

The complaint

Mrs K complains that British Gas Insurance Services Limited ("British Gas") mishandled her claim.

The details of this complaint are well known to both parties and have also been set out extensively by the investigator before me, so I don't intend to repeat everything again here. Instead, I will focus on giving the reasons for my decision.

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 agree with the conclusions reached by the investigator and have decided to uphold it in part, for the reasons set out below:

- I appreciate that British Gas initially discussed the option of providing a replacement oven with Mrs K, as the part needed to repair it wasn't originally available. And I accept that they've handled things poorly by leading Mrs K to believe that this was going to happen, where there was still a possibility of the part being obtained. However, British Gas have since been able to source that the required part, such that the oven can be repaired, meaning a replacement is no longer necessary.
- There is nothing in the policy that obligates British Gas to provide Mrs K with a replacement oven in these circumstances, which states that a replacement will only be offered if a repair is not possible. So, even though British Gas prematurely offered this as an option to Mrs K initially, I consider it would be disproportionate to ask them to provide a replacement, given that a repair is now possible, (and of which the cost of the spare part is only £14, compared to a replacement oven which would be around £3,000). I understand that Mrs K considers a replacement to be the only acceptable solution, but this is not something I will be directing British Gas to do in these circumstances.
- In terms of Mrs K's radiators, British Gas have since agreed to replace all three radiators free of charge, which I think is a fair and reasonable offer. So, I do not consider it necessary to explore this issue any further (excepting the distress and inconvenience caused to Mrs K by British Gas's handling of her radiator replacement, which I've addressed below). I understand there have been further ongoing issues with Mrs K's radiators. But if she is unhappy with anything British Gas have done since their original final response to her complaint, this will need to be raised as part of a separate complaint with the business first.
- In terms of British Gas's handling of Mrs K's claim, I can see that it has fallen below an acceptable standard and, at times, has been considerably poor. I can see, for example that she has been given various conflicting and inconsistent information about her radiator replacement, appointments and whether or not the oven was going to be repaired or replaced. I can also see there have been avoidable delays resolving the issues Mrs K has reported, including getting her radiators fitted, which likely

exacerbated her medical conditions during the colder months. Mrs K has also experienced an unreasonable delay in having to wait for a part to become available for her oven to be repaired, which left her without a fully functioning cooker over Christmas. I can also see that Mrs K was misled to believe she would be receiving a replacement cooker, which British Gas could have handled better by managing her expectations more accurately (i.e. by saying that a repair will always be the primary option if it becomes a possibility). In addition to this, Mrs K has experienced various other instances of poor service such as not being called back when she was told that she would, and also an all-round failure to keep her updated.

- British Gas offered Mrs K £250 compensation in recognition of the distress and inconvenience caused. But having considered the impact British Gas's handling of Mrs K's claim has had on her mental health and wellbeing, I do not consider this to be a proportionate reflection of the distress and inconvenience suffered. Our investigator recommended an award of £500, which I also consider to be fair compensation in the circumstances, in light of the poor service, delays and inconsistent information Mrs K has received throughout her claim.
- I understand that Mrs K's health has deteriorated since she made her complaint to this service, which I'm very sorry to hear, and hope that she is able to recover as soon as possible. I also understand that she wanted to provide more information about her complaint. But I'd like to assure Mrs K that I have considered everything she has told us about being offered a replacement oven, and I don't dispute that this was the case. However, even if she was incorrectly promised this by British Gas, it is not something that I consider would be fair to ask them to do for the reasons I've already stated above. It is, however, something I have taken into account when considering what compensation British Gas should pay, given that they have clearly given her misleading information.

I appreciate this may come as a disappointment to Mrs K, who understandably feels strongly about her complaint. But for the reasons given above, I will not be asking British Gas to provide her with a replacement oven on top of the compensation awarded in this decision.

My final decision

For the reasons given above, I uphold this complaint and direct British Gas Insurance Services Limited to pay Mrs K £500 compensation for the distress and inconvenience caused by their handling of her claim.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs K to accept or reject my decision before 10 May 2022.

Jack Ferris
Ombudsman