

complaint

Mr R complains about the way British Gas Insurance Limited dealt with a claim on his home emergency policy.

background

Mr R made a claim on his home emergency policy after his boiler developed a fault. He wasn't happy with the service he received as British Gas cancelled an appointment at the last minute and he felt that he wasn't being treated with any urgency.

Whilst Mr R was waiting for British Gas to repair the boiler, his pipes burst causing a leak and subsequent damage to his property. He told British Gas what had happened and was told he'd be prioritised but they failed to turn up to the agreed appointment. So Mr R paid a company privately to have the repairs done. He made a claim on his household policy for the damage, and had to pay an excess for that claim.

Our investigator didn't think that British Gas had treated Mr R as an emergency, which she'd expect of this type of policy. She asked them to pay compensation of £250 for the poor service and delays leading to the pipes bursting, along with reimbursement of the cost to repair the boiler – which was £400. British Gas accepted this.

In addition, our investigator has asked British Gas to reimburse the policy excess of £450 that Mr R had to pay for the claim on his home insurance. British Gas didn't agree to pay this. It said Mr R will need to raise this with his household insurer, who will pay him and then claim this back from British Gas.

As British Gas didn't agree with what our investigator has said, the complaint has been referred to me for a decision.

my findings

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

Mr R's policy covers him for repairs to his boiler. He can make a claim online or by calling the breakdown line, which is open 24 hours a day. When Mr R made a claim it wasn't dealt with promptly. But as both Mr R and British Gas have accepted our investigator's findings in respect of the poor service and repair costs, these are no longer in dispute and I don't intend to comment on them any further.

What I've considered is whether it's fair for British Gas to reimburse Mr R's home insurance policy excess.

Mr R had to pay the excess on his home insurance claim as a result of the damage caused to his property. If his home emergency claim hadn't been delayed, this wouldn't have happened. It isn't fair to leave him out of pocket as a result. And it's clear from British Gas's response that it's not against paying the excess. But it believes Mr R should go through the process with his household insurers to recover it. Otherwise British Gas says if it reimburses the excess and then Mr R claims it back through his home insurers he would be get this money twice.

I don't believe it's fair and reasonable to subject Mr R to a lengthy process solely as a formality when British Gas could refund this to him directly. So for this reason, I agree with our investigator that it should reimburse this cost to him.

Mr R has indicated he does not intend to claim the excess back from his home insurers. In any event, British Gas can confirm to those insurers that it has reimbursed him, so no further payment would be needed.

my final decision

My final decision is that I uphold the complaint and (unless it has already paid any of these sums) require British Gas Insurance Limited to:

- pay Mr R compensation of £250 for the distress and inconvenience caused to him;
- reimburse the repair costs of £400; and
- reimburse his policy excess of £450.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 26 October 2018.

Peter Whiteley
ombudsman