The collection of unpaid charges from household customers
Thank you for your time

A lot of work, thought and investment goes into every drop of water on its way to and from your home:

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 Customer Services Limited in the collection of outstanding water and sewerage charges. It has been submitted to our regular 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 comply with general statutory duties in relation to vulnerable groups.

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 Customer Services Limited.
Understanding your bill

Unmetered Customers
If you are not on a water meter your bill is calculated based on the Ratable Value of your property. (see below)

YOUR WATER CHARGE IS:
the Ratable Value of your property x rate per pound of Ratable Value subject to a minimum charge.

YOUR SEWERAGE CHARGE IS:
the Ratable Value x rate per pound of the Ratable Value dependent on the services that the property receives or benefits from surface water drainage, highway drainage and foul sewage.

Metered Customers
We will send you a bill at least once every six months and the bill will need to be paid when you receive it.

Metered charges are made up of three elements: water supply, used water, and surface water drainage. Water supply and used water charges are based on the volume of water used. This is measured in cubic meters (m³); 1m³ is equal to 220 gallons or 1000 litres of water. The amount used is calculated based on the difference between two meter readings reflecting usage.

The Ratable Value of your property is calculated by your local council valuation office based on the type of property you occupy. They are not required to hold the records of your original Ratable Value or to consider any appeals against the figure. We only have the details of the final Ratable Value figure.

The Ratable 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 necessary 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 reduced accordingly.
Paying my bill

In accordance with the Water Industry Act 1991, any occupier of a property is legally responsible for paying the bill and is usually the person who uses the water.

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 right 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.

Please let us know immediately if we are chasing the wrong person for payment and the bill is not yours.

Trouble paying

Contact us now and we:
— will check whether you are eligible for any of our discounted charges,
— will try and resolve any issues you may have,
— will always deal with your case sensitively,
— 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,
— may be able to offer you a more suitable payment method.

We need to reach a joint agreement about payment of your bill. If we set up a payment agreement and you break it, the whole amount becomes due. It is therefore important that you pay the correct amount on the due dates.

If you pay by instalments, please don’t ignore any problems paying. We may be able to offer an alternative payment plan which is more affordable, making things easier for you.

If you have a particular problem in getting the money to us because of illness or disability, you can pay us in a different way, which may be more convenient.
Help to pay

Assistance Schemes
We offer a number of schemes to make your bill affordable:

— **Welsh Water Assist:** If you receive certain benefits and either have a health condition that means that you need to use extra water, or have three children under the age of 19 in full time education living at home, you can apply to cap your bill at £131 for water services and £131 for sewerage services.

— **Customer Assistance Fund:** Pay current charges and get help with your arrears.

— **Water Direct:** If you receive certain benefits and are in arrears pay directly through your benefits and we’ll reduce your bill by £25. Visit [dwrcymru.com](http://dwrcymru.com) to find out more.

Water Meters
You may benefit from having a meter installed if you use a small amount of water. Apply now at [dwrcymru.com](http://dwrcymru.com).

But remember, you will still need to pay any outstanding bills before making an application for a water meter.

Independent advice directory

**CITIZENS ADVICE BUREAU**
citizensadvice.org.uk

**CIVIL LEGAL ADVICE**
0845 345 4345
gov.uk/civil-legal-advice

**MONEYLINE CYMRU**
elmline.co.uk

**NATIONAL DEBTLINE**
Freephone 0808 808 4000
nationaldebtline.co.uk

**SHELTER CYMRU**
0845 075 5005
sheltercymru.org.uk

**STEPCHANGE**
Freephone 0800 138 1111
stepchange.org

Whilst we will do all we can to help you, the payment of your bill is your responsibility.
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 second reminder is sent. These agencies are regulated by the Financial Conduct Authority and operate in accordance with Codes of Practice set by ourselves and by the Credit Service Association.

Disputes
If you do not think 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 County Courts 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.

If your account is referred to a Debt Collection Agency they may also take legal action through the County Courts on our behalf.

In addition, if you fail to pay your bills when they become due, we may default you at Credit Reference Agencies which may impact on your ability to get credit.

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 that has been arranged with us, we may seek to issue a County Court Claim to recover the 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:

1ST STEP - 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.

2ND STEP - LEGAL WARNING LETTER
Should you fail to respond to the above Final Notice, you will then be sent a Legal Warning letter which will advise that you have failed to pay your bill within 35 days of it becoming due, and warning that if no payment or contact is received, we will consider issuing legal proceedings for the outstanding debt.

3RD STEP - LETTER BEFORE ACTION
If no payment or contact is received by Dwâr Cymru Customer Services Ltd to the Final Notice and Legal Warning letter, then a Letter Before Action will be sent to you. This is a legal document notifying you of the commencement of legal action within 14 days from the date of the letter should you fail to pay the full outstanding balance owed to us within this time period.

FINAL STEP - ISSUE OF A COUNTY COURT CLAIM AGAINST YOU
If you fail to make the required payment, we will ask the County Court to issue a claim against you for the debt. Upon issuing legal proceedings, we will be entitled to recover legal costs which will be added to the amount you already owe.

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

If you fail to contact us or pay the outstanding amount detailed in the Claim, we may then request a County Court Judgment against you. As a result of this further legal costs will be added to the outstanding debt.

Should a County Court Judgment be granted by the Court, the judgment will be entered on the Register of Judgments for 6 years, unless you pay the full amount within a calendar month from the date that judgment was obtained against you. If you pay the outstanding judgment debt after one calendar month, the judgment will remain on the register for the six year period but it will be marked as 'satisfied'.

The Register of Judgments is a matter of public record and other organisations will be able to view information regarding that judgment. The granting of a County Court Judgment against you may affect your credit rating.
Enforcing the judgment
If you do not pay us 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 Court to allow a County Court Enforcement Officer to visit your home with the aim of taking control of your possessions and gaining full payment.

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 re-activated.

Enforcement Officers are employed by the County Court and keep to the County Court standards and procedures. If you have a complaint about the Enforcement Officers please contact your local 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 and attempt to take control of any personal possessions belonging to you.

The High Court Enforcement Officer will attempt to take control of your personal possessions to raise sufficient funds to satisfy the judgment debt, costs, interest and his own charges incurred during the execution of the Writ of Control.

OBTAINING AN ATTACHMENT OF EARNINGS ORDER
If you are in paid employment and we have your employer’s details, we may make an application to the Court to request that your employer make deductions from your salary.

The law governing Attachment of Earnings Orders allows Dŵr Cymru Customer Services Limited to have in operation two Attachment of Earnings Orders at a time.

If an Attachment of Earnings Order is granted by the Court, the amount deducted will be a percentage of your salary, as set out in the Attachment of Earnings Act 1971.

CHARGING ORDERS
We can apply to the County Court or High Court for a Legal Charge to be put on your property.

Should a Legal Charge be obtained and you then sell that property, the amount you owe us would be deducted from the proceeds of sale.

We can apply to the Court to force an Order for Sale of your property to pay the outstanding arrears and all costs incurred.
ORDER FOR FURTHER INFORMATION

Once judgment has been obtained against you, we are at liberty to request an Order for Further Information from the Court. This means you will be ordered to personally appear before the Court to answer questions about your financial circumstances.

Should you fail to attend Court, you will be deemed to be in contempt of court and should you fail to attend a further hearing, listed by the Court, a warrant for your arrest will be issued.

THIRD PARTY DEBT ORDER

If we are aware that a third party owes you money, we may seek to apply to the Court for a Third Party Debt Order. Once a Third Party Debt Order is granted by the Court, the Court will take sums owed to you by a third party, such as a bank, and seize the sums for the benefit of us.

Following the award of a Third Party Debt Order, the third party will then be obliged to make payments to us rather than you until the outstanding judgment debt and associated costs are cleared.

Bankruptcy

We may decide to take insolvency action against you if the total debt you owe to us is more that £750.00. If the Court declares you bankrupt you could lose your home and possessions to pay the debts and have to pay significant additional costs on top of the debt that is owed to us.

We would send you a letter warning of bankruptcy proceedings and give you a last chance to pay before bankruptcy action starts.

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

If you do not agree a payment arrangement after the service of a Statutory Demand, or if your local County Court does not set your case aside, we then serve you with a bankruptcy petition.

We are unlikely to take bankruptcy action against a customer where:

— you have sufficient realisable assets e.g. equity in a property to pay the debt and all costs incurred,
— you are considered vulnerable,
— all other enforcement remedies have not been exhausted.
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 ‘How we handle your complaints and compliments’ which is available online at 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
Caradog House, 1-6 St Andrews Place
Cardiff, CF10 3BE

Phone: 029 2023 9852
Fax: 029 2023 9847
Minicom: 0121 345 1044 Room 140
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 you data’, which can be found at dwrcymru.com.