

complaint

Mrs P complains that her boiler stopped working and had to be replaced because British Gas Insurance Limited failed to service it properly.

background

Mrs P has had cover with British Gas Insurance Limited for some years. She called British Gas when flames were seen coming out of the boiler. A British Gas engineer inspected the boiler and said it was beyond repair. Mrs P replaced it with a new boiler.

Mrs P complained to British Gas. She said it had failed to service the boiler in accordance with the manufacturer's instruction guide. This led to a build-up of debris and soot, which caused a blockage, resulting in the boiler catching fire.

In reply, British Gas said flames were escaping through the heat exchanger due to the blockage, but it wasn't on fire. It said the engineer who inspected the boiler had to disconnect it, as it was dangerous. It was satisfied the boiler had been serviced correctly each year, and there was no evidence to support Mrs P's claims. The boiler was old and engineers had been recommending for some time that she replace it.

Mrs P complained to this service but our adjudicator didn't uphold the complaint. Mrs P has requested a review and has provided further comments, including:

- it's not just that British Gas didn't service the boiler correctly, but that it wasn't serviced in accordance with the manufacturer's instructions;
- this is very important, because if the engineers had opened up the boiler correctly, as set out in the instructions, they would have seen the debris that accumulated over the years;
- it's a basic requirement of the manufacturer's instructions that the boiler should be opened up and cleaned from above, not from below;
- even when the engineer spotted that the problem was caused by the blockage, he still didn't clean the heat exchanger in accordance with the instructions;
- British Gas only said it "believed" the boiler was serviced properly, despite admitting that it wasn't done in accordance with the manufacturer's instructions;
- although the boiler was very old, it was well-built and solid, without the complicated electronics that new boilers have – it was built to last and would still be working, had it been serviced properly;
- no part of the boiler failed and no new parts were needed – the only thing that led to it being declared unsafe was the fact that debris had accumulated in the heat exchanger, because it wasn't cleaned correctly.

British Gas says by the engineer cleaned the heat exchanger with brushes and then washed all the debris out. This could only be done by removing the access panel. It believes the debris that was seen later had fallen from the flue. The heat exchanger couldn't be replaced; it's made up of two parts and the left part is no longer available.

British Gas also says it wouldn't be able to repair or replace the flue for Mrs P, as that isn't covered by the policy terms, and in any event it wouldn't carry out work on this type of flue.

my findings

I've considered all the available evidence and arguments, including all the documents and photographs received from both parties, to decide what's fair and reasonable in the circumstances of this complaint.

Mrs P says British Gas should have carried out annual services in accordance with instructions in the manufacturer's guidance manual. I don't think British Gas always has to carry out a service in line with manufacturers' instructions.

The policy terms says British Gas will inspect the boiler (and any other appliances covered) in order to "*help make sure that they are safe and in good working order*" What it offers under the policy is check that the boiler is working and meets relevant safety requirements. Its engineers carried out these inspections and confirmed that safety readings were satisfactory.

After Mrs P reported the incident, the engineer cleaned the heat exchanger. He found that the boiler was dangerous as the flue was spilling, and it failed the safety checks. Although no part of the boiler had failed, he couldn't get a safe reading. Even if he'd wanted to repair the boiler, this wasn't possible as parts for the heat exchanger and the flue weren't available.

I'm satisfied British Gas carried out services over the years, ensuring that the boiler was operating safely, so it has fulfilled its obligations in line with the policy. On balance, I think it's unlikely the servicing was the cause of the boiler failing. The boiler was almost 30 years old and past its expected life span. I note that the engineers had been advising Mrs P for some years that she should consider replacing her boiler, due to its age and poor condition. If British Gas had been servicing the boiler incorrectly all those years, it's unlikely the boiler would have carried on working safely for so long.

When a boiler can't be repaired, the policy terms allow British Gas to provide a replacement in some circumstances, depending on the age of the boiler. Mrs P wasn't entitled to a new boiler because hers was so old.

my final decision

My final decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs P to accept or reject my decision before 18 January 2016.

Peter Whiteley
ombudsman