

The complaint

Mrs G is unhappy with how One Insurance Limited handled a claim she made on her motor insurance policy.

What happened

Mrs G was involved in an accident with another driver. She's unhappy with how the claim was handled, including the service she received and One Insurance's decision to proceed on the basis that the accident was an 'at fault incident'. Mrs G said One Insurance had overlooked important evidence, such as not getting a police report.

One Insurance Limited issued a final response explaining that they didn't think they'd be able to successfully defend the claim. They acknowledged there had been issues with the service Mrs G received and offered £100 compensation. Mrs G referred her complaint to the Financial Ombudsman Service.

Our investigator looked into what had happened and upheld Mrs G's complaint in part. She didn't think One Insurance had acted unreasonably when deciding liability or declining to provide a courtesy car. However, she did identify that the communication with Mrs G wasn't always clear and agreed there were issues with the service she received. So, she recommended One Insurance increase the compensation to £200.

One Insurance didn't agree saying that they didn't know Mrs G was injured at the time. Our investigator highlighted evidence from calls and live chats which showed this information was passed on to them. One Insurance didn't respond to our investigator.

Mrs G thought £500 compensation would be fair. She thought the police report was important evidence. And she also queried whether the investigator had taken into account the damage to the car, bearing in mind it was written off, and highlighted the overall service she'd received.

So, the complaint was passed to me 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.

One Insurance has a responsibility to handle claims promptly and fairly. And they shouldn't reject a claim unreasonably.

I've taken into account all Mrs G's comments and the evidence she's provided. But I'll focus on the key points which are central to my decision.

I'm upholding Mrs G's complaint in part, but I think £200 compensation is fair and reasonable because:

- I don't think One Insurance reached an unreasonable decision on liability for the

accident. I think their decision was reasonable based on the available evidence including the damage to the car, the available witness testimony and the information Once Insurance referred to in the highway code. They explained to Mrs G, in summary, why they'd reached that opinion.

- Mrs G feels that One Insurance should have got a police report. I don't think it was unreasonable that they didn't get one. They had lots of other evidence and I think it was reasonable to rely upon what they had in the circumstances of this case. One Insurance said the initial liability decision was based on the information Mrs G had provided so far.
- In any event, even if the police report said the accident wasn't Mrs G's fault, One Insurance isn't bound to accept the police's opinion. So, I don't think it was unreasonable for One Insurance not to obtain that information. They are entitled to consider the overall evidence and I think they've reached a reasonable conclusion based on that evidence.
- The policy terms and conditions don't allow for a courtesy car where Mrs G's vehicle is deemed a total loss. So, Mrs G wasn't entitled to one under the policy terms and conditions.
- Mrs G has mentioned she's being prosecuted for this matter. I've seen a letter from the relevant police force which asks Mrs G for information about the accident. That's not something One Insurance is responsible for. That's a matter for the police and the Crown Prosecution Service.
- Since Mrs G referred her complaint to The Financial Ombudsman Service other events have taken place. For example, I understand that Mrs G has received a threat of legal proceedings from the other driver's insurer. I can understand why that was worrying and upsetting. However, this is something that happened after Mrs G referred her complaint to the Financial Ombudsman Service. So, it's not something I can comment on as part of this complaint. If Mrs G is unhappy about other issues which have arisen since One Insurance's final response, she'll need to make a further complaint to them.
- I don't think Mrs G received a good level of customer service. She often had to chase for updates and communication wasn't always clear. I think a total of £200 fairly reflects the impact on Mrs G. It's clear she was worried and recovering from her injuries at the time. I think One Insurance ought to have been aware from the information provided that she had received more than minor injuries. I don't think £500 fairly reflects the impact. I think £200 compensation fairly reflects the distress and inconvenience caused.

Putting things right

One Insurance Limited needs to pay Mrs G a total of £200 compensation for the distress and inconvenience caused by poor customer service.

My final decision

I'm upholding Mrs G's complaint in part and direct One Insurance Limited to put things right in the way I've outlined above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs G to accept or reject my decision before 17 August 2023.

Anna Wilshaw
Ombudsman