

The complaint

Mrs C has complained about how British Gas Insurance Limited (British Gas) dealt with a claim under her home emergency policy.

What happened

Mrs C contacted British Gas to report that water was leaking at the bottom of the hot water tank and was coming through the ceiling below. British Gas sent an engineer, who traced the leak to an issue with the seals in the ensuite shower that neighboured the cupboard that housed the hot water tank. As this wasn't covered by the policy, the engineer left.

Mrs C found there was still a leak. So, she contacted her home insurer, who sent an engineer. This engineer said the leak was in the water tank cupboard and "*tightened a few knobs*" to resolve the issue. Mrs C then contacted her home insurer again because the leak continued. Another engineer visited and traced the leak to a pipe in the loft, which it repaired.

Mrs C complained to British Gas. She said the British Gas engineer had told her the shower was leaking and that she'd had to contact her home insurer as the leak was worse. Mrs C said she'd been misled and it had now cost her the £450 excess on her home insurance policy. When British Gas replied, it said the damage wasn't caused by its engineer and was consequential damage. It suggested Mrs C contact her home insurer. It offered £20 as a gesture of goodwill.

When Mrs C complained to this service, our investigator upheld the complaint. He said the evidence showed there was a leak from the cold water feed. If British Gas' engineer had found this, the policy would have covered it and Mrs C wouldn't have had to contact her home insurer. He said British Gas should refund the home insurance excess and pay £200 compensation.

As British Gas didn't agree, the complaint was referred to me.

I issued my provisional decision on 17 April 2023. In my provisional decision, I explained the reasons why I wasn't planning to uphold the complaint. I said:

Mrs C was on holiday when British Gas' engineer visited, so her son dealt with the engineer. The British Gas engineer found a problem with the seals in an ensuite shower. The engineer said he showed Mrs C's son that the leak was coming from the shower seals and grout by hosing down the faulty area. When the engineer did this the water showed in the cupboard and when he pointed the head away from the faulty seals the leak in the cupboard stopped. I'm aware Mrs C disagrees with this. She has said there was no issue with the shower and, although she initially seemed to tell British Gas that she had ripped out the shower because of the engineer's advice, she has since provided evidence to show the same shower is still there and has said it doesn't leak. She also said the shower wasn't in use at the time, as she was on holiday and her children used different bathrooms as the ensuite was in her bedroom.

I've thought about this. The engineer described the test he carried out and said he showed this to Mrs C's son to demonstrate what he thought was the cause. I'm also aware the engineer later told this service that when he ran the water into the shower tray this didn't leak into the cupboard and it only happened when the seals were sprayed. Although I'm aware Mrs C has said the shower wasn't in use around the time of the leak, I haven't seen anything that shows this was raised with the engineer during his visit, which might have caused him to consider whether there might be another source for the leak. On the basis of the information available to the engineer at the time, I think it was reasonable for him to assess that he had found the source of the leak and for him to leave the property because faulty seals weren't covered by the policy. I wouldn't expect the engineer to look for further leaks when he had found a source for the leak and it was consistent with the issue reported.

Mrs C then arranged for an engineer to visit under her home insurance policy. Mrs C has said this engineer found a leak in the hot water tank cupboard and that he "tightened a few knobs". I'm not assessing the actions of this engineer and whether what he did was reasonable. He didn't work for British Gas and his actions aren't part of this complaint. But, this meant two engineers visited, one from British Gas and one from the home insurer and both seemed to find leaks and these were in different places. In my view, this also suggests that when this engineer visited, which was after the British Gas engineer, there wasn't evidence to show there was a leak potentially coming from the loft that required further investigation.

A third engineer then visited, also from the house insurer, who found that the "cold supply pipework in [the] loft had accidentally been stood on and had slowly been leaking for a long period of time". The engineer also advised Mrs C that this might not be the source of the leak and there might be a leak in the internal wall. It's my understanding that this engineer did resolve the issue, but I think this also indicated that it still wasn't clear at that time whether the source of the leak had been found.

I can understand Mrs C is concerned that British Gas didn't find the leak in the loft during its visit. However, based on the evidence I've seen, there appeared to be three different issues found that meant water leaked into the cupboard and caused damage to Mrs C's home. I'm also aware the ceiling was already damaged before the British Gas engineer visited. I currently think the British Gas engineer acted reasonably during his visit and that there isn't sufficient evidence to show the engineer should have carried on searching for a leak following the tests he carried out on the shower seals.

As a result, I don't currently intend to uphold this complaint or to require British Gas to do anything further.

I asked both parties to send me any more information or evidence they wanted me to look at by 15 May 2023. Both parties replied before that date.

Mrs C didn't agree with my decision. She said there was one leak and it came from the loft. She said the shower base hadn't been touched and said it hadn't fixed itself. She said she wouldn't be accepting the outcome.

British Gas replied and said it didn't have anything further to add.

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've decided not to uphold this complaint and for the reasons given in my provisional decision. As part of that, I've considered the comments that have been provided. I'm aware there was a leak coming from the loft. However, I still think the evidence showed that the British Gas engineer and another engineer found other sources for a leak.

Mrs C has also commented on the shower tray. When I made my provisional decision, I was aware Mrs C disagreed there was an issue with the shower. I considered this, including that the engineer explained there wasn't an issue when the water was sprayed directly into the shower tray and it only happened when the water was sprayed on the seals and grout. The engineer showed Mrs C's son what he thought was the source of the leak. I haven't seen evidence that the engineer was given information at the time that I think should have caused him to consider if there might be another source for the leak.

I remain of the view that based on the tests he carried out and the information available to him at the time, it was reasonable for the engineer to think he had found the source of the leak. I don't think he had any particular reason to keep searching for a leak when he had already found an issue that was consistent with what had been reported. So, I think it was reasonable that the engineer left the property without checking the loft.

My final decision

For the reasons I've given above and in my provisional decision, my final decision is that this complaint is not upheld.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs C to accept or reject my decision before 18 May 2023.

Louise O'Sullivan
Ombudsman