

complaint

Mr S complains that British Gas Insurance Limited (BG) failed to carry out a proper check of his central heating system at its annual service. As a consequence, a fault developed resulting in excessive gas consumption.

background

BG carried out an annual service of Mr S's boiler and central heating system on 17 December 2015. When the engineer left, the system was working properly. On 29 December, Mr S went away for five days, setting his thermostat to 10 degrees. On his return the house was "like a sauna" and the radiators were too hot to touch, despite the thermostat still showing 10 degrees. He contacted BG, and its engineer identified that a control valve had jammed open. Mr S says that BG should've identified at the annual service that this valve was failing and replaced it.

Mr S's gas bill for the period during which the valve jammed was over £1000. He says this is considerably higher than previous bills for a similar period, and he wants BG to make a contribution towards this excessive bill.

Mr S's system continued to work properly between 17 and at least 29 December. BG says it's not responsible for the failure of this valve. It says that its annual services are to ensure that systems are safe and in good working order. It carries out tests and safety checks, and a visual inspection. Unless these tests or any issues raised by the customer highlight any problems, its engineer won't check each part of the system as this wouldn't be feasible. It says it doesn't offer a preventative service and can't guarantee that customers won't experience boiler or central heating problems in the future. Its policy is to provide cover for customers if problems occur.

Our adjudicator didn't consider that BG had acted unreasonably and so didn't recommend that it compensate Mr S. Mr S isn't satisfied with the adjudicator's opinion and has asked that the matter be considered by an ombudsman. The matter's therefore been referred to me to make 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. I'm not going to uphold Mr S's complaint and I'll explain why.

The valve that failed was not a radiator valve but a system valve. In the service report, the engineer has ticked against the item "*Appliance/system controls checked*", which should cover the regulating valve that failed. BG says the valve would've been inspected visually. It says it doesn't routinely remove and inspect every part of a central heating system and boiler unless tests or customer comments suggest there is an issue with a particular part.

But Mr S argues that a visual inspection wasn't sufficient. He maintains that the valve in question was easily removed and inspected for wear, and should've been removed and inspected properly, as this was the only way of checking its condition. He says that if this had been done, it would've been clear that the valve was about to malfunction. He says he was told by an engineer that the degenerative state of the valve would've been evident.

I'm afraid I disagree with Mr S's view. The annual service is to check that the system is operating safely and is in good working order. Mr S's system was. BG says, and I agree, that

it isn't feasible for it to inspect in detail every part of a central heating and boiler system during a service unless there's reason to believe that there's a problem with part of it. Nor do I think it feasible for BG to inspect every part to identify if and when that part might fail at some point in the future. If a part fails, BG's policy is there to provide a repair.

Mr S uses the analogy of a car having been serviced and the brakes then failing. If I can use the same analogy, I don't think it would be reasonable to blame a garage if a clutch suddenly failed shortly after a car had had a routine service unless a potential issue with the clutch had been identified. A closer inspection might then be appropriate.

I also don't have any evidence, other than what Mr S says he was told by an engineer, to suggest that even if its engineer had removed and inspected this valve, it would've been evident that it was going to fail in the near future and needed to be replaced. It might've shown signs of wear and yet continued working for some considerable time. I think it was simply unfortunate timing that this part failed when Mr S was away on holiday.

So whilst I have considerable sympathy for Mr S because of the financial consequences this part failure has had for him, I don't think there's any evidence that BG has done anything wrong or has acted unreasonably. It therefore isn't necessary for me to consider the bill that Mr S has received for his gas usage and how much more gas might've been used because of the failure.

my final decision

For the reasons given above, I don't uphold Mr S's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 25 July 2016.

Nigel Bremner
ombudsman