

The complaint

Mr H complains that West Bay Insurance Plc (West Bay) left a scratch on his windscreen when this was replaced under the cover provided by his motor insurance policy.

References to West Bay include its agents.

What happened

Mr H's windscreen was damaged, so he arranged for it to be replaced by West Bay's agent under his insurance cover. He says he was working away and didn't notice a scratch on the windscreen until his return four days later. He contacted West Bay to let it know about the scratch. It referred to videos taken pre and post the installation, which it says don't show any scratches.

Mr H took his own videos. He says it isn't always possible to see the scratch dependent on how the video is taken. He says the video taken by the installer moves too fast to observe the scratch. He says the scratch is slightly curved and to the left-hand side of the steering wheel.

Because West Bay didn't agree to replace the damaged windscreen Mr H referred his complaint to our service. Our investigator upheld his complaint. He says he can see the scratch in the video provided by Mr H. But the post installation video doesn't include a close up where the scratch is located. He says the video focuses on the edges of the windscreen, and when taken internally again there is no close up of the centre of the windscreen where the scratch is located.

Our investigator says the scratch isn't observable in the video provided by Mr H, where the camera pans quickly over the affected area. He didn't think West Bay had shown the scratch wasn't there at the installation. He also highlights the short period prior to the scratch being reported. Our investigator says West Bay should arrange for a replacement windscreen without charging a further excess fee or recording another claim.

West Bay disagreed with this outcome and asked for an ombudsman to consider the matter.

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've decided to uphold Mr H's complaint. Let me explain.

I've watched the videos Mr H provided carefully. In one video I can see the scratch he has described toward the centre of the screen. In the other video, where the camera scans across the windscreen more quickly, the scratch isn't observable.

I've also watched the videos taken by West Bay's agent. As our investigator says the

camera doesn't focus for very long on the centre of the windscreen where the scratch is located. This is the case from both outside the car and when the technician gets into it and carries on filming.

The technician sprays what appears to be glass cleaner over the upper centre part of the windscreen externally. This may have obscured the scratch. But having watched Mr H's videos, it's clear the scratch can't be clearly observed unless the camera is still and focused on it. At no point during the technician's video does this happen.

I note Mr H's explanation that he was working away at the time the windscreen was fitted. This took place at his place of work and a colleague had his keys to allow access for the windscreen technician. Given the short period of time the new windscreen was in place, I think it's doubtful that the scratch occurred sometime after it was fitted. Particularly as the car wasn't being used. I think it's more probable that the scratch occurred during fitting or was already present on the glass prior to this.

Having considered all of this I don't think West Bay has treated Mr H fairly. It should arrange for the windscreen to be replaced without further charge. This shouldn't be recorded as a further claim.

My final decision

My final decision is that I uphold Mr H's complaint. West Bay Insurance Plc should:

- arrange for Mr H's windscreen to be replaced, without a further excess charge or claim being recorded.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 18 April 2023.

Mike Waldron
Ombudsman