

complaint

Mr A complains about poor performance by British Gas Services Limited ("BGS") over a number of years in the service it provided under his home emergency insurance policy.

background

Mr A had a gas fire, boiler and central heating system installed in 2001. Ever since then he has had a policy with BGS for the servicing and repair of his system. Whenever the system was serviced, Mr A says he told BGS's engineer that the house was always cold, and the temperature never went above 15C, even with the thermostat turned up to maximum, and the heating on constantly.

The boiler was serviced in February 2017, and at the same time he asked BGS for a powerflush of the system as he proposed to fit a new boiler. In carrying out the powerflush, the engineer found a section of the central heating pipework was blocked, and he had to cut out and replace this. He also replaced the central heating pump, which he said was worn and not performing properly, and fitted a filter to the system.

Mr A complained to BGS that the blockage to the system should have been noticed and remedied sooner by BGS and it should also have fitted a filter sooner. He said BGS had started fitting such filters ten years ago. He thought BGS should refund £150 a year from his policy premium because of its poor service, and £272 a year for excess heating costs because of his poorly functioning system. Over ten years this came to some £4,000, although he was willing to accept £2,000.

BGS said its records didn't show repeated visits to Mr A's house about any specific issue. So it could only assume Mr A was satisfied with its work at the time. It said that on service visits, its engineer would test the boiler to check it was operating correctly, but it wouldn't service pipework, radiators or pumps; it would repair or replace these if they broke down.

Only if it suspected sludge or dirt in a system would it recommend a powerflush, or that a filter be fitted as a precaution. It started to fit filters some ten years ago as a chargeable upgrade. It didn't offer these as a matter of course, although it recommended them on new boilers. The cost of fitting a filter was normally £200, but it had fitted Mr A's filter free of charge as a gesture of goodwill.

BGS couldn't comment on the gas consumption Mr A had experienced as this differed from house to house depending on a number of variables such as its insulation, number of thermostats, the times the system was used, tariffs, style of radiators and controls. In the circumstances, it didn't think any compensation was appropriate. But it offered Mr A £30 as a goodwill gesture.

Mr A didn't accept this offer and complained to us. As well as the matters raised in his complaint to BGS he thought the fact that the house has always been cold suggested that the boiler was undersized and so mis-sold in 2001.

Our investigator didn't recommend that this complaint should be upheld. He thought the way BGS had carried out its services was in line with what it promised in its policy terms and conditions. BGS had explained that there were no clear signs of any pipe blockage as the boiler was running freely and giving good readings.

He didn't think there was any requirement for BGS to fit filters as a matter of course. In the absence of evidence that Mr A had consistently complained about the house being cold and so the system not performing properly, and that BGS had failed to respond, he couldn't say BGS was at fault. So he couldn't ask BGS to pay the £2,000 Mr A had asked for.

Finally, any suggestion that the system was mis-sold to Mr A in 2001 would need to be the subject of a separate investigation.

Mr A responded to say, in summary, that:

- he still thought BGS should have listened to his repeated complaints that the house was cold, and should have investigated and tried a powerflush without him having to raise this;
- if the engineer in 2017 could find the blockage, he thought it could have been picked up earlier on previous service visits;
- the extra cost of gas he was claiming for was based on figures on BGS's own website; and
- he thought he should be compensated because he had received poor service over many years, had suffered with a cold house, and had used excess gas.

my findings

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

Any suggestion that the boiler was mis-sold in 2001 would have to be the subject of a separate investigation in which BGS was able to participate. So I can't consider it as part of this complaint. However I am doubtful if the sale of the boiler would fall within our jurisdiction, particularly as it happened more than six years ago.

There isn't any evidence to support what Mr A is now saying – that he was regularly telling different BGS engineers that his system wasn't performing adequately, and they were all ignoring this and failing to respond over a number of years.

Like the investigator, I think the way BGS acted was in line with what it promised under its policy terms and conditions. There isn't any indication of how long the blockage had been present, and I can't say BGS was at fault because it didn't find it earlier, or didn't fit a filter to the system earlier.

That being so, I don't think there is any basis for me to say that BGS should compensate Mr A. I leave it to him to decide if he now wishes to accept the £30 goodwill payment BGS has offered, if he hasn't already done so.

my final decision

My decision is that I don't uphold this complaint, and make no order against British Gas Services Limited.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 7 August 2017.

Lennox Towers
ombudsman