

The complaint

Mr G complains that a call handler acting on behalf of Aviva Insurance Limited spoke to him rudely following a claim he had made under his motor insurance policy.

What happened

Mr G reported an incident in August 2021 when his vehicle was damaged. Aviva arranged for repairs under his policy. It contacted a car rental company to see if a replacement vehicle could be provided during the repairs. Aviva says it shouldn't have done this as it didn't have the third party details the car rental company would need to be able to proceed.

Mr G received a call from the car rental company. He says the call handler was extremely rude and abusive, referring to him as being paranoid, which caused him to be very upset. Mr G says he is upset with Aviva as there was no need for it to have contacted the car rental company at that stage.

Mr G says Aviva didn't listen to the call before offering a resolution to his complaint. He provided a copy of the call, and it responded to apologise for the upset this caused him. But Aviva says the issue with the call was considered within its £150 compensation payment. It confirmed the matter had also been referred to the car rental company. And that it understood the company had since been in touch with Mr G.

Mr G thought more compensation should be provided because of the severe distress and upset the call had caused him. He referred his complaint to our service. Our investigator didn't uphold the complaint. She thought the call had been very distressing for Mr G, but the compensation and apology offered represented a fair resolution.

Mr G didn't think the level of compensation was adequate for the severe upset he was caused. He asked for an ombudsman to review his complaint.

It has been passed to me to decide.

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 have decided not to uphold Mr G's complaint. I understand this will be disappointing for him, but I will explain why I think my decision is fair.

Mr G raised some concerns with Aviva's handling of his claim. It acknowledged some failings that occurred and provided £50 compensation. However, the issue Mr G has brought to our service, and the issue I have considered, is about the phone call he received from the car rental company.

I have listened to the call recording provided by Mr G to understand why he was upset. The call is handled very poorly and unprofessionally.

The call lasts around 16 minutes. The call handler introduces himself and explains the company he works for and the purpose of the call is to provide Mr G with a car to use whilst his is being repaired. The call handler is polite, and initially I think the call is handled well.

As the call continues Mr G makes the call handler aware that he doesn't have the registration for the third-party vehicle involved in the incident. From here on the handling of the call becomes unprofessional and the call handler makes several inappropriate remarks. From around four minutes into the call fast, heavy breathing can be heard. Mr G queries what the breathing noise is – and asks if there someone listening to the call. The call handler says, “*I got excited*”. Mr G asks again if someone is listening to the call. The call handler says, “*Why are you so paranoid*”.

The call handler makes several further inappropriate comments throughout the remainder of the call. He refers to the situation as, “*funny*” and says he doesn't know why Mr G was, “*so suspicious*”. Mr G tries to have the call transferred to a manager so he can make a complaint. The call handler says he can't do this. He tells Mr G he can ring the main call centre number and explain his complaint to the member of staff he gets through to.

Mr G wasn't expecting this call. Given the unusual and unprofessional behaviour of the call handler I can understand why he queried if someone else was on the call. Aviva confirms that as the third-party details weren't known at this point, the car rental company couldn't have provided a rental vehicle. So, this call shouldn't have happened.

Having listened to the call I can understand why Mr G found it distressing. As the car rental company was acting on instructions from Aviva, it's appropriate that it apologised and provided compensation for the distress the call handler caused. I acknowledge that Mr G feels the distress he experienced isn't adequately reflected in the compensation provided. He says he felt physically sick when listening to the recording of the call.

I have thought about Mr G's comments and the upset the call caused him. I sympathise that he was spoken to in an unprofessional and rude manner and by no means is my intention to diminish what happened. But I do think in providing an apology and compensation for £150, Aviva has reasonably acknowledged what happened and this is in line with what our service considers fair in these circumstances.

In summary, I don't think Aviva was fair in how its agent's call handler spoke to Mr G. But I think it has been fair in offering an apology and £150 compensation to acknowledge this. So, I can't reasonably ask it to do anymore.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr G to accept or reject my decision before 13 June 2022.

Mike Waldron
Ombudsman