

The complaint

Mr and Mrs H complain about the way that Aviva Insurance Limited dealt with their claim for Accidental Damage and/or theft following a house move.

What happened

In May 2022, following a house move, Mr and Mrs H realised that a lot of their items had been damaged or went missing during the move. Mrs H reported the claim to Aviva, who appointed a specialist company (C) to conduct a site investigation. Mrs H was asked to draw up a list of items. C reported back and the claim was assigned to a company of restorers and also valuers.

There were disputes about whether some items of furniture could be restored or needed to be replaced. Mrs H advised that the washing machine and tumble dryer were damaged. Aviva initially said these weren't damaged in the move and Mrs H subsequently had them repaired under a maintenance insurance policy.

The flooring was reported as being damaged, and a report on this had to be carried out. Then in October 2022 Mrs H advised that she wanted a number of items to be added to the claim. Aviva asked C to investigate. Mrs H made a complaint about the letter written to her and Mr H which she said was an allegation that they had committed fraud. That complaint has been dealt with separately.

Mrs H complained of a lack of contact and a lack of help, she felt she had to act as her own loss adjuster. She complained that Aviva had initially sought to charge her two excesses and had never confirmed in writing that it wouldn't do so. She complained about the settlement for a number of items, though these have all been settled now.

On review by our Investigator, they said that Mrs H could have been kept more updated on the claim and that she was put to some inconvenience particularly over the progress of the flooring claim, and some items where Aviva wasn't offering like for like replacements. They proposed that Aviva pay compensation of £300.

Mrs H was unhappy that C, who she believes are fraud investigators not loss adjusters were involved with the claim, and that payments were issued by various companies instead of by Aviva. She and Mr H both have a number of health issues which she feels were not taken into account.

The parties reported to us that in early January 2023, all items in the claim had now been settled, leaving only the question of compensation to be resolved.

The matter has been passed to me for further consideration.

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.

items settled

Mr and Mrs H's claim has now been settled. Our Investigator did identify some delays over the flooring report and that some of the items being offered as replacements weren't to the same specification, causing Mrs H more work. Otherwise I'll make no further comment on these.

two excesses

Mrs H complains that Aviva sought to charge her two excesses as she was making claims both for theft and accidental damage. It subsequently agreed that it was just one claim. It hasn't, as far as I can see, specifically set this out in writing to Mrs and Mrs H, but it has confirmed to our Investigator and hasn't charged two excesses. For Mr and Mrs H's peace of mind, I'll direct Aviva to confirm that this was just one claim.

delays, poor service

Mrs H was upset about the delays and lack of contact. She is also concerned that Aviva appointed C, who she understands are a firm of fraud investigators, and that her claim was regarded as fraudulent. She further believes that, bearing in mind her and her husband's health issues, she had to do the job of a loss adjuster. She had to deal with three different companies apart from Aviva, and received payments from those companies rather than Aviva. It didn't appoint an overall claim handler until quite late in the day.

This was a complicated case in terms of the number of items which had to be reviewed. And it's unusual for a removal firm to cause quite so much damage. So I think that Aviva was justified in appointing C to look at the claim. I'm aware that C is a specialist company who, amongst other things, will investigate allegations of fraud, and I understand Mrs H's concerns about that. Mrs H's complained about a letter written in October 2022 to them which she says alleged fraud which has been dealt with as a separate complaint. At no time before the October letter was it alleged by Aviva that fraud had been committed. Whilst the removers mostly denied liability, Aviva didn't expect Mr and Mrs H to make a claim on the removers' insurance. But it's clear that in this case that C was effectively acting as a loss adjuster to investigate and advise Aviva about the claim and its liability.

Unfortunately as the claim involved a great number of items Mrs H was put to a lot of trouble in drawing up lists and providing evidence of damage. But I can't see that this could have been avoided. I don't think she was doing the loss adjuster's job – policyholders are routinely asked for this type of detail in theft and damage claims. However I do think it would have been bewildering for Mrs H to receive contact from three different companies all of whom had authority to deal directly with Mr and Mrs H. I think consideration should have been given by Aviva to appoint an overall claims handler in the first place. Aviva has already confirmed to our Investigator that the claim could have been set up so all payments went through it.

I understand that Mrs H had to chase around several times for updates and she could have been kept better updated. But bearing in mind the complexity of the claim, and that a substantial number of items were first notified to Aviva in October 2022, I think that the claim being settled by January 2023, was done within a reasonable amount of time.

Finally, as set out above Mrs H's further complaint about a letter written to her has been dealt with separately. I also understand that she has lodged a further complaint with Aviva, which will also be dealt with separately.

compensation

I understand that Mr and Mrs H do have health issues and I don't doubt that this claim must have been very distressing for them, would have affected them. And in having to deal with providing evidence, photos and lists with values would have been very stressful. However whilst taking these circumstances into account, I have to assess to what extent Aviva's actions added to that. I've noted the lack of contact at certain points, the confusion caused by having so many companies acting independently and the delay in dealing with the flooring claim. But I think Aviva did take their vulnerabilities into account when carrying out its investigations, and the settlement mostly reflected what Mr and Mrs H had asked for.

Talking into account our overall approach to compensation and awards we have made in similar cases I do think that a £300 compensation award for distress and inconvenience is fair and reasonable.

Putting things right

Aviva should pay £300 compensation.

It should further confirm to Mr and Mrs H that this is one claim, subject to one excess.

My final decision

I uphold the complaint and require Aviva Insurance Limited to carry out the remedy set out under "Putting things right" above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H and Mr H to accept or reject my decision before 24 May 2023.

Ray Lawley
Ombudsman