

## **The complaint**

Mr C complains about the service he received after making a claim on his HomeCare insurance policy and is unhappy about how British Gas Insurance Limited ["BG"] dealt with the repairs to his boiler.

## **What happened**

Mr and Mrs C are represented by a third party in bringing this complaint. References I make to Mr C's actions, include those of his representative.

The background to this complaint is well known to the parties so I have provided a summary here.

- Mr C has a HomeCare policy underwritten by BG for a property he lives in. The policy includes cover for boiler repairs.
- Mr C reported to BG that his boiler was losing pressure. BG sent an engineer to the property to investigate but it says no-one responded so the engineer left a calling card. A further appointment was made for the following day and BG says its engineer topped up the pressure and pumped up the pressure vessel to deal with the issue.
- Mr C got back in contact the next day to say the pressure was dropping again and the water was too hot following the engineer's visit the day before. After some back and forth over appointment times, BG arranged another visit the same day. This engineer resolved the issue. While doing safety checks following the work, he identified a small gas leak which he repaired.
- Mr C was unhappy with a number of aspects of the way BG handled the claim and the repairs so he made a complaint. BG sent a final response and apologised for the incorrect rating of the boiler, said that there was no risk of harm from the gas leak but apologised for the concern caused. It explained that Mr C's requests for the complaint to be handled by specific people had caused the delay in its response. It paid Mr C £400 for the distress and inconvenience caused.
- Mr C remained unhappy and raised a complaint with this Service about various issues including, but not limited to, the gas leak, the water being left on a high temperature after the first visit and the potential impact his might have had on the vulnerable residents of the property and the way BG dealt with his complaint.

- Our Investigator considered the evidence but didn't uphold the complaint, concluding that the £400 BG had offered for the distress and inconvenience if had caused Mr C was fair and reasonable. Mr C asked an Ombudsman to make 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 know Mr C's representative feels very strongly about this complaint and has provided extensive submissions. I am required to undertake an independent and unbiased review of the evidence and make a decision on what I consider to be the *crux* of the complaint. That may mean at times my decision sounds somewhat dispassionate and I may not comment on everything the parties have said but I can confirm I have read and considered everything.

#### *The repair and the gas leak*

- It's important I'm clear from the start I can't consider, make findings on or award compensation for the impact of things that *might* have happened under other circumstances, but in the event, *didn't* happen. I can also only award compensation for the policy holders, not for anyone else.
- Mr C thought the first engineer had rushed the job and claimed he had only been in the property for five minutes. BG said in fact he had been there for around 30 minutes and this is confirmed in BG's job notes from the time. BG said this was in line with what it would have expected for the work undertaken. So, I'm not persuaded the engineer rushed the job but as the pressure continued to drop after his visit, I'm not satisfied he undertook an effective repair. I have kept this in mind when considering the compensation I'm awarding.
- The second engineer resolved the issue by replacing a valve in the boiler and while undertaking his safety checks, identified a small gas leak in the boiler elbow which he repaired.
- Mr C believes the first engineer should have identified this leak when he attended as he believed it was the cause of the drop in pressure. And because the engineer didn't, Mr C says he was exposed to potential harm. But I've not been given any evidence which persuades me this small gas leak was the cause of the drop in pressure nor which shows whether the gas leak just started that day or had been there previously so I can't say with confidence whether this should have been identified sooner.
- BG confirmed the gas leak was small and within acceptable tolerances. It also confirmed for leaks of this nature, there was no danger to the residents in the property. Indeed, Mr C also confirmed there had been no smell of gas in the property.
- I know Mr C doesn't agree with BG's view here and has expressed concerns about the potential danger he thinks BG caused. But I haven't seen any professional opinion which contradicts BG's view of any potential risk. I also have to keep in mind that BG fixed the leak quickly during the same visit it was identified and importantly no harm came to the residents of the property.

- Mr C thinks BG has breached certain gas regulations. I take on board his interpretation but this hasn't been supported by any technical or expert opinion to support this. And as we're not experts here, I'm not satisfied I can safely say such a breach has taken place. In any case, my role requires me to think about the impact of any mistakes and handling on the part of BG - and that's what I've done here.

#### *Other issues*

- BG apologised that its first engineer mis-rated the boiler and it confirmed the correct rating was "A" as Mr C believed. I understand this misinformation may have been frustrating but I think the practical impact of this was limited.
- Mr C also had concerns that the first engineer had left the temperature on the boiler too high and this may have caused potential harm to the residents. I can see BG offered to guide Mr C over the phone into how this could be adjusted but he declined this offer. I've also kept in mind no harm was actually caused to anyone by this issue.
- As our Investigator explained previously, complaint handling isn't a regulated activity so I won't be commenting on Mr C's concerns about how BG dealt with his complaint. My role is to focus on the impact of BG's claims handling and that's what I've done in this decision.

#### *Compensation*

- I think BG should have handled the claim better than it did and, even though no actual harm was caused to Mr C or the other people in the property, I do understand the incident has worried Mr C and I have kept in mind the various vulnerabilities in the household, which I understand will have impacted this. Having thought very carefully about everything, I have decided that the £400 paid by BG is an appropriate way for it to recognise the impact of its shortcomings. I know Mr C is unlikely to agree with this but I am satisfied this is fair and reasonable in all the circumstances.

#### **My final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C to accept or reject my decision before 4 December 2024.

Paul Phillips  
**Ombudsman**