

complaint

Mrs H says that Liverpool Victoria Insurance Company Limited (LV) mishandled a claim under a home emergency insurance policy.

background

Mrs H has home emergency cover as part of her home insurance policy with LV. In August 2015 Mrs H contacted LV as her boiler wasn't working. LV arranged for an engineer to attend. The engineer didn't find a fault with the boiler only with the thermostat settings which he adjusted.

12 days later Mrs H called again as her boiler had stopped working. The engineer attended and diagnosed a failed pump. He also said that the system needed a powerflush. He told Mrs H that as any new parts might be damaged by the dirt in the system the repair couldn't be guaranteed. But he ordered the necessary part and arranged to return to Mrs H's home five days later to fit it.

On the arranged date no engineer attended so Mrs H rang LV. The part hadn't arrived but the engineer was able to source it locally and attended later that day to fit it. But the engineer wasn't able carry out the repair so he made a new appointment for the following day. The part was then fitted. The engineer recorded the boiler as working when he left.

About three weeks later Mrs H became unwell and had to be admitted to hospital. Two days after her admission, Mrs H's son contacted LV on her behalf and said the boiler was 'playing up again'. He was advised that the system needed a powerflush and due to this LV wouldn't send an engineer. So he arranged an independent plumber to fix the boiler. The independent plumber found a problem with the thermostat and got the boiler working properly. There haven't been any further problems since this repair.

In October Mrs H contacted LV to make a complaint as the independent plumber didn't think a powerflush had been needed. Her son also called. LV promised to call Mrs H back but no return call was made. And it wasn't until Mrs H's son called again in January 2016 that the complaint was looked at.

Mrs H complained that the boiler hadn't worked properly since August. Her heating had been far too hot so she'd had to turn it off. This led to her getting too hot and then too cold and had made her unwell. She'd been admitted to hospital and her health had since deteriorated.

LV agreed that a powerflush hadn't been needed and that her complaint had been poorly handled. But it disagreed that it was LV's fault she'd become unwell. LV said that the engineer had recorded the boiler as working after the repairs in August. LV offered Mrs H £500 compensation. It also paid the invoice for the independent plumber.

Mrs H disagreed with LV and complained to this service. Our adjudicator investigated her complaint. He didn't recommend that Mrs H's complaint should be upheld. The adjudicator thought that LV's offer was fair and reasonable. Mrs H disagreed with our adjudicator's opinion and the complaint has been passed to me.

my findings

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

LV has agreed that the advice about a powerflush wasn't correct and that it should've responded to Mrs H's son call in September when he reported that the boiler wasn't working properly. It's also agreed that the delay in responding to her complaint was unacceptable. So the issues for me to decide are whether LV caused Mrs H's health problems and whether the compensation that's been offered is fair and reasonable.

Mrs H says her boiler didn't work properly after the repairs and this affected her health. But looking at the evidence that's been sent to this service LV wasn't aware of any further problems with Mrs H's boiler after August. Her son called in September after she'd been admitted to hospital.

I've seen that LV took six days to fix the boiler in August. Mrs H says this shouldn't have taken so long as LV should've had the necessary part. But I don't think it's that unusual to have to order parts. But I do agree that this was a longer time than I'd expect for a repair to be carried out.

But looking at the time of year and that other causes were also likely for Mrs H's ill health I can't say that it's more likely than not that her illness was due to LV not fixing her boiler. LV should've responded to her son's call in September but by then Mrs H was already in hospital. And LV has agreed to pay the cost of the repairs carried out by the independent plumber which I think is fair.

I appreciate this has been a very difficult time for Mrs H especially with her continuing health problems. But looking at the evidence I think LV's offer of £500 compensation was fair and reasonable together with reimbursing the cost of the independent plumber. And I'm not upholding Mrs H's complaint.

my final decision

I'm not upholding Mrs H's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 3 October 2016.

Jocelyn Griffith
ombudsman