

complaint

Ms H is unhappy with how British Gas Insurance Limited (British Gas) handled a claim she made under her HomeCare 2 policy.

background

Ms H called British Gas in January 2017 as her boiler was losing pressure.

An engineer from British Gas attended. He couldn't find a leak on the boiler. The boiler continued to lose pressure and Ms H contacted British Gas again. A further three engineer visits were carried out but no problem with the boiler was identified.

Ms H has said at this point she was advised by a British Gas engineer that the leak may be in part of her central heating system so she should arrange for this to be checked. Ms H contacted a local company who came to trace a leak on the central heating system. They couldn't find a leak.

As the boiler continued to lose pressure Ms H called British Gas again. In February an engineer attended and identified an issue with the heat exchanger on the boiler. This part was replaced, resolving the issue with the boiler.

In November 2017 Ms H asked British Gas to install a new radiator in her kitchen. There were some issues with fitting the radiator which left a number of holes in the wall behind where the radiator was fitted.

Unhappy with the damage to her kitchen wall Ms H complained to British Gas. At this point she also raised a complaint about what had happened earlier in 2017.

British Gas looked into her concerns. It explained that the radiator had now been fitted correctly. And as the damage was behind the radiator it offered to plaster the wall if she ever removed it. British Gas has told our service that it has subsequently been out and repaired the wall but Ms H disputes this. It asked for further information to look into her concerns on what had happened in January and February. It wanted to see an invoice from the local company who had carried out the trace work and any photos Ms H had. As she hadn't supplied this information it said it couldn't consider this further.

Ms H brought her complaint to our service. One of our investigators looked into what had happened. British Gas explained that the policy Ms H had with it would have covered problems with her central heating so she should have asked it to trace any leak. And because it would've covered her for the work it wasn't willing to reimburse. It also said if Ms H had kept calling it, it would've kept attempting to trace the leak and it hadn't been 'given a fair chance to complete the work'.

Our investigator didn't think British Gas had treated Ms H fairly. She said it should cover the costs Ms H had paid, fix any holes behind the radiator and pay £50 for the trouble and upset caused.

British Gas didn't agree and asked for an ombudsman to review the complaint.

my 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 think this complaint should be upheld. I'll explain why.

were British Gas given a fair chance to trace the leak?

British Gas doesn't feel it had been given a 'fair chance' to complete the work before Ms H decided to employ a third party company. I've thought carefully about this point and, based on the evidence, I think it was.

British Gas engineers attended Ms H's home four times in January to try and resolve the problem with her boiler. And it wasn't until an engineer visited her home in February that the fault was identified and the heat exchanger replaced.

British Gas has said issues with the heat exchanger are difficult to identify. And this is why it wasn't picked up in its first four visits. I appreciate that it may have been difficult to diagnose the issue with the heat exchanger on the first visit. However, I would have expected at least one of the three further engineers to have identified the fault. And taking into account that British Gas had four attempts to identify the fault I'm satisfied it was given a fair chance to trace the leak prior to Ms H employing a third party.

British Gas has said the policy Ms H had with it would've covered her for tracing a leak with the central heating system. And therefore she didn't need to employ a third party. Ms H has said she was told by one of the British Gas engineers she would need to have the central heating system checked out.

I appreciate there is little evidence of what conversation took place, if any, between Ms H and an engineer. British Gas has said that it would've expected its engineer to write on the front of a job sheet any advice they'd given. And as there wasn't anything written down it didn't think its engineer had advised Ms H.

Ms H has provided a written note she says was given to her by an engineer suggesting a leak with the central heating system. And British Gas has confirmed this note is written on the back of one of its job sheets. So I'm persuaded it was more likely than not an engineer that advised Ms H to have the central heating system checked. And I'm satisfied this is the reason why Ms H didn't contact British Gas to ask for further assistance until it had been identified there wasn't a leak on the central heating system.

And even if I wasn't persuaded by the note I think it would be unlikely for Ms H, to have decided of her own accord, to employ an independent company to investigate the central heating system to trace the leak. I think it would have been more likely than not suggested to her by an engineer.

Taking the above into account I'm satisfied that British Gas was given a fair chance to trace the leak. And, as the policy she had with it would've covered this work I'm satisfied it should cover the cost.

damage to the wall

Neither British Gas nor Ms H dispute that damage was caused to her wall. It's how the damage has been repaired that is the issue.

British Gas has said it has repaired and made good the majority of the holes behind the radiator. Ms H disputes this. She has provided photographs, with the radiator in situ, which suggest there are still some areas of the wall that haven't been made good. I think British Gas should resolve this issue.

Ms H has said she doesn't want British Gas to carry out the repair work. She'd like to employ a plasterer to do this. Based on the evidence I've seen I'm not persuaded the wall needs re-plastering. But I do think there is some further repair work to be carried out. I will leave it for British Gas to decide if they want to find a third party to carry out the repair work or reimburse Ms H directly to use her own person.

trouble and upset

I have no doubt that this would've caused trouble and upset to Ms H. Not least because she had to have floorboards and carpets taken up in her property to investigate her central heating system. I'm satisfied that British Gas should pay Ms H £50 for the trouble and upset caused.

my final decision

My final decision is that I uphold Ms H's complaint. In full and final settlement of it, British Gas Insurance Limited should:

- (a) Pay Ms H the £375 she paid to a third party to trace a leak with her central heating system.
- (b) Add 8% simple interest* to the above from date of payment to date of settlement.
- (c) Make good the damage caused to her kitchen wall.
- (d) Pay Ms H £50 for the trouble and upset caused.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms H to accept or reject my decision before 1 April 2019.

*If British Gas Insurance Limited considers that it's required by HM Revenue & Customs to take off income tax from that interest, it should tell Ms H how much it's taken off. It should also give Ms H a certificate showing this if she asks for one, so she can claim the tax from HM Revenue & Customs.

Michael Fisher
ombudsman