

## **The complaint**

Mrs L complains that British Gas Insurance Limited has declined her claim for damage to a sink. She says damage was caused by its engineer replacing a tap under her home emergency policy.

## **What happened**

Mrs L contacted British Gas in March 2021 when a tap was leaking. An engineer was sent to replace the tap. Mrs L says the engineer struggled to remove the old one. When he had finished, a crack was noticed in the sink. Mrs L complained to British Gas about the damage the engineer had caused.

British Gas says that it has studied photographs taken of the sink both before and after the tap was replaced. It says the crack Mrs L complained about is visible in the images taken before the engineer replaced the tap. As the damage was already present it rejected the complaint.

One of our investigators looked into this. He decided not to uphold the complaint. He concluded the photographs showed a crack was present before the tap was replaced.

Mrs L disagreed with this outcome and asked for an ombudsman to review her complaint.

This has been passed to me to decide.

## **What I've decided – and why**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Having done so I am not going to uphold this complaint, and for broadly the same reasons set out by our investigator. Let me explain.

My focus here is to consider whether British Gas behaved fairly toward Mrs L in rejecting her complaint.

Mrs L's claim under her home emergency policy was accepted, this is not in dispute. It is the damage she claims the engineer caused to the sink, which is the subject of this complaint.

Mrs L says that the engineer struggled to remove the old tap. She says her son witnessed this and recalls the engineer pointing out the damage. She says the engineer asked if there were any kids in the house. Her son queried the relevance of this comment. The engineer said that kids could hang off the sink, but if there are no kids it should be fine.

British Gas says it spoke with the engineer who replaced the tap. It says he denied struggling to carry out the work, suggesting it was no more difficult than any other tap replacement he had carried out. The engineer said the crack in the sink was visible when he removed the old tap. He says this wasn't immediately noticeable as the area around the tap contained limescale and other residue that partly obscured the cracking.

British Gas says the engineer pointed out the damage as an observation, so that the customer would be aware it wasn't something he had done. It also says that the new tap has a smaller base than the old. This reveals more of the crack, which it says will have been obscured with the old tap in situ.

I note British Gas also says that the crack is dark in colour. It suggests it has been in place for some time, as it would be lighter in colour had it occurred recently.

I have looked through the photographs of the sink, in close detail, both before and after the old tap was replaced with the new. A hairline crack is just visible extending from the back of the sink to the base of the old tap. As British Gas says, this is obscured in part by the build-up of limescale and other residue. However, a crack is visible, and this was apparent before the engineer replaced the old tap with the new.

Looking at the photographs after the new tap was fitted, the crack visible in the original image is still there. The full extent of the cracking is revealed after the tap was replaced. This is because the new tap has a much smaller base. Its removal reveals more of the sink and shows where the crack had extended beneath the base of the old tap.

I acknowledge Mrs L's comments that a crack can't be seen in the earlier photographs. But having examined the evidence I am satisfied a crack was visible. As mentioned, this is a hairline crack and was partly obscured by the residue around the old tap.

Based on what I have seen I think it most probable that the full extent of the cracking shown in the photographs existed prior to the engineer fitting the new tap. This was previously obscured by the larger base of the original tap, and the residue around its base.

In considering all this, I think British Gas acted fairly in not accepting responsibility for the damage to the sink. So, I can't reasonably ask it to do anything further to resolve this complaint.

### **My final decision**

For the reasons I have explained I am not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs L to accept or reject my decision before 15 September 2021.

Mike Waldron  
**Ombudsman**