

complaint

Mr S says British Gas Insurance Limited mishandled a claim under a home emergency policy.

background

Mr S has a HomeCare policy with British Gas that covers his boiler and central heating system.

In January 2016 Mr S called British Gas for a fault with his boiler. An engineer attended and made some adjustments, they also carried out the annual service.

In March 2016 Mr S called British Gas as he'd found a water leak coming from his boiler. An engineer was arranged and diagnosed a faulty part that had to be ordered. This left Mr S without hot water or heating.

One week later the engineer returned and fitted the part but the boiler only worked for a short time. So Mr C had to call British Gas to send the engineer back, who then diagnosed a further fault which required another part to be fitted. But the part wasn't available until the following day. He also told Mr S he would have to pay a £50 callout fee for this visit.

An engineer returned the following day but not at the time Mr S had expected so he had to chase up the appointment. Once this part was fitted the boiler worked.

Mr S didn't agree that he should pay the £50 callout and it took some time for this charge to be waived by British Gas. This caused Mr S more inconvenience.

Mr S complained to British Gas. He said he'd been left without hot water and central heating for nine days, had missed three and a half days from work and hadn't received the level of service he'd expected. British Gas agreed that it hadn't provided the service that it should've. It offered Mr S £120 compensation.

Mr S didn't agree that the amount of compensation was adequate and so complained to this service. Our adjudicator investigated Mr S's complaint. He recommended it should be upheld. The adjudicator said he didn't think £120 as compensation was enough when taking into account the length of time Mr S had no heating and hot water. Mr S had taken time off work, phone calls hadn't been returned and Mr S had had to challenge the call out charge.

Our adjudicator said a total compensation payment of £270 would be reasonable. Both Mr S and British Gas didn't agree with our adjudicator's opinion. Mr S said he thought the compensation was too low and British Gas said it was too high. 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.

It's agreed that British Gas didn't provide the level of service expected. So the issue for me to decide is what level of compensation would be fair.

Mr S says £270 isn't enough as the lack of heating and hot water led to him becoming ill due to it aggravating an existing health complaint. But I don't have any evidence of that. Though I appreciate that being without a working boiler in March would've made life uncomfortable, stressful and inconvenient.

British Gas says that the first part that had to be ordered was 'special' so the delay waiting for it to be fitted couldn't be helped. It also says it was only when this part had been fitted did it become clear that another part was also faulty.

Looking at the evidence I think that nine days to fix Mr S's boiler wasn't reasonable. He also had phone calls that weren't returned and had to argue over the callout fee which included British Gas raising the use of a debt recovery agency. So I think £120 as compensation wasn't reasonable.

But awards for distress and inconvenience made by this service are generally modest. And compensation for loss of earnings is also not usually awarded. So looking at the size of awards made by this service for similar claims I think £270 is fair and reasonable. I'm upholding Mr S's complaint but not increasing the compensation put forward by the adjudicator.

my final decision

I'm upholding Mr S's complaint. I require British Gas Insurance Limited to pay Mr S £270 as compensation for his distress and inconvenience.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 11 November 2016.

Jocelyn Griffith
ombudsman