

The complaint

Ms J has complained about Inter Partner Assistance SA (IPA). She isn't happy about the way it dealt with a claim under her home emergency policy.

What happened

I looked at this case and provided my initial thoughts in my provisional decision as follows;

Ms J made a claim under her home emergency policy as she had water pouring through her ceiling into her kitchen from the bathroom above late at night. IPA said that it would have one of its emergency plumbers out within a few hours. But when they didn't arrive Ms J had to chase IPA, but no one attended until the next morning. And by the time they attended the ceiling had collapsed in the kitchen.

Ms J went onto make a claim under her home insurance for the damage caused but complained to IPA about the delay in attending. And because she had a further two leaks from around the same place – the waste of the bath. IPA acknowledged that it should've turned out earlier and offered Ms J £250 by way of compensation. But it didn't think its delay caused the ceiling to collapse. Ms J maintained that the ceiling would not have collapsed had IPA attended within a reasonable time frame and so she complained to this Service.

Our investigator looked into things for Ms J but didn't uphold her complaint. She thought IPA's offer of £250 compensation was fair in acknowledgment of the delay and poor service provided. But she didn't think that IPA could be held responsible for the ceiling collapsing.

As Ms J didn't agree, maintaining that the compensation should be significantly higher especially as she thought the ceiling could have been saved had IPA attended in a reasonable period of time, the matter has been passed to me for review.

What I've provisionally 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 think the complaint should be partly upheld. I'll explain why.

Although I can understand Ms J's frustration and disappointment that IPA didn't attend in a reasonable period of time I can't hold it responsible for all the problems she subsequently faced. However, although I can't be sure Ms J's ceiling wouldn't have collapsed had IPA's plumber attended on the night in question, as opposed to the next morning, I think the damage would have been limited.

For example, the ceiling could have been pulled down in an organised manner and then Ms J wouldn't have faced the stress and inconvenience of her ceiling falling down all over her kitchen. I've seen the pictures of the collapsed ceiling and the damage strewn across the kitchen. And it is clear that this would have been a very worrying and stressful time for Ms J, which would have been made worse by IPA's non-attendance.

IPA has also accepted that its repairer didn't deal with the repair properly initially which meant that there were further leaks at her property. Again, this must have caused Ms J further stress and worry. So, I think it would be fair to increase the level of compensation to £500, as opposed to £250, given the further problems Ms J had and the fact that the traumatic nature of her ceiling collapsing could have been mitigated with a prompt response.

Replies and developments

Both sides responded to my provisional decision. IPA said it accepted the position outlined.

While Ms J reiterated that she didn't feel it was fair that the additional damage caused wasn't covered either by IPA or under her home insurance policy. She explained again her frustration that IPA didn't turn out quicker and that her insurer hadn't replaced a number of items she feels was damaged by the leak.

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 maintain that the fair and reasonable thing to do, in the particular circumstances of this case, is to uphold this complaint and increase the level of compensation.

As IPA have accepted the position outlined and Ms J, in the main, has raised points about her home insurance policy provider I don't propose to go over the finer detail of this complaint about IPA again here.

I will look into Ms J's complaint about her home insurance provider separately, so I won't consider these issues here. Ultimately, although I understand Ms J's frustration that IPA didn't attend in a reasonable time, it isn't responsible for all the damage caused.

However, as outlined above, I do think the damage and distress would have been limited had IPA have attended on the night in question as opposed to the next day.

So, I maintain that the fair thing to do is for IPA to increase its compensation level from £250 to £500.

My final decision

It follows, for the reasons given above, that I partly uphold this complaint. I require Inter Partner Assistance SA to pay Ms J £500 in compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms J to accept or reject my decision before 8 November 2022.

Colin Keegan
Ombudsman