy.

If you do not agree a payment arrangement after the service of a Statutory Demand, or if you do not make and succeed with an application at Court to set it aside, we will file a bankruptcy petition at Court.



## Find out more

We have a formal complaints procedure to deal with complaints about any aspect of the services provided. Further details can be found in our booklet 'How we handle your complaints and compliments' which is available online at [dwrcymru.com](http://dwrcymru.com) or by calling **0800 052 0145**.

Our preferred method of dealing with a complaint is via telephone as this is the quickest way to get a complaint resolved.

The Consumer Council for Water Wales is an independent consumer body set up to protect your interests. It has a duty to investigate customer complaints relating to water and sewerage companies. They will also be able to give you advice and tell you where to go for help:

Consumer Council for Water Wales  
c/o 1st Floor  
Victoria Square House  
Victoria Square  
Birmingham  
B2 4AJ

Phone: 0300 034 3333  
Email: [enquiries@ccwater.org.uk](mailto:enquiries@ccwater.org.uk)  
Website: [ccwater.org.uk](http://ccwater.org.uk)

## Sharing your data

We share customer payment data with other companies. For full details of how and why we share data please see our leaflet 'How we share your data', which can be found at [dwrcymru.com](http://dwrcymru.com).