

complaint

Mr C complains about the way British Gas Insurance Limited (BG) dealt with claims he made under his home emergency insurance policy and also about its service.

background

Mr C says he's had problems with the condensate pipe for his boiler freezing on various occasions since the boiler was installed in 2012. He says in November 2016 the BG engineer who attended to deal with the matter cut the pipe just under the boiler as a temporary fix so the boiler would work again. And he says he was left with the temporary fix for 135 days before the pipe was reconnected in April 2017.

Mr C also says throughout that time there was a bucket under his boiler which he had to empty regularly. He says the boiler is in a cupboard in his bedroom and he could hear a loud water pouring noise which occurred frequently at night and kept waking him up.

In addition, Mr C says BG took too long to deal with his complaint about this matter, which he says he first made on 24 January 2017. He says in May 2017 a service manager from BG attended his home. And he says he asked why it had taken BG since November 2016 to come out and deal with his issues. But he says he didn't get a satisfactory answer.

So, Mr C says he thinks BG should, among other things, pay him £500 for each frozen pipe incident, provide him with a working boiler, refund his premiums and compensate him for having to empty the bucket for 135 days. And he wants it to re-route the condensate pipe to avoid it being exposed and freezing in future.

BG says it completed an upgrade to the condensate pipe in 2013. It says following this upgrade it has no record of any repairs or reports of a faulty boiler or condensate pipe for the remainder of 2013 and the whole of 2014 and 2015. And it says the fault Mr C reported in 2016 was a blockage in the condensate pipe which was caused by an issue with the downpipe. BG also says it's offered Mr C £200 as a goodwill gesture and it's offered to upgrade his condensate pipe free of charge. And it says it believes this is fair and reasonable.

Mr C complained to BG about this matter. And, being unhappy with its response, he complained to this service.

Our investigator thought Mr C's complaint shouldn't be upheld.

Mr C disagreed with the investigator's conclusions. He thought the compensation should be £500, in the circumstances. So, the matter's been referred to me to make a final decision.

I recently issued my provisional findings on this complaint. I said it's clear Mr C suffered considerable distress and inconvenience during the 135 days the condensate pipe was disconnected. I also noted when he complained to BG about the matter in January 2017, there appeared to have been delays in dealing with his complaint.

I noted BG previously offered Mr C £200 compensation, but I was minded to conclude this isn't sufficient, in the circumstances. And, taking everything into account, I was minded to conclude compensation of £600 would more fairly reflect the extent of trouble and upset

Mr C experienced over a prolonged period of time as a result of BG's poor handling of his claims and his complaint.

I noted Mr C had also asked for his policy premiums to be refunded. But BG's covered his claims, so I was minded to conclude it wouldn't be fair for me to require it to refund the premiums Mr C's paid, in the circumstances.

This was different from the investigator's opinion. So, I invited both parties to comment and provide any additional evidence for me to consider.

A copy of my provisional decision is attached and forms part of this final decision.

my findings

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

BG's indicated that it has no further comments to make in response to my provisional decision and Mr C's confirmed that he accepts it.

In these circumstances I see no reason to change the conclusions set out in my provisional decision. So, I partly uphold Mr C's complaint on the terms set out in it.

my final decision

I partly uphold Mr C's complaint against British Gas Insurance Limited. It must pay him compensation totalling £600, including the compensation it previously offered him, for the distress and inconvenience he experienced over a prolonged period of time as a result of its poor handling of his claims and his complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C to accept or reject my decision before 29 September 2018.

Robert Collinson
ombudsman

copy of my provisional decision

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Mr C also says throughout that time there was a bucket under his boiler which he had to empty regularly. He says the boiler is in a cupboard in his bedroom and he could hear a loud water pouring noise which occurred frequently at night and kept waking him up.

In addition, Mr C says BG took too long to deal with his complaint about this matter, which he says he first made on 24 January 2017. He says in May 2017 a service manager from BG attended his home. And he says he asked why it had taken BG since November 2016 to come out and deal with his issues. But he says he didn't get a satisfactory answer.

So, Mr C says he thinks BG should, among other things, pay him £500 for each frozen pipe incident, provide him with a working boiler, refund his premiums and compensate him for having to empty the bucket for 135 days. And he wants it to re-route the condensate pipe to avoid it being exposed and freezing in future.

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Our investigator thought Mr C's complaint shouldn't be upheld.

Mr C disagreed with the investigator's conclusions. He thought the compensation should be £500, in the circumstances. So, the matter's been referred to me to make a decision.

my provisional findings

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

The installation of Mr C's boiler isn't covered by his policy. And I understand the condensate pipe has now been re-routed by BG. So, I won't be considering either of these matters in my decision.

I'm currently minded to partly uphold Mr C's complaint and to require BG to pay him a total of £600 compensation, including the £200 it's already offered him for the distress and inconvenience he's experienced as a result of its poor handling of his claims and his complaint. I'll explain why.

I see Mr C's given us a detailed timeline of the sequence of events between BG attending and cutting the condensate pipe as a temporary solution in November 2016 and returning to reconnect it in April 2017. I also see BG's been invited to comment on the reasons for the delay of around four and a half months between these attendances. But it says it's checked its records and it's unable to find any details about why the later visit wasn't scheduled until April 2017.

The information I've seen indicates it's most likely the problem with the condensate pipe in November 2016 resulted from it being exposed and freezing as a result in cold weather. And I think this explanation's consistent with the history of similar occurrences Mr C had reported.

It's clear Mr C suffered considerable distress and inconvenience during the 135 days the condensate pipe was disconnected. I also note when he complained to BG about the matter in January 2017, there appear to have been delays in dealing with his complaint.

I see BG previously offered Mr C £200 compensation, but I'm minded to conclude this isn't sufficient, in the circumstances. And, taking everything into account, I'm minded to conclude compensation of £600 would more fairly reflect the extent of trouble and upset Mr C experienced over a prolonged period of time as a result of BG's poor handling of his claims and his complaint.

I note Mr C's also asked for his policy premiums to be refunded. But BG's covered his claims, so I'm minded to conclude it wouldn't be fair for me to require it to refund the premiums Mr C's paid, in the circumstances.

my provisional decision

For the reasons set out above, but subject to both parties' responses to this provisional decision, I'm currently minded to partly uphold Mr C's complaint against British Gas Insurance Limited. And I'm minded to require it to pay Mr C a total of £600 compensation, including the £200 it's already offered him, for the distress and inconvenience he's experienced as a result of its poor handling of his claims and his complaint.

Robert Collinson
ombudsman