

The complaint

Mrs C complains about how esure Insurance Limited (esure) has handled her claim on her car insurance policy and about how it has valued her car.

esure is the underwriter of this policy; that is, it is Mrs C's insurer. Part of this complaint concerns the actions of esure's agents. As esure has accepted it's accountable for the actions of its agents, in my decision, any reference to esure includes the actions of its agents.

What happened

Mrs C says she and her children were involved in an accident on a busy road when a third party hit her stationary car from behind. So she made a claim on her car insurance policy.

Mrs C has given us a detailed chronology of what happened during her claim. I've looked at everything Mrs C has said but, for brevity, I'm going to focus on the specific concerns Mrs C has raised.

esure said Mrs C's car was a total loss. Mrs C is unhappy with the valuation esure gave for her car. And Mrs C is also unhappy with how esure has handled her claim as a whole. She says this caused stress to, and placed financial pressure on, her and her family. More recently, Mrs C was upset to find photos of her car on a salvage website still showing her private number plate, which she'd previously told esure she wanted to retain.

When Mrs C complained to esure about these things, it said it was satisfied its valuation of Mrs C's car was in line with her policy terms and conditions. esure accepted the service it had given Mrs C was below the standard it expected and it has offered her £475 in total in compensation for the distress and inconvenience this has caused her. In relation to her private number plate, esure says Mrs C's car became its property once it was declared a total loss. But it said it had asked its agent to remove the images showing Mrs C's private plate from its website.

Unhappy with this outcome, Mrs C brought her complaint to us. The investigator who looked at it thought esure's approach to valuing Mrs C's car was fair and reasonable. He also thought the compensation esure had offered Mrs C for its failings in her claims journey was fair and in line with our approach to compensation. But, since Mrs C had asked esure to retain her private number plate, he thought esure should've removed it and used the original plate before the car was advertised for sale. He said esure should pay Mrs C £100 for the worry this had caused her.

Mrs C has accepted our investigator's recommendations. esure hasn't. It says the photos showing details of Mrs C's private plate were removed from the salvage website within 48 hours, which it thinks is a reasonable timescale.

So Mrs C's complaint has come 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 some parts of Mrs C's complaint but not others, as I'll explain.

Mrs C's car insurance policy says esure won't pay more than the "*market value*" of her car at the time of its loss (less the total excess payable). The policy says the "*market value*" is the amount Mrs C could reasonably have expected to sell her car for on the open market immediately before her accident. The policy also says its assessment of the value is based on cars of the same make and model and of a similar age, condition and mileage at the time of the accident. And finally the policy says this value is based on research from the motor trade guides.

From information esure has sent us, I can see it got valuations from the main motor trade guides and offered Mrs C a settlement amount that was an average of these valuations.

The approach esure has taken to valuing Mrs C's car is in line with the approach we take to car valuations and it's also in line with Mrs C's policy terms and conditions. So I think the valuation esure has given Mrs C is fair and reasonable and therefore it follows that I don't uphold Mrs C's complaint on this point.

Turning next to the handling of Mrs C's claim, from what Mrs C has said and from esure's records, her journey has been difficult. esure has acknowledged its failings and has offered Mrs C £475 in total in compensation for the impact this has had on her. As a result of esure's handling of Mrs C's claim. I think she's had considerable distress, upset and worry and significant inconvenience and disruption that has taken a lot of extra effort to sort out over some months. In these circumstances, I think it's fair and reasonable of esure to offer to pay Mrs C £475 in compensation for its failings here.

In relation to esure's actions in relation to Mrs C's private number plate, it's clear from notes esure has sent us Mrs C wanted to keep her plate – and esure agreed to it. From these notes, it looks as if the plate was returned to Mrs C a while after she'd made the request to keep it. But – some while after that – photos on a salvage website showed Mrs C's car with her private plate still on it.

esure says it's reasonable the photos were taken down from the website within 48 hours. From what Mrs C has shown us, the photos weren't removed within that timeframe. But, in any case, Mrs C had already told esure she wanted to keep her private plate, so I don't think photos of it should've have been uploaded to the website in the first place. For the additional distress and inconvenience this has caused Mrs C, I think it's fair and reasonable to direct esure to pay her an additional £100 in compensation (on top of the £475 it has already offered).

When our investigator told Mrs C esure hadn't accepted his view on her complaint, she suggested the £100 in compensation he'd recommended should be increased. But esure had the right to comment on our investigator's recommendations, so it wouldn't be fair to increase the amount of compensation because it did so.

My final decision

For the reasons I've given, I uphold Mrs C's complaint in part and direct esure Insurance Limited to pay her £575 in total in compensation for the distress and inconvenience it has

caused her (that is, the £475 it has already offered Mrs C plus an additional £100 for its failings in dealing with her private number plate).

esure Insurance Limited must pay Mrs C this compensation within 28 days of the date we tell it Mrs C has accepted my final decision. If it doesn't, esure Insurance Limited must pay Mrs C simple interest on this amount at the rate of 8% a year from the date of my final decision to the date of payment.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs C to accept or reject my decision before 14 August 2023.

Jane Gallacher
Ombudsman