

The complaint

Mr H complains about the level of service provided by Tesco Underwriting Limited following a glass repair claim made on his motor insurance policy.

What happened

Mr H's windscreen was damaged, and he made a claim for repair. But Tesco's agent wasn't able to complete the repair due to faulty machines. The repair was finally completed four months after Mr H made the claim. When Mr H complained, Tesco said it wasn't responsible for the repairer's actions.

Our Investigator recommended that the complaint should be upheld. He thought the repairer had acted as Tesco's agent. He thought the four month delay in completing the repair was unfair. And he thought Tesco should pay Mr H £100 compensation for the delays and inconvenience it had caused.

Tesco replied asking for an Ombudsman's review. It said it wasn't responsible for the repairer's actions as it was a separate business.

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.

Tesco said it wasn't responsible for the repairer's actions. But I disagree. The repairer was acting in response to a claim made by Mr H against his policy underwritten by Tesco. And so I am satisfied that the repairer was acting as Tesco's agent and that Tesco was therefore responsible for its actions.

Our approach in cases like this is to consider whether the insurer's acted in line with the terms and conditions of the policy and fairly and reasonably. I think Tesco has a duty to deal with claims promptly, so I've looked to see how it handled Mr H's claim.

From what I can see, there was an initial six weeks' delay in the claim due to the repairer's equipment failure. I can't see that Tesco provided Mr H with an alternative repairer in this time. Mr H was then unwell, and this caused further delay, but I can't reasonably hold Tesco responsible for this. But it then took two more months for the repair to be made. I think this was unreasonable.

When a business makes a mistake, I think Tesco has done here, we expect it to restore the consumer's position, as far as it's able to do so. And we also consider the impact the error had on the consumer.

Mr H has now had his windscreen repaired, and so I think this restores his position. But I think the four month delay in completing the repair was unreasonable. Mr H took time off work to take his car to the repairer, but the repair wasn't then made. Mr H had told Tesco that he needed his car as he had a small child. But it still took a further month for the repair to be completed after this.

Mr H told us that the repairer had waived his policy excess by way of an apology. But our Investigator recommended that Tesco should pay Mr H £100 compensation for the impact its

delays had on him. I think that's in keeping with our published guidance, considering the length of the delay and the impact this had on Mr H. So I think that's fair and reasonable in these particular circumstances.

Putting things right

I require Tesco Underwriting Limited to pay Mr H £100 compensation for the distress and inconvenience caused by its delay in handling his claim.

My final decision

For the reasons given above, my final decision is that I uphold this complaint. I require Tesco Underwriting Limited to carry out the redress set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 31 May 2022.

Phillip Berechree
Ombudsman