

complaint

Mr P's complaint is about the handling of a claim under his central heating insurance policy with British Gas Insurance Limited.

background

Mr P called British Gas on 4 May 2018, after the outside water pipe broke off. British Gas sent a contractor out to repair it. Mr P says he pushed the pipe together and also apparently repaired a seal under the kitchen sink. However, Mr P says that after he turned the dishwasher on, the kitchen was flooded, as the repair was not done properly. Mr P says the leak was coming from the same area that the contractor had worked on under the sink.

Mr P called British Gas again and it told him another contractor would attend that same day to carry out an emergency repair. However, the contractor appointed to attend that evening called Mr P direct. Mr P says that the contractor was abusive and swearing and shouting at him that he was not going to come that evening, as it wasn't an emergency.

Mr P complained to British Gas and asked that neither contractor attend his property, however, despite this the original contractor attended the following day. The contractor replaced the u-bend under the sink. He also said the other contractor (who had been rude to Mr P) was 'trouble'. I understand there have been no further leaks but Mr P says that British Gas has still not mended the broken pipe outside properly.

British Gas has offered £100 compensation for the handling of the claim. It says the contractor's version of the telephone call is different from Mr P's and so it can't be certain what was said but it has spoken to the contractor and provided him with some feedback about the call. British Gas also says its contractor replaced a 1.5 inch socket to the outside waste pipe during the first visit but this didn't resolve the problem, so when he came back out he replaced the trap.

Mr P remains unhappy with British Gas's handling of the claim. He has made a number of submissions, which I've summarised below:

- The contractor didn't fit any parts what so ever outside the property: all he did was push the perished rubber waste pipe collar back into the waste soil pipe to connect the sink waste to the main outside soil pipe. What he should have done was to fit a new rubber seal and then connect it back up.
- As a result, when the washer is on the weight of the waste water in the pipe just pulls out the rubber seal and there's water everywhere. He has bought waste pipe clips and fitted them to support the waste pipe so it stops the seal from coming out again and again.
- The part British Gas says it fitted was actually fitted by his plumber when he had the new kitchen fitted and it clearly says the name of the kitchen manufacturer on it.
- The water leak damaged everything the kitchen cupboard (such as washing powder, dishwasher tablets etc.). The water also got underneath the newly fitted linoleum causing a disgusting damp smell. He had to rip up the lino which was professionally laid to dry it out and then had to re-lay it. And the cupboard has a small swell at the back, where the water was leaking through onto the floor.

Mr P says that British Gas and its contractors have failed to investigate this properly and are "*trying to cover it up*". Mr P wants an apology; a full and correct investigation; and

compensation *“to take into account time, stress, poor customer service, poor workmanship, poor investigation, lies, property damage to my kitchen unit, thrown away items due to water damage”*.

One of our adjudicators looked into the matter. He recommended that British Gas attend to put the seal on the soil pipe and waste pipe joint and pay an additional £150 compensation (so a total of £250) for the trouble caused by the handling of the claim. The adjudicator also recommended that British Gas ensure that neither contractor involved with this claim attend Mr P's property in the future.

British Gas didn't respond to the assessment and so the matter has been referred 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.

This should have been a relatively simple issue to repair. Mr P says that the original contractor spent very little time outside when he first attended and did not replace the part outside at all but changed something under the sink. It was this that leaked later the same day. I agree with the adjudicator that the evidence is persuasive that British Gas caused this leak and this doesn't appear to be disputed.

This caused some inconvenience to Mr P in clearing up the water and drying out the lino, he also lost the contents of the cupboard. There is also some damage to the cupboard although it doesn't appear to affect its use.

British Gas says it has now completed the necessary repairs and fitted certain parts. However, Mr P has disputed this and has also provided a photo showing the waste pipe separated from the soil pipe. There's no other evidence to counter this from British Gas. I therefore also agree that it is more likely than not, this has not been completed. In any event, given the problems that have arisen so far, I would expect British Gas to check the work done.

Mr P has also said that one of British Gas's contractors was abusive and aggressive in a phone call to him. There is no recording of this call available to me. However, there is no reason to doubt Mr P's account of this call. In any event, there was no reason for the contractor to call Mr P direct (Mr P had been talking to the office before this) and he has provided proof of the incoming call to his phone.

Overall therefore, I agree with the adjudicator that British Gas should replace the seal on the waste pipe where it joins the soil pipe and that it should pay the total sum of £250 compensation (to include the £100 already offered) for the trouble caused by its handling of the claim.

It should also endeavour to ensure that neither of the plumbers that attended this claim go out to Mr P in the future. I do not intend to make this part of my order, as it might not always be possible for British Gas to comply with this but I would expect it to use its best endeavours.

my final decision

I uphold this complaint against British Gas Insurance Limited and require it to:

- repair the seal between the kitchen waste pipe and soil pipe; and
- pay Mr P £250 compensation for the distress and inconvenience caused by its handling of this claim. (This is to include the £100 British Gas already offered. So if it has paid this already then it only needs to pay the balance of £150.)

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 21 February 2019.

Harriet McCarthy
ombudsman