

complaint

Mrs C complains about delays in British Gas Insurance Limited ("BGI") resolving a fault with her boiler, and the costs she incurred because of this.

background

Mrs C said that she'd had an intermittent problem with her heating, which left the heating either stuck constantly on, or not working at all. She said the problems started around January 2017, and went on until the middle of 2018, when she complained, first to BGI then to us. Mrs C said she had a contract with BGI for boiler repairs, but BGI had taken far too long to fix this, and she'd had to pay greatly increased gas bills as a result. She said her direct debit had gone up by £10 a month.

Mrs C said BGI had paid her £50 for this complaint, but she didn't think that was enough to make up for what had gone wrong. She wanted us to look into the service BGI had provided.

BGI said that it had looked at the difference in gas used by Mrs C for around a year. Between 24 August 2017 and 2 September 2018, she'd used a daily average of 1.06 units, with total charges of £578.89. Between 1 September 2016 and 24 August 2017, she'd used a daily average of 1.42 units, with total charges of £743.95.

BGI showed us the call-out history for Mrs C's property. It had replaced parts on a visit on 23 May 2017. Then the next visit was 7 September, which BGI says was for the annual service. It returned to Mrs C's property a number of times in early 2018, on 29 January, 3 February, 6 February, 10 February and 12 February. The next visit was 15 April 2018.

Our investigator upheld this complaint. He said BGI had found out that Mrs C's annual gas usage was much higher for the year in question, so he thought that BGI should pay Mrs C something to make up for that. But he said that it would be more accurate for BGI to compare gas usage for the actual times that Mrs C had been experiencing problems with her boiler, so he would expect it to do that if it could.

Our investigator also said that BGI should pay an additional £50 in compensation (making £100 in total) because of the delays involved in resolving this issue.

Mrs C agreed with this, and BGI has paid £50 more compensation to Mrs C, making a total of £100. Mrs C said that the problem was ongoing from January 2017 to April 2018, so for around 16 months. She wanted compensation for higher gas bills throughout that time. And that was what our investigator had suggested.

It looked like both sides would accept our investigator's proposal. But then Mrs C said that the problem recurred in August 2018, and the person who attended then said that there was still a fault on the boiler. Our investigator said we couldn't consider this problem, as it happened after Mrs C brought her complaint to us.

BGI said that it just didn't have the gas usage information for the exact times that Mrs C said that her boiler was faulty. It could only work with the information it had, which was dependent on when meter readings had been done.

BGI said that it knew that Mrs C had used an average of 1.42 units per day between 1 December 2015 and 25 May 2015. And she had used an average of 1.17 units per day

between 1 February 2017 and 9 May 2018. (This second set of dates shows lower usage than the first set, but it may not be comparing like for like.)

This case was then passed to me for a final decision.

my provisional decision

I issued a provisional decision on this complaint and explained why I proposed to uphold it. This is what I said then:

- Mrs C told us she's had a lot of problems with her heating. She says it's been entirely broken and not working, or stuck on and refusing to switch off, or stuck on in part of the house. She says that's why her gas usage has been so much higher. She hasn't provided dates when this happened. She may simply not have kept detailed notes of when things went wrong.
- We've asked BGI for more details about what happened on each of the callouts that it's told us about. In particular, we've asked it to tell us if Mrs C's central system was working when it attended, and if so if it was stuck on or not.
- BGI says it can't tell us that. It says it doesn't keep notes which are detailed enough to show this information. It hasn't explained what the notes it does have (which are in shorthand) mean was done to the system.
- So I need to make a decision, using the limited information I have.
- It does look as if Mrs C has had a relatively high number of callouts. But BGI has told us she has an older style back boiler, so it isn't necessarily BGI's fault if this is no longer as reliable as it once was.
- Mrs C says part of the problem is that BGI hasn't been doing her annual services. But BGI sent us dates services were done, for 2017, 2018 and 2019. Those dates match the system notes it's sent us. I think it's more likely than not that BGI has been providing an annual service. I think if it hadn't, Mrs C would probably have complained about this at the time.
- But it's clear that something did go wrong in early 2018. BGI visited on five separate occasions, in quick succession. BGI has accepted that two of these visits could've been avoided. It says that the boiler wasn't working on 29 January, the first visit. It diagnosed the fault, and went back on 3 February to replace the circuit board. It said the problems it diagnosed on 6 and 10 February could have been avoided. The strong suggestion here is that those problems ought to have been picked up on the second visit. BGI said these further problems would've been difficult to find on the first visit, as the boiler wasn't working then.
- BGI said that it might also have been possible to pick up, during these February visits, the problems which were then repaired a couple of months later, in April. But it assumes that the part which was replaced in April would have been tested and run in February, as part of replacing the sensor and adjusting the pump speed. However, given the number of visits BGI made to Mrs C's home in February, and the fact that problems were repeatedly missed then, I don't think I'm able to adopt BGI's assumption on that.

- I think that at least two, and perhaps three, visits to Mrs C's home in early 2018 weren't necessary, and were only made because BGI provided Mrs C with poor service at the time. BGI has paid her £100 in compensation.
- Mrs C wanted BGI to pay a further £160, which would be a contribution of £10 for each of the months that she said her gas usage was above the normal level. As there's only limited information available to me, I've not been able to see that the problems that Mrs C says she's had with her heating over a period of about sixteen months have happened, and that it's BGI's fault for repeatedly failing to repair her central heating during that time. In particular, I haven't seen anything that suggests to me that it's BGI's fault that Mrs C's heating was stuck on for a prolonged period, leading to higher bills.
- But there was a problem in February 2018, and the failure to complete repairs promptly during that time was BGI's fault. Because Mrs C seems to have been without properly working central heating for about two weeks, at the coldest time of the year, I do think that BGI should pay her more than £100 in compensation. I think BGI should pay a further £150 in compensation, which will take the total amount up to £250.
- That's about the same amount as Mrs C originally wanted to settle this complaint. But I'm suggesting it for rather different reasons. So both sides will have a chance to comment, and to send further detailed evidence to support those comments, before I reach a final decision on this case.

I invited the parties to make any final points, if they wanted, before issuing my final decision. Mrs C and BGI both replied.

my findings

I've reconsidered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint. I haven't changed my mind.

BGI said that during its visit the boiler was not operational. It ordered parts and returned to fix the appliance. It accepted that the further two visits could have been avoided and its engineer should have identified the additional faults when he replaced the circuit board.

BGI wanted to remind me that Mrs C has a back boiler that ceased production many years ago. It said repairs to older boilers can take longer to complete than with a newer appliance, mainly due to part availability. BGI said it had already paid £100 which it felt reflected the inconvenience caused.

BGI says that parts availability can delay repairs with older boilers, but it has also accepted that the delay in this case was caused because its engineer didn't identify additional faults when he did some work on Mrs C's boiler. And for that reason, she was left without heating for quite some time, around the coldest time of the year. I still think that a total payment of £250 is the right amount to make up for that.

Mrs C said she'd only ever received £50 from BGI. She was happy to accept a total payment of £250. I'll set out my final decision, so that BGI must show that it has made a total payment of this amount. But I note that BGI has told us it has made two separate payments on this complaint already, of £50 each. If that's right, and BGI has paid Ms C a total of £100 already, as it has said, then it still only needs to pay £150 more now.

my final decision

My final decision is that British Gas Insurance Limited must pay Mrs C a total of £250 in compensation. British Gas Insurance Limited can count towards that amount any compensation it has already paid Mrs C for this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs C to accept or reject my decision before 22 October 2019.

Esther Absalom-Gough
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