

## **The complaint**

Mrs M complains about British Gas Insurance Limited's (BG) poor service following a claim under her home emergency policy.

## **What happened**

Mrs M reported a leak in her boiler to BG. It sent an initial engineer who didn't fully fix the problem. Following this, Mrs M said the BG engineers either failed to show or cancelled appointments. This led to Mrs M having to miss five-days' work.

Mrs M complained to BG who said that it would send another engineer. That engineer did not attend either. Mrs M complained to BG who then invoked its winter contingency plan and advised Mrs M that she could get an independent engineer, to fix her boiler and send the invoice to BG to reimburse, which Mrs M did. BG reimbursed the invoice.

Mrs M remained unhappy with the poor service she received from BG, that included missed appointments, misinformation she was given and constantly having to chase BG. In its final response, BG accepted that there were poor customer service issues and apologised. It offered £250 compensation for the trouble and upset caused and confirmed that this has been paid.

Mrs M wasn't happy with this outcome as she said that it didn't consider the number of days earnings that she lost. So, she referred the complaint to our service.

One of our investigators considered the complaint and didn't think it should be upheld. He considered that the compensation offered of £250 was fair. He said that BG had reimbursed the cost of the independent engineer, which meant that the claim was ultimately resolved. But he hadn't seen any evidence to support the loss of earnings and he thought it wouldn't be fair or reasonable to direct BG to pay the loss of earnings, without this further evidence.

BG accepted the view. Mrs M did not. She said that BG treated its customers badly, with their misinformation, five days wasted in waiting for an engineer to attend. She also said that she was unable to provide evidence of loss of earnings as this would breach data protection. So, she asked for a decision from an ombudsman.

## **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, and like the investigator who looked at Mrs M's complaint, I've decided not to uphold it. I understand that this will come as a disappointment to Mrs M, but I hope my findings explain why.

First though, it's important to say BG accepts that there were a few failed appointments and BG accepts this wasn't an acceptable level of service. I agree. BG explained that it was affected by industrial action which meant that the availability of its engineers was reduced. The knock-on effect was that appointments were either missed or had to be rescheduled, as BG had to prioritise customers who had no heating or hot water. Thankfully, Mrs M did have heating and hot water.

I'm in no doubt BG's failings meant Mrs M suffered distress and inconvenience as a consequence. But what I must decide here, though, is what I think is fair and reasonable to direct BG to pay Mrs M to compensate for its failings.

I take into account that BG reimbursed in full, the costs that Mrs M had to pay for the independent engineer she used to complete the repair. I also take into account that BG paid £250 compensation for the poor service. I can understand why Mrs M was upset to learn what had happened. She said that the £250 for the distress and inconvenience wasn't satisfactory, not least as she felt BG had been untruthful. And because of this, she sought more compensation.

I have taken into consideration everything that both sides have said. But I should be clear that our role isn't to fine or to punish the businesses we cover. Rather, we look at the effect on the customer including their upset.

Although I accept that Mrs M was frustrated by the poor service she experienced, I'm satisfied that BG's reasons for not being able to attend as soon as it would've liked, are reasonable. As such, I have factored in the inconvenience and frustration that Mrs M suffered. I think that the offer of £250 compensation is fair, and in line with what I would've recommended had BG not already done so.

As to the loss of earnings, I asked Mrs M to provide evidence of her loss of earnings. She said that she wouldn't be able to provide any supporting documentation of her loss of earnings, as it would breach data protection rules. Without any supporting documentation to prove the loss of earnings, Mrs M hasn't demonstrated that she had a valid consequential loss claim. So, it wouldn't be fair or reasonable for me to direct BG to make an additional payment for the loss of earnings.

Also, we don't directly compensate customers for lost hours of work. If we did, we'd be compensating those with higher-paying jobs far more than others, which wouldn't seem fair. While I understand Mrs M's strength of feeling, for the reasons I've given and taking into account all the information I have on this complaint, I don't think that it would be fair or reasonable for me to ask BG to do anything more to resolve this complaint.

### **My final decision**

For the reasons I explained, I think the payment of £250 compensation for the trouble and upset caused, is fair and reasonable.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs M to accept or reject my decision before 26 November 2021.

Ayisha Savage  
**Ombudsman**