

complaint

Mr D complains about the level of compensation offered by British Gas Insurance Limited (the business). He says it's insufficient in the circumstances.

background

In a response dated 30 September 2018, the business offered Mr D the following redress:

- £150 for not having hot water for 19 days
- £140 for plumbing costs
- £20 for the cost of calls
- £50 for plasterer costs
- £50 for the hassle of additional engineers, a plumber and a plasterer.

One of our investigators considered the complaint and thought it should be upheld. In summary he said:

- Mr D and his wife are over 70 years age, so having no central heating or hot water for 19 days would have caused them considerable inconvenience.
- He accepts they had a gas fire in one room, but didn't often use that room, and it was unlikely to heat up the whole house.
- They had a kettle but it wasn't ideal to take a boiling kettle upstairs to wash.
- Having to arrange and wait for numerous visits from various engineers, a plumber, and a plasterer led to additional trouble and upset.
- The business should pay Mr D the following compensation:
 - £385 for no hot water which works out at £15 a day for the 19 days.
 - £140 plumbing costs
 - £20 for the cost of calls
 - £50 for plasterer costs
 - £50 for additional hassle of arranging engineer, plumber, and plasterer.

Mr D disagreed with the investigator's view. In summary he said:

- If there had been no gas the business would have paid £30 per day for the resulting lack of heating and hot water. Although technically there was gas, it couldn't be used for hot water, or the 14 radiators in the house, so they were still without both.
- The investigator is allowing compensation for lack of hot water but nothing for the lack of heat.
- The single flame gas fire in one room was inadequate for the size of the house and the upstairs.
- The £50 compensation for the hassle caused was inadequate in the circumstances.

Our investigator having considered the additional points clarified the following:

- He awarded in total £210 (not £140) – for the cost of the plumber (£140), the plasterer (£50) and the phone calls (£20).
- £500 (not £400) for the trouble and upset this matter has caused Mr D.
- In total he said the business should pay £710.

The business disagreed with the investigator's view. It maintains its offer was fair and reasonable.

As no agreement has been reached the matter has been passed to me for review.

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 agree with the investigator's conclusions for much the same reasons. I'm going to uphold this complaint. On the face of the evidence, and on balance, I'm not persuaded that the level of compensation offered by the business is fair and reasonable in the circumstances.

I appreciate it's difficult to live without heating and hot water, and more so for a couple over 70 years of age and for 19 days.

In my opinion it makes little difference that Mr D and his wife had access to a gas fire in one room, because it would've done little to heat up the rest of the house. I note they seldom used that room and the bedrooms were upstairs.

I'm aware that they had the use of a kettle, but virtually all households do these days, so I'm not persuaded that would have reduced their trouble and upset. Even if the kettle could be taken upstairs for washing purposes, it's not without its own dangers and difficulties.

Not only did Mr D and his wife have to suffer not having hot water or heating for the 19 days, they also had to arrange and wait for various engineers to come round, who ultimately failed to resolve the issue. They also had to arrange for a plasterer and a plumber to resolve further problems, which they had to pay for at the time, which I've no doubt would've added to their inconvenience, trouble and upset.

On balance it seems likely that all of this could have been avoided if the first engineer had properly tested the system and made sure it was working properly. And thereafter, if the second engineer had checked the outside stop tap the problem might have been resolved sooner.

In the circumstances I think £710 compensation - comprised of £210 for the cost of the plumber, plasterer and phone calls, and £500 for trouble and upset – is fair and reasonable in the circumstances.

my final decision

For the reasons set out above, I uphold this complaint.

British Gas Insurance Limited must pay Mr D £710 compensation for the costs incurred and trouble and upset, less any money already paid.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr D to accept or reject my decision before 7 February 2019.

Dara Islam
ombudsman