

complaint

Miss H complains about British Gas Insurance Limited's (BG) failed repair under her Homecare insurance policy and about BG's poor service. My references to BG include its agents.

background

In August 2017 Miss H had a gas pipe leak which was repaired by BG after some difficulties. Miss H has said those issues were dealt with in her previous complaint to BG.

In February 2018 Miss H smelt gas again and called her gas network emergency service. Miss H says they found a gas leak where BG had done the gas pipe repair in 2017. She says the emergency service engineer was very unimpressed with BG's 2017 joint repair which was falling apart. The engineer shut off and capped the gas supply. Miss H was without central heating and hot water during very cold weather.

Miss H phoned BG the same day and told it what happened. BG said its engineer would attend the next day. He attended at about 5.30pm after Miss H had called BG to chase. Miss H says the engineer hadn't been told he was coming to a gas leak situation so couldn't fix the problem that day. BG's engineer fitted a new gas pipe the following day. Miss H says her heating and hot water were restored about 50 hours after she was cut off.

Miss H has also complained about how BG's staff spoke to her on the phone. She says they didn't treat her concerns about the danger of the gas leak seriously and gave unsatisfactory responses. Miss H detailed how she'd been affected by BG's poor service.

BG didn't substantively respond to Miss H's complaint. She complained to us. She would like her year's policy premium refunded as compensation for the distress and inconvenience BG caused.

BG sent us some information. But it didn't provide important information our investigator requested – details about where the 2017 and 2018 leaks occurred and recordings of the calls between Miss H and BG. Our investigator gave his view on the evidence available. It appeared BG's 2017 repair to the gas pipe had failed and our investigator thought BG should pay Miss H £250 compensation.

Miss H accepted the investigator's recommendation for £250.

BG then gave us some information about the location of the 2017 and 2018 leaks' location. Our investigator asked BG to clarify its evidence as its information appeared contradictory. BG didn't respond.

my findings

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

Our investigator explained that as the problems Miss H had with BG in 2017 were dealt with in her previous complaint to BG we've only looked into the problems she had with BG in February 2018.

We've received very little evidence from BG on this matter despite our numerous requests for further evidence. BG has had long enough to provide the additional evidence. I'm making my decision on the evidence I have.

I uphold the complaint. BG must pay Miss H £250 compensation for her distress and inconvenience it caused. I'll explain why.

Miss H said the gas leak in February 2018 was in the same place in the pipe BG had repaired following a gas leak in August 2017. BG has now provided some information about the location of the leaks.

BG told us that the 2018 and 2017 leaks were two different leaks in the pipework buried in the concrete flooring and the gas could have possibly come out of the duct in the same place giving the impression of the same leak.

When our investigator asked BG for the engineers' reports to show the two gas leaks were separate BG sent us the job report notes. It also told us it had spoken to Miss H's gas network emergency service who said the 2017 leak was found on the copper inlet pipe to the iron pipe outside under the floor and the 2018 leak was found at the outlet of the meter.

But the engineer's job notes for the 2018 leak say 'traced leak to under concrete floor'. Our investigator asked BG to explain the apparently contradictory evidence as the 2018 job notes showed the 2018 leak was also under the floor suggesting the leak might have been in the same place.

BG didn't respond to explain. Looking at the overall available evidence I'm not persuaded that the 2017 and 2018 leaks were in different locations.

On the available evidence, I think it's more likely than not that the leaks were in the same place which strongly suggests that BG's 2017 gas pipe repair failed. So Miss H's distress and inconvenience due to having her gas cut off in 2018 was due to BG's poor repair in 2017.

The temperatures in Miss H's home town at the relevant time in 2018 ranged between two and minus six degrees Celsius. It was very cold and Miss H would have been very uncomfortable with just an electric fire and relying on a kettle for hot water.

BG took two days to do the repair. Miss H said when BG's engineer attended on the 26 February 2018 he wasn't able to do the repair as he hadn't been told the correct information about her problem. BG hasn't disputed the issue so it appears that it caused a delay which meant Miss H had to spend another night in freezing temperatures. She was left without central heating and hot water for most of the 27 February 2018 as well.

Miss H had to take time off work and make up the time she'd taken off which was inconvenient. She hasn't provided evidence to support her electric bills were substantially more due to the leak but it's probable that her reliance on electric heaters for the 50 hours would have caused some additional cost.

I understand that Miss H believes the gas pipe had been leaking over a period of time. She says she's been very worried about a leak for several months. But I haven't seen any expert evidence to support the leak was long term and I don't know when the leak started. I don't

think BG needs to pay compensation for that matter and in any event I don't award compensation for Miss H's worry about what might have potentially happened.

However, a gas leak can lead to a dangerous situation and Miss H was anxious. It would have been reasonable for BG to have responded appropriately when Miss H raised her concerns. Miss H says BG's staff didn't treat her concerns seriously and their responses were unsatisfactory. We've asked BG to provide the call recordings but it hasn't done so. Without evidence to show the contrary, I think it's more likely than not that BG didn't treat Miss H fairly during the phone conversations.

Overall, I'm satisfied that £250 is a fair amount of compensation for BG to pay Miss H.

my final decision

I uphold this complaint.

I require British Gas Insurance Limited to pay Miss H £250 compensation within 28 days of us telling it that Miss H accepts my final decision.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss H to accept or reject my decision before 3 October 2019.

Nicola Sisk
ombudsman