

The complaint

Mr and Mrs M complain about how Inter Partner Assistance SA ("IPA") handled a claim they made on their home emergency insurance policy.

IPA is the underwriter of this policy, meaning they are the insurer. This complaint partly involves the actions of its agent. Since IPA acknowledges responsibility for the agent's actions, any reference to IPA in my decision also includes the agent.

I will refer to Mrs M throughout my decision since she brought the complaint to this service, although the policy is in joint names.

What happened

Mrs M has a home emergency policy with IPA as a benefit with her bank account.

Unfortunately, in November 2024 Mrs M noticed her toilet was blocked and reported it to IPA to claim for the repair.

IPA accepted the claim and appointed an engineer to attend. When the engineer arrived he asked to inspect the waste pipe which was in the cellar. Mrs M showed him to the cellar but didn't go in herself.

The engineer completed the repair to the waste pipe and tested everything was working ok. As he was leaving he told Mrs M he wasn't able to get the light in the cellar to turn off, so Mrs M went to the cellar and turned off the light at the door without entering. She then locked the cellar.

Mrs M went to the cellar the following week to get something out of the freezer she had in there. She noticed there was no light on in the freezer so checked the power cable and found the switch had been turned off. Mrs M switched it back on noting the switch was stiff.

Mrs M spent 2 hours clearing the contents of the freezer, taking photos of the food, and itemising everything lost. Mrs M says prior to the engineer attending no one had been in the cellar for at least two weeks, and she was the only one who went in at that time, and the freezer was on. Mrs M noted the only person who had been in the cellar since the last time she was in there was the engineer and, she thought, he must have turned the power to the freezer off and not switched it back on.

Mrs M says she has suffered financial loss since the food cost approximately £900. She says the freezer has never been turned off in the years she's had it, and no-one apart from the engineer had entered the cellar between the last time Mrs M was there, and when she returned to find the food had defrosted.

Mrs M complained to IPA. She wants to be compensated for the inconvenience and distress caused, together with the cost of the food she lost.

In its response, IPA said the contractor firmly refutes turning off the power supply to the freezer since there was no reason to touch electrical sockets or power switches when trying to resolve the issue of clearing a blocked toilet. IPA said there was no way to verify the contractor was responsible for Mrs M's loss and so the complaint wasn't upheld.

Mrs M didn't agree with IPA's response so referred her complaint to this service. Our Investigator looked into the complaint and concluded that, on balance, she was persuaded it was more likely the engineer had turned the power socket off given he was working next to the waste pipe. So, the Investigator recommended IPA reimburse Mrs M £924 for the damaged food, together with £150 to reflect the distress and inconvenience caused.

IPA didn't agree. It said the plug for the freezer was close to the waste pipe but there is no indication in the report that the switch was turned off or removed in order to clear the blockage in the waste pipe. Because IPA didn't agree, the complaint has been referred to me to decide.

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 understand Mrs M has strong views about what happened, and I empathise with the position she's found herself in. I have read and considered everything I have received carefully, and focused my comments on what I think is most relevant. If I haven't commented on a specific point, it's because I don't believe it affects what I consider to be the right outcome.

Mrs M's complaint centres around the actions of IPA while attempting to repair the waste pipe at her home. I wasn't present at the property during this time so I'm unable to say for certain exactly what did happen. In situations such as this I've had to decide what I think is more likely to have happened, based on the balance of probabilities. And, since IPA weren't either, I've had to consider the conclusions IPA have drawn, from the evidence available, to decide whether I think it acted fairly and reasonably.

IPA say that the engineer's report does not mention turning off the power, and there is no testimony from the engineer to verify this. IPA assert that the work performed would not have required the power to be turned off, which may be true. However, there is no additional evidence to support this claim, and IPA acknowledges the possibility that the engineer may have turned off the power. Given these uncertainties, it is difficult to definitively conclude whether the power was turned off during the work.

Mrs M says she didn't go into the cellar when the engineer was there, and no one had entered it until she did a week or so later. And that's when she realised what had happened. Mrs M says she's never turned the power off in all the years she's had the freezer and, due to the type of freezer it is, it doesn't need to be defrosted. So, she had no reason to turn the power off. Especially since she was aware of the contents of the freezer at the time. As soon as she realised what had happened she notified IPA. Mrs M also took photographs of the spoiled food and itemised everything that was lost.

The engineer worked on the waste pipe located directly beneath the power switch, with the cable draped over the pipe. The switch itself was positioned high up near the cellar ceiling, in the area where the engineer was operating.

I have carefully considered the evidence provided and I'm persuaded that, on balance, it's more likely than not the engineer switched off the power while he was attending to the waste

pipe. I say this because he was working in the specific area while completing the work. Mrs M's testimony is clear, consistent and compelling. No one else entered the cellar around the time of the incident, and Mrs M was the only person with a key to the cellar. So, I'm upholding this complaint and detail how I think the complaint should be resolved below.

Conclusion

Taking all of the above into account I'm upholding the complaint. Given the evidence I'm persuaded the engineer likely turned off the switch during the works. And so, I think IPA should reimburse Mrs M for the loss.

This service has general guidelines for making awards for distress and inconvenience. It is clear to me the impact the matter has had on Mrs M, causing particular stress and upset. Having considered the evidence, I think the investigator's recommendation of a payment of £150 for the distress and inconvenience caused is fair and reasonable in the circumstances of the complaint. I would urge IPA, upon Mrs M accepting this final decision (if she does) to act swiftly to resolve matters.

Putting things right

In order to put matters right I direct IPA to;

- Reimburse Mrs M £924 for the contents of her freezer,
- Pay Mrs M £150 for the distress and inconvenience caused.

IPA must pay the compensation within 28 days of the date on which we tell it Mrs M accepts my final decision. If it pays later than this it must also pay interest on the compensation from the deadline date for settlement to the date of payment at 8% a year simple.

My final decision

My final decision is that I uphold this complaint and direct Inter Partner Assistance SA to resolve the complaint by doing what I've set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M and Mrs M to accept or reject my decision before 26 August 2025.

Kiran Clair
Ombudsman