

complaint

Mrs B complains that British Gas Insurance Limited gave her poor service under a home care insurance policy.

background

Mrs B's policy covered plumbing and drainage. She called British Gas for help with a leak of water. To trace and fix the leak, an engineer broke up some floor tiles. Mrs B made a claim on her household insurance. She complained to British Gas when her other insurer said that the tiles contained asbestos fibres which had been released into her house. British Gas arranged for Mrs B to receive about £580 and two new vacuum cleaners.

The adjudicator didn't recommend that British Gas should do any more in response to Mrs B's complaint. The adjudicator thought that British Gas' total compensation for its mistakes was fair.

Mrs B disagrees with the adjudicator's opinion. She says, in summary, that the British Gas engineer should've recognised the asbestos tiles. His actions put her at risk and caused her stress, she says.

my findings

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

British Gas was responsible for dealing with claims under its insurance. Where I refer to British Gas I include any other parties for whose actions I hold it responsible including its engineers.

From what Mrs B has said, I think the leak was under a cement floor covered with three layers of tiles. I think the area was wet.

The lowest layer of tiles contained asbestos. But I don't think the engineer could reasonably have known what he was going to find until he had broken into the two top layers. That's one reason why he should've been wearing a mask.

The engineer made a hole the size of a couple of tiles. I don't think he would've carried on with the job if he'd seen and recognised the presence of asbestos.

I've looked carefully at Mrs B's photographs.

I've also looked at the file from British Gas. It contains an opinion that the engineer would've had difficulty in seeing the asbestos tiles in the hole with wet debris in it. That opinion came from an individual who was responsible for health and safety. So I place some weight on it.

The engineer carried on and fixed the leak. I don't think he took any precautions in disposing of the debris. I don't think he identified any risk or gave any warning to Mrs B.

So she carried on as normal. I accept that this included using her vacuum cleaners after the engineer left.

Mrs B's home insurer became involved a week or two later. I think the area had dried out a bit. That insurer identified that the tiles contained asbestos.

I accept that Mrs B was troubled by the thought of what she and her loved ones had been exposed to and the harm it might do.

And I don't think the initial response from British Gas was anything like it ought to have been. But within a short time it put this right by arranging a site visit. British Gas engaged a consultant. She reported that there was:

"very little risk of...any future health problems".

That's not the same as saying there was no such risk, so I can understand that Mrs B was still upset.

I accept that the insurers arranged professional removal of the affected area. I'm sure the arrival of men in protective clothing was disturbing for Mrs B.

British Gas sent Mrs B £402 and arranged for her to receive a further £180 for professional cleaning and new vacuum cleaners worth £518. There was a week or two delay about that.

But overall I think that the total compensation of £1,100 was at least as much as I would've ordered it to pay, bearing in mind the extent to which British Gas was responsible for what happened.

my final decision

For the reasons I've explained, my final decision is that I don't uphold this complaint. I make no order against British Gas Insurance Limited.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs B to accept or reject my decision before 9 September 2016.

Christopher Gilbert
ombudsman