

The complaint

Miss B complains about British Gas Insurance Limited's handling of her HomeCare claims.

What happened

Miss B holds a HomeCare policy with British Gas. She made several claims from March 2023 for issues at her property, including leaks. British Gas's engineers attended and carried out repairs. Miss B complained that damage had been caused to the property due to the leaks.

British Gas didn't accept that it was responsible for any damage caused by the leaks, and said there had been more than one leak in the property. However, it offered Miss B £100 compensation for the multiple visits and missed appointments. Unhappy with this, Miss B brought a complaint to the Financial Ombudsman Service.

Our investigator partly upheld the complaint. She didn't think British Gas was responsible for any damage to the property. However, she thought some of the repairs may not have been done properly and meant further visits were necessary. Taking into account the multiple visits, she recommended British Gas pay £150 compensation in total for this.

Neither party accepted our investigator's findings, and so the matter has been passed to me for a 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.

I've read the engineers reports (which include photos taken). The initial issue was that the toilet was moving. The engineers attended on two occasions to seal the base of the toilet. The notes from the second visit say that if the silicone didn't hold, then the toilet would need to be screwed to the floor, or it would keep happening.

There were then several issues with the toilet which caused a leak (I understand this was over the left-hand side of the front door). Initially, the toilet overflow pipe had come off and needed to be refitted. Then the pan connector was found to be leaking, and the notes say this needed to be replaced. Miss B was told to book another appointment so this could be done. When the engineer attended, the pan connector wasn't changed. The engineer instead refitted the overflow pipe which had again become dislodged. The engineer noticed the toilet was cracked and said it needed to be replaced and the leak would continue if it wasn't.

British Gas thinks the movement of the toilet had damaged the toilet and its plumbing. That may well have been the case before the base was sealed. In any event, it's clear there were issues with the toilet/its connections. I don't know why British Gas didn't replace the pan connector, though I assume this was because the toilet was found to be cracked at that time

and needed replacing completely. The policy doesn't cover sanitary ware, and so British Gas wasn't required to replace the toilet.

Miss B then had the toilet replaced through her own plumber. Following this, I understand there was one further problem with the toilet, where the toilet flexi pipe was leaking. This was tightened and then stopped leaking. I don't know if this was loose due to the movement of the previous toilet, or if the plumber that installed the new toilet hadn't tightened it enough.

Miss B says her plumber told her the previous toilet wasn't cracked and didn't need to be replaced. It's not clear to me why her plumber would then replace the toilet if they thought this was unnecessary. Though in any event, Miss B accepts that after the toilet was changed, the leak over the left-hand side of her front door stopped. So this does support that there was a problem with the previous toilet.

Although the leak from the toilet was resolved, Miss B continued to experience another leak over her front door. The engineer checked the bathroom and found no leaks, and so arranged for a senior engineer to attend. The senior engineer said access was needed to the waste pipe from the bathroom basin. Later an engineer gained access to the basin waste pipe and replaced part of this pipe. They also extended the overflow pipe from the cold water storage tank - this was found to be leaking as it wasn't long enough.

So matters have been complicated here by the presence of separate leaks – the toilet/its connections, the waste pipe from the basin, and the pipe from the cold water tank. In hindsight, the engineers could have carried out further investigations initially, and they may have found the issues with the waste pipe and the cold water tank earlier than they did. Whilst it's unfortunate the other issues weren't identified from the outset, I can understand why the engineers didn't carry out further investigations, particularly as the basin waste was concealed behind an area that was boxed in with tiles in place. And when they attended to investigate a leak, they found leaks with the toilet each time and resolved them. So they had no reason to think there were other leaks.

After British Gas became aware there was another leak, it did take some time for the source of this to be found. Given that the leak had been going on for some time, I don't think I can reasonably say that British Gas contributed to additional damage by this delay. Also, when an engineer initially visited and couldn't find the source of the leak (and a senior engineer was arranged to visit instead), it was noted that the leak above the door had stopped at that time.

Taking everything into account, I don't think it'd be reasonable to say British Gas was responsible for the damage that happened to Miss B's property as a result of the leaks.

However, British Gas has recognised that Miss B was caused inconvenience due to the multiple visits, as well as two missed appointments. It offered Miss B £100 for this. Our investigator thought this should be increased to £150 to recognise that not all the repairs were sufficient.

There were two visits to seal the toilet - although British Gas says its engineers didn't need to do this, the fact is that they did carry out that repair, but the silicone used initially wasn't strong enough. There were also two visits to refit the toilet overflow pipe – although British Gas thinks it dislodged for the second time due to the movement of the toilet, the toilet base had been sealed and had stopped moving by that point. I can't be sure what caused it to become dislodged for a second time, but one possibility is that the engineer didn't refit it properly initially. In the round, I think £150 compensation seems reasonable to recognise the inconvenience Miss B was caused by the multiple visits.

My final decision

My final decision is that I partly uphold this complaint. I require British Gas Insurance Limited to pay Miss B £150 compensation (less the £100 previously offered if this has already been paid).

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss B to accept or reject my decision before 17 May 2024.

Chantelle Hurn-Ryan
Ombudsman