

complaint

Miss B complains that British Gas Insurance Limited ("BGI") cancelled her home emergency insurance policy without justification.

background

Miss B has had a home emergency policy with BGI for many years. In October 2018, she thought the thermostat controlling the underfloor heating in her lounge wasn't working. So she called on BGI under her policy.

The BGI engineer who attended checked the lounge thermostat and said it was fine. He said the problem was with the underfloor heating which wasn't covered by Miss B's policy.

Miss B says that in the course of checking the kitchen thermostat, the engineer broke this. This caused all the downstairs heating to stop. Miss B told the engineer that as he had broken the kitchen thermostat he should fix it. The engineer denied he had broken the thermostat; he said it was broken when he arrived.

There is disagreement about what happened next. Miss B says she didn't want the engineer to leave without fixing the kitchen thermostat because she now had no heating in the kitchen. But she denies she was abusive to the engineer.

BGI's records say that one of its managers spoke to the engineer while he was on the property. He had called the police because Miss B wouldn't open the gates to allow him to leave the property. The record says Miss B's partner then came to the property and physically threatened the engineer, and the engineer was verbally shaken on the call.

Following the incident, BGI said it wouldn't return to the property, and cancelled Miss B's policy. Miss B complained to BGI. She said the police who attended had viewed her CCTV recording of the incident and said nothing had happened. BGI paid her £50 towards the cost of replacing the kitchen thermostat but wouldn't reinstate her policy. So Miss B complained to us.

Miss B said she had now arranged for a third party to attend the property. It had replaced the kitchen thermostat at a cost of £60, and had rebalanced the underfloor heating which was now working. She wanted her policy to be restored. She said both she and her partner had medical issues. She said neither of them had raised their voices or been aggressive. They just asked the engineer to fix what he had broken.

Our investigator didn't recommend that this complaint should be upheld. She said BGI had considered what its manager had said about his phone call with the engineer, and the fact that the police had been called. BGI's policy terms said it could *"cancel your agreement or product if you put our people's health and safety at risk, for example, physical or verbal abuse"*.

BGI's had made a business decision which was in line with this. So she didn't think BGI had acted unreasonably.

Miss B responded to say, in summary, that it was wrong of BGI to make the accusations it had, and to cancel her policy, without proof that the accusations were true.

She acknowledged that she had wanted to keep the engineer there while she spoke on the phone to his manager because she wanted him to fix what he had broken. If he left without fixing the thermostat she felt it would compromise her and her partner's health because they would be left without any heating.

She asked for her complaint to be reviewed. So it has been passed to me to issue 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.

The investigator asked BGI if any recordings were available of the calls that had been made. It said they had been made on mobile phones and such calls weren't recorded. She asked if Miss B could produce the CCTV recording she said had been made. But she hasn't been able to do so.

It isn't possible for me to say exactly what happened at the time of the visit. Miss B denies that she or her partner were abusive towards the engineer. However it's clear from BGI's records that the engineer felt they were at the time, and the manager he called says he heard abusive comments on the phone.

BGI decided that there had been abusive conduct which entitled it to cancel the policy under the term I've quoted above. On the evidence available, I can't say BGI acted unreasonably in coming to this conclusion. So I can't reasonably require BGI to do anything more.

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 Miss B to accept or reject my decision before 2 May 2019.

Lennox Towers
ombudsman