

The complaint

Mr K is unhappy with how Mapfre Asistencia, Compania Internacional De Seguros y Reaseguros, S.A. (Mapfre) dealt with a claim he made on his cosmetic repair insurance policy.

The details of this complaint are well known to both parties, so I won't repeat them again here. Instead I'll focus on giving my reasons for my decision.

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.

Having done so, I agree with the conclusion reached by the investigator that the case should be upheld. I do so for the following reasons:

- Mr K's policy says damage to flat/horizontal surfaces can only be '*disguised and may not be repairable*' by Mapfre's repairer. The policy also says if the minor cosmetic damage is too severe to be repaired, Mapfre will contribute £250 towards a body shop repair.
- Mapfre says Mr K was made aware of the option to receive a £250 contribution. But it says Mr K chose to go ahead with the minor cosmetic repair. Mapfre says Mr K was fully aware of the limitations of this specific cosmetic repair.
- Mr K says he was advised of the opportunity to claim back £250. However, he says when he spoke to Mapfre he was told that a cosmetic repair would be attempted first, and if it didn't work, he could then avail of the body shop repair option.
- Mapfre are unable to provide a copy of this call. Without the call I can't be sure what Mr K was told. However, Mr K has provided a detailed recollection of the call.
- In the absence of a call recording, I have to look at what's likely to have happened. And in this specific circumstance I'm persuaded by Mr K's recollection of the phone call.
- Mapfre isn't liable for the full repair if a body shop repair is required. However as per the policy terms and conditions, it should now contribute £250 to the body shop repair following the provision of an invoice and authority number.
- I appreciate Mapfre was prioritising key workers at the time. But Mr K waited over two months for this repair to take place. And even then, it wasn't clear which of the two repairs was actually happening. I don't think the service Mapfre provided was good, so I'm also going to recommend that Mapfre pays Mr K £100 in compensation for the inconvenience he's suffered.

My final decision

My final decision is that I uphold the complaint and I direct Mapfre Asistencia, Compania Internacional De Seguros y Reaseguros, S.A. to pay:

- £250 towards the cost of the claim, once an invoice is provided.

- £100 in compensation for the inconvenience suffered.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 1 April 2022.

Derek Dunne
Ombudsman