

## **The complaint**

Miss G is unhappy with how QIC Europe Ltd handled a claim she made on her buildings insurance policy and says it took too long to decline the claim.

## **What happened**

QIC is the underwriter of this policy i.e. it's the insurer. Part of this complaint concerns the actions of the agent appointed by QIC, which QIC accepts it's accountable for. Any reference to QIC includes the actions of its agents.

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

- Miss G's property is insured under a buildings insurance policy underwritten by QIC. In July 2021, Miss G contacted QIC to make a claim on the policy as her conservatory was pulling away from the house and was showing signs of damage.
- QIC investigated the claim and undertook various site visits over the coming months. This included, amongst other things, a CCTV survey of the drains and a survey of local vegetation to establish if these were the cause of the damage.
- After this, QIC said it was fully reviewing the claim and planned to undertake a further visit to ensure everything had been assessed. It said it contacted Miss G in June 2022 and she let it know there had been problems previously and she had registered a claim in 2019 but didn't go ahead with it.
- QIC said she'd let it know that during the dry summer months the wall had expanded and then moved back in winter. Miss G's builder at the time had undertaken some remedial work although seemed unsure of the cause of the movement.
- QIC said there was no damage to the main house and the conservatory damage was as a result of differential movement. It concluded the cause of the damage was inadequate conservatory foundations and it declined the claim as this was excluded under the policy. Miss G complained but QIC maintained its position on the claim decline but apologised for the length of time the claim took, although it said it had been fully investigating throughout.
- Miss G broadly accepted the decline of the claim but was unhappy with how long QIC took to let her know and she brought a complaint about this to our Service. Our Investigator considered the evidence and concluded the claim had taken longer than it should have and said QIC should pay £200 compensation. But he didn't think there was enough evidence to show the delays had altered the extent of the repairs required. Miss G 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.

- Miss G seems to have accepted the decline of the claim and so the focus of my decision is on whether the time QIC took to decline the claim was reasonable.
- QIC says it was investigating the cause of the damage across the whole time under review and while I accept that it did consider a number of different possible causes and this inherently would take time, I'm not persuaded the claim decline should have taken as long as it did.
- I've looked carefully through the evidence and I can see there were some avoidable delays. For example a report on local vegetation was undertaken and provided to QIC in February 2022 but not actioned further for several months after that.
- Overall, I'm not satisfied QIC provided its decline decision as quickly as it should have done and because of this, it's let Miss G down and this caused her distress and inconvenience. And I'll be keeping this in mind when considering the award I make.
- Miss G says that while she was waiting for the claim decision, the damage to the conservatory got worse and the repairs will cost more and she considers QIC responsible for this. She says the engineer had initially said it could be fixed by using vertical expanding strips. Following the claim decline, Miss G arranged for a conservatory installation contractor to look at the damage and she says they concluded the conservatory would need to be completely rebuilt which would cost significantly more.
- It seems this information was given to Miss G verbally, and I've not been given any supporting evidence to confirm why this complete rebuild would now be necessary or indeed how much it would cost. Our Investigator invited Miss G to provide further evidence after he sent his view but no more was submitted.
- So, I'm not persuaded there's enough expert evidence to show that, if QIC had reached the claim decision earlier, the repairs required would have differed to the extent Miss G claims. Overall, I'm not satisfied it would be fair and reasonable for me to direct QIC to do anything more in this regard.

### **Putting things right**

- For the reasons I've explained above, I think QIC caused Miss G distress and inconvenience through its poor complaint handling. I've thought carefully about this and, keeping in mind this Service's general approach to awards, have decided QIC should pay Miss G £200 in acknowledgement of the shortcomings in its service.
- I acknowledge Miss G is unlikely to consider this sufficient, but I'm satisfied it's fair and reasonable in all the circumstances.

### **My final decision**

My final decision is that I uphold this complaint and direct QIC Europe Ltd to pay Miss G £200 for the impact of its poor complaint handling.

QIC Europe Ltd must pay the compensation within 28 days of the date on which we tell it Miss G accepts my decision. If it pays later than this, it must also pay interest on the compensation from the deadline date for settlement to the date of the payment at 8% a year simple.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss G to accept or reject my decision before **8 June 2023**.

Paul Phillips  
**Ombudsman**