

## The complaint

Mrs H complained poor workmanship by British Gas Insurance Limited (“British Gas”) caused a leak at her property when it attended to a home emergency under her “HomeCare” insurance policy. Mrs H had representation during the claim, but for ease and simplicity I will only refer to Mrs H.

## What happened

Mrs H made a claim under her policy to repair a damaged pipe that was external to her property. The external pipework had become detached at one of the joints where it exited her bathroom. British Gas appointed a contractor to carry out the repair, but shortly afterwards the problem re-occurred, so British Gas appointed a second contractor to fix the issue.

Just under three months later, Mrs H experienced a leak to the downstairs of her property when she emptied her bath. British Gas attended and identified the cause as *“a fitting being installed incorrectly underneath the bath”*. Mrs H said she thought the issue was caused when British Gas worked on the external pipe. However, British Gas said this wasn’t possible, as it had only worked on the external pipe and hadn’t removed the bath panel that provided access to the internal pipe.

Mrs H said the pipe under the bath had been in situ for over 20 years, so it was too much of a coincidence that she had an issue with it after British Gas had been working on the external pipe which was connected to the pipe that run under the bath. So, she thinks British Gas should make good her property for the leak. However, British Gas doesn’t think it’s liable as it said it didn’t cause the issue with the internal pipe. British Gas did pay £50 compensation for delays with the claim.

Our investigator decided not to uphold the complaint. She didn’t see anything that she thought suggested the leak was a result of anything British Gas’ contractor had done. She thought £50 compensation was fair for the delays caused. Mrs H disagreed, so the complaint has been referred to 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.

In claims where the insurer has appointed contractors to carry out repairs, I would expect the insurer to take responsibility for the workmanship of what was carried out. So, as this complaint is about the workmanship of contractors appointed by British Gas, I’ve considered whether I think the work carried out has been to a reasonable standard. I have reviewed the testimonies provided by both parties.

Mrs H has suggested it’s irrelevant whether British Gas removed the bath panel. She said taking the bath panel off has nothing to do with the leak, she said *“blaming a fitting that was fitted when the house was built over 20 years ago is not fair – the bathroom hasn’t been*

*altered since the house was built". Mrs H has said it can't be a coincidence that "soon after a workman works on the pipes that are attached to this fitting – it leaks - seems far-fetched at least?".*

Mrs H didn't trust the work carried out by British Gas' contractors – especially the first contractor. She said the first contractor who attended didn't apply silicone to the joint in the pipe – she said this was confirmed to her by the second contractor who attended site to fix the issue. She said, *"there was zero brackets fitted to the [external] pipe - after the second [contractor] visit there is now numerous brackets fitted".*

British Gas said *"the incorrectly fitted waste elbow had not been worked on by us or fitted by us previously. The work the engineer carried out...was outside the building, there is no way this could have had any effect on the fitting underneath the bath as it was far down the line of the waste pipe, there was no way this could have had any impact as the pipe was sealed tightly as it went through the wall and there was no movement, if you look at the photos provided you will see there was no impact of the work outside to inside".*

British Gas didn't work on the defective pipe fitting under the bath during its initial visit, but as Mrs H has pointed out it's quite possible this could've been impacted by the work that British Gas carried out externally to the pipework. So, I asked both parties for further evidence to support their stances.

British Gas said this wasn't possible and the photographs provided proof of this, along with the actual work logs from the visits and additional testimony.

The log sheets show that British Gas attended to the external pipe to the bathroom in early February and attended to fix the waste pipe under the bath (that caused the leak to the property) in late April. British Gas has explained that *"if pipes are fully supported they should never come free from a mechanical elbow".* British Gas also said *"if work was carried out on an external waste pipe no engineer would ever remove the bath panel to ensure the pipework under it had been installed to a reasonable standard. It would be any engineer's expectation that internal pipework was installed to a satisfactory standard".*

I have examined the log sheets provided from British Gas and they are consistent with the work it has described. I think it has also explained that the waste pipe shouldn't have come apart creating a leak if they had been properly fitted and supported.

No evidence has been provided to support Mrs H's theory that the work on the external pipe caused the issue on the internal pipe. For me to uphold a complaint, I need to see evidence to support my decision. As I haven't seen supporting evidence and as it was around three months between when the first work took place and when the leak happened, I think it's unlikely that British Gas' workmanship caused the issue. I think it's likely their work was satisfactory. Therefore, I don't uphold this complaint.

### **My final decision**

- My final decision is I don't uphold this complaint, I don't require British Gas Insurance Limited to do anymore.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 6 July 2022.

Pete Averill  
**Ombudsman**