

complaint

Mrs G complains that after she called on British Gas Insurance Limited ("BGI") under her home emergency insurance policy, its agents provided poor service in respect of a water stop tap culminating in its leaking and flooding her kitchen.

background

Since 2013, Mrs G has had a number of problems with her water stop tap in her kitchen. She called on BGI under her policy with it. Its agents attended and dealt with the various issues. It appears that Mrs G used the stop tap as an on/off tap to control the water supply to her outside garden tap. In December 2016, BGI's agents replaced the stop tap with a lever type stop tap to make this easier.

In April 2018, the stop tap leaked, causing flooding in her kitchen. This took Mrs G, who is elderly, some time to clear up and caused both her and her infant grandson distress. BGI's agents attended again. They stopped the leak; their worksheet reads:

"leak on iso in kitchen tightened tested OK".

Mrs G complained to BGI. She said its agents' workmanship had been poor and asked BGI to compensate her for the distress and inconvenience she had suffered.

BGI didn't accept her complaint. It said a stop tap wasn't designed to be used in the way Mrs G was using it – as an on/off tap to control the water supply to her outside tap. This would cause excessive wear for which it wasn't responsible. It said the leak in April 2018 wasn't caused by any work carried out by its agents.

Our investigator didn't recommend that this complaint should be upheld. He said the leak in April 2018 seemed to be caused by her misuse of the stop tap rather than poor workmanship by BGI's agents. So he couldn't hold BGI responsible for the flooding that resulted.

Mrs G responded to say, in summary, that:

- she hadn't misused the stop tap. BGI's agents knew how she was using the stop tap before they fitted the new stop tap in December 2016;
- it was bad workmanship by BGI's agents that caused it to fail, not the way she was using it; and
- since April 2018 she hadn't had any problems with the stop tap, which was working well controlling the supply of water to her garden tap.

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 clear from BGI's records that Mrs G had problems with her stop tap for a number of years, certainly from 2013 onwards. BGI's agents attended and repaired the stop tap a number of times. In December 2016 they fitted a new lever type stop tap. I accept Mrs G's evidence that they knew the way she was using her stop tap, and this replacement was fitted to make such use easier.

After that, Mrs G doesn't seem to have had any further problems for some 18 months until the stop tap leaked in April 2018. BGI's agents attended and stopped the leak. From their job sheet I have quoted above, it doesn't seem any repair or replacement of the stop tap was needed. It simply needed to be tightened. After testing, it worked properly, and has continued to work since then.

I understand that Mrs G was upset at the flooding caused in April 2018. However given that the stop tap had worked without problems for 18 months after being fitted, and has worked properly since then, I can't say there's sufficient evidence of poor workmanship by BGI's agents. So I can't say BGI should compensate Mrs G for the flooding that occurred.

BGI's agents have confirmed to us that they didn't tell Mrs G that she was using the tap incorrectly. So it seems that BGI was mistaken in telling Mrs G that this was the case.

It isn't clear why the stop tap should have loosened in April 2018 after 18 months trouble free use. It's most unfortunate that it resulted in Mrs G's kitchen being flooded. But I don't think it would be reasonable to require BGI to compensate her for this.

my final decision

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs G to accept or reject my decision before 9 June 2018.

Lennox Towers
ombudsman