

The complaint

Mr B complains about the way Admiral Insurance (Gibraltar) Limited has handled a claim he's made on his buildings insurance policy following storm damage.

What happened

Mr B is represented by Mrs B in bringing this complaint. References I make to Mr B and Admiral includes respective agents and representatives unless stated otherwise.

The background to this complaint is well known to the parties so I've included a summary here.

- Mr B owns a property insured under a buildings insurance policy underwritten by Admiral. The property was damaged following a storm and Mr B made a claim on his policy.
- Admiral appointed a loss adjuster ("LA") to validate the claim and he undertook a visit and inspection. Mr B says there was some back and forth between Admiral and its LA that went on for several months so he borrowed money from relations to pay for the work to be undertaken privately as damage was continuing.
- Unhappy with the progress of the claim and poor communication, Mr B complained. Admiral accepted the validation process had not gone as smoothly as it should have and paid compensation of £175 in recognition of this. But it thought its communication throughout the claim had been acceptable.
- Admiral also explained it couldn't take the claim forward until it had undertaken an in-person interview with Mr B. Mrs B said that, due to Mr B's personal circumstances at the time, this wasn't possible. Admiral was unwilling to waive this requirement so it said the claim would be placed on hold until Mr B decided how he wanted to proceed.
- Mr B disagreed with this and raised a complaint with this Service. Our Investigator agreed there had been some miscommunication through the claim but overall was satisfied Admiral had kept Mr B informed. She said, given Mr B's personal circumstances and the potential impact on him of having to attend a face-to-face interview, Admiral should find an alternative way of validating the claim.
- Following some further comments from the parties, Admiral agreed to waive the requirement for a face-to-face interview with Mr B in favour of a phone interview with him and a face-to-face interview with Mrs B, which our Investigator thought was fair. Mr B disagreed and asked an Ombudsman to make a 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.

- I'm sorry to hear about Mr B's health and I hope this improves soon. I empathise with his situation and understand why this may make dealing with this claim more difficult. My role requires me to undertake an independent and impartial review of the circumstances of the complaint and say how I think it should be resolved quickly and with minimal formality. That may mean at times my decision sounds rather matter of fact. I mean no offence by this, it merely reflects the nature of my role.
- The terms of Mr B's policy require him to cooperate with Admiral's investigation when making a claim. This requirement is common across many insurance policies and is, on its face, a reasonable and practical necessity for a claim to proceed.
- Admiral has appointed an agent to assist with the validation of the claim and part of this process required a face-to-face interview with Mr B as the policyholder. This is not uncommon during the course of an insurance claim.
- Mr B's representative has explained how difficult he would find this as a result of his health issues. In recognition of this, our Investigator told Admiral it needed to find a different way to validate the claim, to which it has agreed.
- So, instead, Admiral proposes to speak to Mr B over the phone – rather than in person – and undertake a face-to-face interview with Mrs B in order to move the validation of the claim forward. I think this was a positive step on Admiral's part and a practical compromise in these particular circumstances.
- I acknowledge that this way forward may still be challenging for Mr B but I've not seen anything which leads me to conclude there's a medical reason why it wouldn't be possible. I've also seen nothing which shows Mr B needs a legally appointed representative to handle affairs on his behalf which might require a different approach.
- Overall, I'm satisfied it's reasonable and in line with the policy terms for Admiral to investigate the claim as it has proposed, before agreeing to settle it. Admiral wants to discuss some matters directly with Mr B and doing this over the phone seems to me a fair way forward. I say this as he is the sole policyholder and some of the issues Admiral might wish to clarify may only apply to him specifically which would make it difficult for anyone else to answer. But for anything related to the claim that's not specific to Mr B, Admiral should include this in the face-to-face interview with Mrs. B.
- Taking everything into account, I consider this to be a fair and reasonable way forward based on the evidence I've been presented with.
- Admiral accepts that there has been some incorrect information passed to Mr B regarding the status of the claim and its claim handling could have been better. Based on what I've seen, I'm satisfied the £175 compensation it's paid Mr B is a fair and reasonable way to recognise the impact of these failings on Mr B.

My final decision

My final decision is that I uphold Mr B's complaint and direct Admiral Insurance (Gibraltar) Limited to waive its requirement to interview Mr B face to face in order to validate his claim. Instead, it should do this by undertaking its enquiries by phone call with Mr B and a face-to-face interview with Mrs B.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 10 February 2023.

Paul Phillips
Ombudsman