

complaint

Mrs R has complained about the compensation British Gas Insurance Limited has offered for delays and inconvenience caused after a leak from her boiler caused damage to her bathroom ceiling.

background

The background to this complaint was set out in my provisional decision which was issued in January 2017. This is attached and forms part of this final decision, so I won't repeat that information here.

In my provisional decision I set out why I was minded to uphold Mrs R's complaint and I invited both parties to let me have their further comments. Both Mrs R and British Gas have said they have nothing further to add.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Given that both Mrs R and British Gas have said they have nothing further to add, I see no reason to alter my provisional decision. It therefore follows that I uphold Mrs R's complaint and direct British Gas to pay her £500 for the distress and inconvenience this matter has caused her.

my final decision

My final decision is that I uphold this complaint. I direct British Gas Insurance Limited to pay Mrs R a total of £500 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs R to accept or reject my decision before 6 March 2017.

Lorna Goulding
ombudsman

Copy of my provisional decision

complaint

Mrs R has complained about the compensation British Gas Insurance Limited has offered for delays and inconvenience caused after a leak from her boiler caused damage to her bathroom ceiling.

background

A British Gas engineer visited Mrs R's home in November 2015 to service her boiler under her Home Care policy. A fault was registered but the engineer was unable to complete the repair so a further visit was arranged for a few days later for the work to be completed. A few weeks later, Mrs R noticed water coming through her ceiling.

Mrs R's son went into the loft to investigate where the water was coming from and noticed a leak coming from the boiler stack. Whilst trying to prevent the leak causing further damage, Mrs R's son put his arm through the bathroom ceiling because it was so wet.

Mrs R reported the issue to British Gas in December 2015 and it sent an engineer to fix the leak within a few days. But Mrs R complained to British Gas as she felt it was also responsible for the damage caused to her bathroom ceiling.

British Gas reviewed the complaint and although it had fixed the leak, it didn't feel it had caused the problem as its engineer hadn't worked on the boiler stack. So it advised Mrs R to contact her home insurance provider to make a claim for the damage caused to her bathroom ceiling.

Mrs R says that between this time and when she contacted our service in May 2016, she made numerous calls to the service manager at British Gas. But she says she felt like she was being fobbed off and the service manager eventually stopped answering his phone. She also contacted her home insurer but was advised she'd have to pay an excess of £300 if she was to make a claim.

British Gas says that it didn't hear from Mrs R again after December 2015, until it was contacted by our service. At that time it reviewed the complaint and as its engineer had been in the same vicinity as the leak, it agreed to repair the ceiling. British Gas instructed a contractor and after two visits to Mrs R's home, the repairs have now been completed. British Gas has also offered Mrs R £250 compensation but she doesn't think this is enough.

Our investigator reviewed the complaint and thought that British Gas' offer was fair. Although there'd been delays, he didn't think these were entirely down to British Gas. And as the bathroom and facilities had remained useable during this time, he didn't think it would be fair to ask British Gas to increase its offer.

Mrs R disagreed with the investigator so the complaint has been passed to me to review.

my provisional findings

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'm likely to uphold the complaint. I'll explain why.

When Mrs R initially complained to British Gas it fixed the cause of the leak. But British Gas didn't respond to Mrs R's complaint made in December 2015 about the damage to the ceiling. When she complained to us, British Gas immediately agreed to repair the bathroom ceiling, as it acknowledged that its engineer had worked in the same vicinity as the leak. According to Mrs R the ceiling was "saturated" with water at that point.

Having considered the matter, I think that, on balance, it's likely the British Gas engineer did cause the leak. I can't of course be certain what caused the leak but the pipework had been in place with no problem for around seven years apparently. British Gas accepts its engineer was working in the vicinity of the pipework that was leaking and could have dislodged it whilst doing so. And the leak started not long after this. It also seems to me that the additional damage caused by Mrs R's son wouldn't have happened, had the leak not occurred and the ceiling been so wet.

So, I'm glad to learn that British Gas dealt with the ceiling repairs in the end. However, it didn't do so until around seven months after Mrs R first contacted it to report the matter in December 2015.

I acknowledge that British Gas says it didn't hear from Mrs R after it referred her to her home insurer. But I don't think this means it isn't responsible for the delay. Had it accepted responsibility for repairing the damage when Mrs R first contacted it, then this matter could've been resolved much sooner.

I can appreciate why British Gas' actions made Mrs R feel like she was being fobbed off. And I'm also conscious of the inconvenience this matter has caused her. An engineer had to visit her property on more than one occasion to carry out the initial boiler service and it seems likely he caused the leak. It then took seven months for the damage to be repaired. And the contractors had to visit twice to carry out the work. All of this was avoidable.

British Gas has offered £250 compensation. But given the above, I'm minded to conclude that £500 is a fairer reflection of the distress and inconvenience caused.

my provisional decision

My provisional decision is that I uphold this complaint. I'm mind to direct British Gas Insurance Limited to pay Mrs R a total of £500 compensation.

Lorna Goulding
ombudsman