

complaint

Mr D complains about the service received under his British Gas Services Limited HomeCare insurance policy.

background

Mr R says British Gas's engineer carried out a smoke test on the flue. The engineer said it was leaking but the repairs wouldn't be covered under Mr R's agreement. The engineer taped the flue so the fire couldn't be used. Mr R then arranged for his own engineer to inspect the fire, who said there wasn't a problem with the flue. Mr R complained to British Gas, saying he wouldn't have had to pay £65 for his own engineer to inspect the fire if British Gas's engineer hadn't said there was a problem with the fire.

British Gas sent out a second engineer, who couldn't find a problem with the flue. And British Gas couldn't say why the first engineer found a problem, but its second engineer didn't. But British Gas wouldn't pay for Mr R's independent inspection. British Gas said its first engineer has a great record for safety and customer service. The first engineer failed the "fire flue flow" test as smoke was leaking from the flue outside. As there was a leak, he followed the correct process by disconnecting the flue. Mr D's own engineer said he warmed the flue – but the first engineer's test wouldn't have been affected by temperature.

Mr R referred his complaint to our service. One of our investigators upheld it. He said that whilst the first engineer may be experienced, two subsequent engineers said there was no problem with the flue. He thought British Gas should reimburse Mr R £65 for the independent inspection, plus interest at 8% simple from the date the invoice was paid until the date of settlement.

British Gas disagreed, saying there was no evidence its first engineer did anything wrong. The engineer said *"that the spillage was from the chimney itself rather than from the flue terminal, so potentially fumes coming through the brickwork or through the concrete of the structure of the chimney or flue, and that's possibly why he didn't do a second test."* British Gas said it was *"industry known"* that you can get different results from such a test during different weather conditions. Our investigator said he would have expected the first engineer to have been aware of this and done more in the situation to avoid capping the appliance.

In response, British Gas said it would be wrong to assume there were contributing factors, such as weather, on the day of taking the reading as it could have indicated a completely different fault. British Gas said it is worth bearing in mind that an assumption that the weather may have affected the result of the test could have resulted in a potentially dangerous situation if the cause of the failed test was something other than the weather. So this has come to me for a decision.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. Having done so, I've reached the same outcome as our investigator, and for the same reasons.

British Gas says its first engineer was very experienced and has a good record. But this doesn't mean the engineer didn't make a mistake and I don't think it's enough for British Gas to rely primarily on the first engineer's experience. Here, I have one engineer who said there was a problem and two subsequent ones, one of whom is also employed by British Gas, who said there was no problem. On balance, I think it's more likely the first engineer made a mistake because the two subsequent engineers say there wasn't a problem.

British Gas hasn't been able to give a clear explanation about why the first engineer reached such a different outcome to its second engineer and Mr R's own engineer. The notes of the first engineer's inspection aren't detailed either.

British Gas say it would be wrong to assume the weather affected the test outcome – but it's possible it did and if the weather was the cause, the engineer was still right to shut down the fire because he couldn't have been sure the flue wasn't leaking. But I don't think this is enough to show the first engineer didn't make a mistake. I can't see why the flue would show no issues for the second and third engineers and not the first if there had been a problem. After all, the flue wasn't repaired in the meantime – and neither the second nor the third engineers could find a problem with it.

If the first British Gas engineer hadn't made a mistake in diagnosing a problem with the flue, Mr R wouldn't have incurred the cost of an independent inspection. I agree with our investigator that British Gas should reimburse Mr R £65 for the cost of the inspection, plus interest at 8% simple from the date the inspection was paid for until the date of settlement.

my final decision

For the reasons explained above, I uphold this complaint. British Gas Services Limited should put things right by doing what I've set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 24 April 2019.

Vicki Blackwood
ombudsman