

## **The complaint**

Mr and Mrs C complain about how Inter Partner Assistance SA (“IPA”) handled their claim on their home emergency insurance.

## **What happened**

Mr and Mrs C have home emergency insurance that’s underwritten by IPA. In August 2022 they made a claim after experiencing issues with their boiler. After some difficulty, a visit by an engineer was arranged.

However the engineer was unable to fix the boiler and Mr and Mrs C say he left it in a worse position than it was before the visit. They subsequently got their own engineer out who successfully diagnosed the issue and fixed the boiler.

Unhappy with the service they received, Mr and Mrs C made a complaint. They were unhappy with the information they’d been given on the phone by the administrator of the policy, as it had incorrectly told them that they didn’t have the right cover for anything other than emergency call outs. They also said that the engineer who attended broke their boiler further and failed to diagnose the problem. They felt IPA had insinuated they had made a fraudulent claim and thought its engineer had been purposefully dishonest. They made a complaint.

As the issues they raised related to the actions of the administrator of the policy and IPA, the complaints were responded to by each of the relevant businesses.

IPA didn’t uphold the complaint. It said its engineer had to disconnect the boiler because it wasn’t safe which is why it was left in a worse position. But it said as the boiler was working and they had hot water, it was reasonable for them to do so.

Mr and Mrs C were unhappy with this response and brought their complaint to this service.

After the matter came to us IPA agreed to reimburse Mr and Mrs C for the amount it cost to fix their boiler.

Our investigator considered this and thought it was a fair offer. However she also thought it should pay £150 compensation to make up for the distress and inconvenience it has caused by not getting this right in the first place.

Mr and Mrs C didn’t accept this outcome. They said they thought IPA’s engineer had purposefully acted dishonestly. They said he had accused them of purposefully tampering with the boiler which amounted to an accusation of fraud and was unfounded. They asked for the complaint to be reviewed by an ombudsman

## **What I’ve decided – and why**

I’ve considered all the available evidence and arguments to decide what’s fair and reasonable in the circumstances of this complaint.

Mr and Mrs C have provided a lot of information and commentary about this complaint, including since it has come to me to decide. In this decision, I won't respond to every point they've made, instead I'll focus on the issues I consider key to the outcome. However I want to reassure them that I've read and considered everything they've said in doing so.

Firstly, I want to make clear that there are two different organisations involved in the issues in this complaint – IPA and the policy administrator. Each of these is responsible for different things. IPA are the underwriters of the policy so they are responsible for making decisions on claims and instructing agents to deal with claims. The complaint I'm looking at here is about IPA, so I will only consider how it was handled by IPA – essentially the engineer's diagnosis and actions. I know that other issues raised about the administration of the insurance are also important to Mr and Mrs C. And these are being dealt with under a second complaint about the separate business. So I won't comment about those issues in this decision.

The crux of the complaint against IPA is the fact that its engineer didn't do anything to help fix the problem, leaving Mr and Mrs C in a worse position when he left.

When looking at complaints, this service first considers whether the business in question got something wrong and where we find it has, we look to put things right. We do this by seeking to put its customer back in the position they would have been in if they hadn't got something wrong. It's important to note that we don't have the power to punish businesses, so any remedies are to put right what's gone wrong, rather than to sanction the business or its agents.

Here, I agree IPA provided a poor service and didn't provide a suitable fix or diagnosis of the problem with Mr and Mrs C's boiler. In these circumstances I'd expect IPA to have got this right when its first engineer visited Mr and Mrs C's home. Or at least go back and fix the problem after. However, this didn't happen here. Instead Mr and Mrs C had to instruct their own engineer to resolve the issues.

IPA has now offered to reimburse Mr and Mrs C for the repairs they had carried out, and this is what I would have recommended it had done if it hadn't offered. As this puts them in the position they would have been in if IPA had got things right in the first place – with a working boiler and not out of pocket.

However I can also see that the matter has caused Mr and Mrs C some distress and inconvenience. They had to call the support line a number of times to complain about the ongoing issues with the boiler. And were left feeling as if they'd been accused of fraud. They also felt the engineer acted dishonestly and didn't take due care when he was visiting. This would have been distressing. Because of this, I also agree with our investigator that IPA should pay £150 compensation to apologise for the distress and inconvenience it's caused by the poor handling of the claim.

I note Mr and Mrs C are particularly distressed by the fact they feel they've been accused of fraud. However I want to reassure them that IPA has not stated to this service, or at any point in the claim, that it believes the claim to have been fraudulent. So I hope this offers some reassurance.

Mr and Mrs C have also said they consider the actions of the engineer to be fraudulent as they feel he was purposefully dishonest. It isn't for this service to decide on such a matter – that's better suited to the courts. It's our role to resolve disputes by ensuring the customer is put back into a position they were in when things go wrong. So it isn't our role to determine why the problem was misdiagnosed, just to make sure things are put right after. And I'm satisfied that the action taken by IPA and £150 compensation is a fair resolution in order to do this.

### **My final decision**

For the reasons I've given, I uphold Mr and Mrs C's complaint and direct Inter Partner Assistance SA to:

- Reimburse Mr and Mrs C for the repairs to their boiler, if it's not done so already.
- Pay 8% simple interest on this amount from the date they paid for the repairs until settlement is paid, if not already done so.
- Pay Mr and Mrs C £150 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs C and Mr C to accept or reject my decision before 15 September 2023.

Sophie Goodyear  
**Ombudsman**