

The complaint

Miss S complains about how Bapchild Motoring World (Kent) Limited wants to settle a claim she made on her motor warranty.

What happened

Miss S holds a motor warranty with Bapchild. When the digital speedometer on the dashboard failed, she made a claim on her warranty.

Bapchild accepted the claim. It said it would contribute toward the repair of the dashboard.

But Miss S wasn't happy with this and complained. She thought Bapchild should replace the dashboard, not repair it because that's what the manufacturer recommended needed to be done. Bapchild didn't agree. It said it was more economical to repair the dashboard than to replace it.

Unhappy, Miss S brought her complaint here. One of our investigators thought it should be upheld. They thought the evidence pointed to the dashboard needing to be replaced, so thought that was what Bapchild needed to do. They also thought Bapchild should compensate Miss S £400.

Bapchild didn't agree, so the case has come to me to issue a decision on.

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'm upholding it. I'll explain why.

- It's not in dispute what the fault is, or whether it is covered by the warranty, so I need not expand on that further. What is in dispute is what needs to be done to settle the claim.
- The independent report carried out says more investigation needs to be done by the manufacturer.
- The only information we have from the manufacturer is an invoice to replace, not repair the dashboard.
- I appreciate Bapchild's argument that a manufacturer will often look to replace a part over repairing it. I agree that Bapchild shouldn't have to pay more than it needs to when settling any claim. And it's evident that repairing the dashboard is a cheaper option than replacing it.
- But while Bapchild is entitled to settle the claim in the most economic way, it needs to complete a lasting and effective repair. And it's provided no evidence other than its

own opinion to show that repairing the dashboard would be effective.

- So, considering the independent engineer recommended inspection from the manufacturer, and the manufacturer has given an invoice to replace the dashboard. I find the weight of evidence more in favour of replacing the dashboard than repairing it. So, Bapchild should pay Miss S what she paid to replace the dashboard.
- Bapchild didn't make an interim payment, and Miss S said she initially wasn't able to afford the repair. She was without use of this car between November 2021. But I have to consider whether Miss S mitigated her losses as best she could have. Ultimately Miss S took credit out to pay for this repair, so, I think she *could* have done this sooner and been without her car for less time. She's given us her reasons for not doing and while completely understandable, I don't find Bapchild responsible for these.
- That said, being without your vehicle for a lengthy period of time would have caused distress and inconvenience. So, to put things right, Bapchild should pay Miss S £400 compensation.

My final decision

For the reasons set out above. I uphold this complaint. To put things right I require Bapchild Motoring World (Kent) Limited to:

- Pay Miss S the amount it cost her to replace the dashboard on her car upon receipt of the invoice. Payment should also include 8% interest. Interest should be calculated from the date Miss S paid the invoice, to the date Bapchild pays her.
- Pay Miss S £400 compensation for the distress and inconvenience caused.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss S to accept or reject my decision before 2 December 2022.

Joe Thornley
Ombudsman