

## **The complaint**

Ms B complains Aviva Insurance Limited automatically renewed her motor insurance policy even though she had opted out of automatic renewals in its online application.

## **What happened**

The details of this complaint are well known to both parties, so I won't repeat them again in detail here. And the facts of what happened are not in dispute, so I'll focus on giving the reasons for my decision.

In summary, Ms B tried to stop her policy from auto-renewing, and thought she had when she turned off the function in the app. Ms B later found out that applied to the following year (as she was already in her renewal period when she turned it off). She complained the app didn't make that clear, and Aviva stopped the policy renewing before any money was taken out. It also offered £50 compensation for any inconvenience caused.

Ms B didn't accept Aviva's offer and brought her complaint to our service. Ms B said she didn't get a reply to an email she sent about the issue and spent half a day sorting things out. Ms B also raised concerns about the app's user experience. Our investigator didn't think the complaint should be upheld. They thought Aviva had done all it could to resolve things and thought the offer of compensation was more than they would have suggested.

Ms B didn't accept the investigator's opinion and thought the fundamental issues of the complaint had been missed. She said that she thinks Aviva dodged a fundamental issue with its app. Ms B is also convinced that had she not pursued the issue, Aviva would have held her to the renewal. Our investigator didn't change their opinion and said they could only comment on Ms B's experience of the app and not that of others. They didn't think they could tell Aviva how to run its business. Our investigator also said they couldn't comment on what would have happened if the policy started, as Aviva took steps to ensure the policy didn't renew.

As Ms B didn't agree the complaint 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 agree with the outcome our investigator reached and for similar reasons. I know this will be disappointing to Ms B, but I'll explain why.

Aviva accepts there were issues in the service Ms B received. So, I've thought about what happened and how it tried to rectify things. I appreciate Ms B doesn't agree with the settlement it put forward, but I find it's fair for the following reasons:

- The layout of the app, its functionality, and the level of testing it chooses to carry out on it, are all matters for Aviva to decide. They aren't things we would look to interfere

with. Nevertheless, Aviva acknowledges the app didn't say that turning off the auto-renew function would not stop the upcoming renewal, only future renewals. It said it referred this issue to the relevant department to consider making changes to the app and I think that's a reasonable response.

- When things go wrong, we expect a business to put them right, and usually ask it to put the consumer back in the position they would have been in had the error not occurred. It must therefore ensure the consumer hasn't lost out financially. And address any practical or emotional impact the error has had on them.
- When Ms B made Aviva aware of the error, it cancelled the policy before it renewed and before any payment was taken from her account. So, I'm satisfied Ms B hasn't lost out financially because of what happened.
- Aviva says Ms B would've been able to cancel the policy even if it had renewed and I've not seen evidence to suggest otherwise. Nevertheless, we would only expect Aviva to compensate for the impact its error had on her. And I don't think it needs to compensate Ms B for what could have happened.
- I also know that Ms B is concerned about others who might have been affected by this aspect of the app's functionality – but – our role is to resolve individual complaints, so I can only look at this complaint, and any impact on her.
- I appreciate this was already a difficult time for Ms B, so I can understand why she would have been concerned about the policy renewing and a payment being taken from her account. I also accept Ms B's email went unanswered, which meant she had to take time out to phone Aviva three days later. However, the policy was immediately cancelled. Unfortunately, using financial services won't always be hassle free and mistakes do happen. Though there was some inconvenience to Ms B, I'm satisfied the issue was rectified in a reasonable amount of time. So, in the circumstances, I consider Aviva's offer of £50 is fair compensation. And I won't tell it to do anything more.

### **My final decision**

Aviva Insurance Limited has already made an offer to pay £50 to settle the complaint and I think this offer is fair in all the circumstances.

So, my decision is that Aviva Insurance Limited should pay £50.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms B to accept or reject my decision before 30 November 2022.

Oluwatobi Balogun  
**Ombudsman**