

complaint

Mr A complains that British Gas Insurance Limited hasn't followed his instructions and sent his personal details to the wrong address.

background

Mr A has two HomeCare policies. One covers his home and the other covers a property that he rents out.

Mr A raised a number of issues directly with British Gas about the two policies. He was concerned about a name change that happened on one of the policies. He was also disappointed with the service he received from the HomeCare team after a problem with a fridge freezer. On 25 August 2016, Mr A discussed both of these complaints with British Gas and it was mutually agreed that British Gas would make a further compensation payment of £200 to bring things to a close. Regrettably, this cheque was then sent to the rented property rather than directly to Mr A.

Mr A was very unhappy about this and complained to us about it. He said that he'd told British Gas not to send correspondence for him to the rented property. He explained that he's lost confidence in British Gas because of the number of mistakes that have happened. He's particularly concerned about the consequences of sending information to the rented property as he didn't want anyone to know that he owns it.

British Gas transferred £230 directly to Mr A's bank account to avoid sending him another cheque. It said that the additional £30 was a goodwill gesture.

When Mr A complained about the cheque being sent to the wrong address, it came to light that some documentation about the HomeCare policy had been sent to the rented property in the past too. So British Gas offered an additional £70 as a gesture of goodwill to take this into account.

Our investigator agreed that British Gas made mistakes by sending the documents and cheque to the wrong address. But he didn't think the £30 goodwill gesture or the extra £70 payment British Gas offered properly addressed them. He recommended that British Gas should pay £200 overall to specifically acknowledge that it sent the cheque and documentation to the wrong address.

British Gas agreed to do this. But Mr A didn't agree. He didn't think the offer was a fair reflection of the seriousness of the situation. So 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.

From the information that's been provided to me, it's clear that Mr A has experienced ongoing problems with British Gas. But as Mr A and British Gas have already agreed how to resolve some of Mr A's concerns informally, I'm not going to investigate those issues again. I'm only going to be looking at the compensation cheque and HomeCare documents being sent to the wrong address.

I understand why Mr A is concerned about his personal information. British Gas sent correspondence to the wrong address on two separate occasions. British Gas has explained that this happened because the address of the rented property was held on its billing system. It says that it has updated the correspondence address to prevent it happening again in future.

I can imagine, given the number of issues that Mr A has had reason to be in contact with British Gas about in recent months, this isn't an entirely satisfactory explanation but unfortunately mistakes do happen.

Mr A says that he's lost confidence in British Gas and that the amount offered isn't a fair reflection of just how serious the situation is. So I can see why he feels that British Gas should be penalised. As an ombudsman I can look to see whether Mr A has lost out as a result of any failings and tell British Gas what to do to put matters right for him. But the ombudsman service isn't a regulator. So I have no power to make an award of exemplary or punitive damages. And even if I were able to make this type of award, there's no way to absolutely guarantee a similar thing doesn't happen again.

By updating its records, British Gas has taken steps to make sure that this problem doesn't happen again. And the compensation of £200 overall it has agreed to pay goes some way towards recognising the worry this has caused Mr A. Mr A has explained that there's a possibility that it would cause problems for him if people know he owns the rented property so he might have to now sell the house. I can appreciate the upset and concern this situation this has caused Mr A. But I've not seen anything to suggest that the implications of sending correspondence addressed to him to the rental property have been as far reaching as he first thought they would be. So I can't fairly ask British Gas to increase its offer.

If Mr A remains concerned about the way that British Gas is handling his data, he can approach the Information Commissioner's Office (ICO) as it deals specifically with issues of data protection. It will look at whether data protection law has been broken and what steps British Gas may need to take to prevent this in the future.

my final decision

My final decision is that British Gas Insurance Limited should pay Mr A £200 compensation to recognise the inconvenience and frustration it caused him by sending the compensation cheque and documentation to his rental property. I understand that Mr A has already been paid £30 directly, so British Gas now needs to pay the remaining £170 if it hasn't already.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 9 January 2017.

Claire Marsh
ombudsman