

complaint

Mr E complains that Inter Partner Assistance SA ("IPA") dealt with his home emergency claim unfairly and unreasonably. He wants matters put right.

background

Mr E had a home emergency policy with IPA, which covered repairs needed to his boiler (amongst other things). His boiler broke down. Mr E said that IPA said that it couldn't send an engineer so he should get one himself and it would refund him the cost. Mr E did this and the engineer carried out repairs. But a few days later, Mr E said that the boiler tripped all the electrics and IPA refused to send any help as he told IPA that his flue may be the issue. IPA told him that this wasn't covered by the policy as it didn't cover wear and tear, malicious damage or poor workmanship. Mr E also was unhappy that the £740 cost of the engineer's visit hadn't been refunded.

Mr E complained to IPA. It said that when the initial problem with the boiler arose, it arranged for an engineer to contact Mr E, but he didn't return the call promptly, causing the appointment slot to be lost. IPA said that it didn't return Mr E's call to re-arrange the appointment immediately, and accepted that it didn't send an engineer to Mr E's property within 24 hours of his first call due to the inability of the engineer to reach him. But it said that it was clear that if Mr E arranged his own engineer, it had told him that it would reimburse that cost to the extent that the terms and conditions of the policy required. IPA said that the work needed appeared to be due to wear and tear or poor workmanship from what Mr E had told it. It was happy for Mr E to get the boiler repaired and to send the engineer's report to allow IPA to look at the matter again. IPA paid £150 compensation for the failure to return a call and for not sending an engineer within 24 hours.

Mr E complained to us. The investigator's view was that Mr E was told he could arrange for his own engineer to repair the boiler and the cost would be refunded in line with the terms and conditions of the policy. The claim form told Mr E that the refund could take up to 21 working days; IPA had confirmed that the claim would be paid and within the deadline. The investigator thought that this was reasonable. She also had spoken to the engineer who repaired the boiler, who confirmed that the issue might be the flue. The investigator thought that it was fair and reasonable for IPA to point out the terms and conditions and to say if Mr E wanted to get the boiler repaired and forward a report, it would consider the claim. She also thought £150 compensation for poor customer service was fair and reasonable.

Mr E disagreed. He said the investigator was incorrect and he hadn't received the refund. Mr E said that the policy didn't exclude flues and he still didn't have a working boiler. He said boilers only broke down due to wear and tear and it was ridiculous to have such an exclusion. IPA confirmed that it had sent the money to Mr E and it had processed the refund just after 21 working days after his claim form was logged; it pointed out that the banking system took time to actually transfer the funds. The investigator didn't think this warranted compensation.

my findings

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

The relevant rules and industry guidelines say that IPA has a responsibility to handle claims promptly and fairly. And it shouldn't reject a claim unreasonably.

Several issues have been raised as part of this complaint. First, the evidence (including notes made at the time and the call recordings) available to me shows that IPA did try to send an engineer to Mr E's property within 24 hours, but unfortunately Mr E didn't notice he had a voicemail and the slot was lost. I don't think this is IPA's fault, but note that it has paid compensation for this failure in any event.

And I don't think it was unfair or unreasonable for IPA to offer to allow Mr E to get his own engineer if he wasn't willing to wait. The call recording shows Mr E was told the cost would be refunded if the work done was covered by the policy.

Mr E complains that IPA took too long to refund him. But IPA never promised to repay Mr E by a particular date when the matter was discussed. The claim form made it clear that it could take up to 21 working days to deal with the claim; working days are Monday to Friday. The evidence shows that IPA was slightly late in dealing with the claim, but I don't think compensation is due, especially as from what the engineer told this service, some of the work mightn't have been covered by the policy; Mr E has benefitted.

Mr E is unhappy that IPA won't send another engineer to look at his boiler. But it did offer to consider an engineer's report once the work was done; given the passage of time since this complaint was made, I presume the work has now been done but no report has been sent to us. And from what the engineer who first dealt with the boiler has told this service, it seems that it's possible that the issue isn't covered by the policy; if the flue was incorrectly installed originally or has failed due to wear and tear, the policy doesn't cover it. IPA, when Mr E was discussing the matter, explained to him that from the information available to it, it was likely that the work required wasn't covered. I don't think this was unfair or unreasonable; rather than carry out work which appeared unlikely to be covered by the policy, IPA acted fairly and reasonably in asking Mr E to confirm the position and forward evidence to be considered.

Mr E has complained about the waiting times to speak to staff and a failure to return his calls. I think £150 compensation is more than fair and reasonable for this issue, even when combined with the inability to send an engineer to attend the property within 24 hours.

my final decision

My final decision is that I don't uphold the complaint. Under the rules of the Financial Ombudsman Service, I'm required to ask Mr E to accept or reject my decision before 8 November 2019.

Claire Sharp
ombudsman