

complaint

Mr B complains about the service he received from British Gas Insurance Limited when he made a claim under his home emergency insurance policy.

background

Mr B called British Gas when he noticed a leak from his washing machine. British Gas sent a plumber who believed he had solved the problem. Later that day, Mr B used his machine and flooded his kitchen. He called British Gas again who sent a second plumber. They found the waste pipe was blocked. The problem was fixed by the second plumber.

Mr B noticed that the laminate flooring in his kitchen was damaged and puts this down to the flood caused after the first plumber had failed to fix the problem. He complained to British Gas. Mr B said the first plumber had completed his job sheet showing the fault was resolved and he'd checked for correct operation and water leaks. This led Mr B to believe it was safe to use his washing machine. He asked British Gas to pay to replace his kitchen flooring.

British Gas looked into his complaint. They said that the first plumber had cleaned the trap and told Mr B that the drains required cleaning as they may be blocked further down. When the second plumber came, he removed the blockage and restored the flow of the drains. They said the damage to the floor was consequential damage and not covered by the policy. British Gas sent Mr B £50 as an apology for the time it took them to deal with his complaint.

Mr B didn't accept what British Gas had said and referred his complaint to us. One of our investigators looked into it. He agreed with Mr B that the first plumber hadn't fixed the fault properly and that the paperwork he'd completed had given Mr B no indication that there could be a problem if he used the machine. Our investigator acknowledged the evidence provided by Mr B showed that the kitchen flooring was damaged. But he said that he hadn't seen evidence to show the damage was caused by the flood that had occurred after the first plumber had been out, so he couldn't reasonably ask British Gas to pay for the flooring.

Our investigator noted that British Gas had paid Mr B £50 for delays in handling his complaint. But he didn't think that British Gas had made any recognition of the stress caused to Mr B as a result of the first plumber not clearing the blockage which led to the flood. He said British Gas should pay £100 in recognition of this.

British Gas didn't agree so Mr B's complaint has been passed to me for a final 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.

The first plumber visited Mr B's home to fix a leak that was occurring from the washing machine. Before he left, he gave Mr B a 'customer checklist' on which he said he'd '*cleaned trap and rewasher*'. He ticked boxes on the form to say '*fault resolved*', '*checked correct operation*' and '*checked for water leaks*'. There's a box entitled '*Suggested further work*' which has been left blank.

British Gas say that the plumber recommended to Mr B that the drains required cleaning as there may be further blockages. But Mr B doesn't recall that conversation. If that had been

the advice from the plumber, I'd expect to see it in the further work box. So I think it was reasonable for Mr B to believe the job had been completed and it was safe to use his washing machine.

Mr B was 81 at the time and recovering from a major operation. But even without taking that into account, I can understand Mr B's distress when he noticed the machine was leaking again later the same day. He tells us that it took him, his wife and a visitor about 45 minutes to clear up the mess. I'm pleased that the second plumber was able to attend the same day and finally fix the problem for Mr B.

Mr B has provided photographs showing some damage to his kitchen floor. Naturally, these were taken after problem with the leaks had been fixed. He says that the damage was caused solely by the leak that occurred after the first plumber had been out and failed to resolve the issue. But I think it is very difficult to show the damage was caused as a result of exposure to water for 45 minutes – the time it took to clear up the flood. I say this because the damage is quite extensive.

I've also taken into account that the reason for the first visit was that the machine was leaking. It's reasonable to think that the initial leak would at least have contributed to the damage – we can't say for sure how long that had been going on. On balance I think it's likely that the damage had begun to occur before the first plumber called. I agree that the second leak wouldn't have helped the situation, but I don't think I can reasonably decide that British Gas should be liable for the cost of replacing the kitchen floor.

British Gas have offered Mr B £50 specifically for delays in handling his complaint. But they haven't done anything to acknowledge the distress this matter caused Mr B. As I've said, I think it was reasonable for Mr B to believe the problem was sorted out by the first plumber. With this in mind, I can imagine he was very upset when the washing machine flooded his kitchen. I agree with our investigator that British Gas should pay Mr B £100 for upset caused in addition to the £50 they've offered for the delays in handling the complaint.

my final decision

My final decision is that British Gas Insurance Limited to pay Mr B a further £100.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 2 November 2018.

Richard Hale
ombudsman