

The complaint

Mrs N complains about delays and poor service by Aviva Insurance Limited when dealing with a claim on her motor insurance policy.

What happened

Mrs N made a claim on her policy after her car was damaged in an accident in November 2022. The policy was in her name, with her husband as a named driver. Aviva arranged for the car to be repaired but when it was returned to her in December, Mrs N complained that the repairs had not been done well. She said the car was returned in poor condition.

An independent inspection of the car confirmed there were issues that needed to be put right. Mrs N wasn't happy for the car to be returned to the repairer instructed by Aviva and arranged for another garage to carry out the further work needed.

Aviva agreed to this being done but Mrs N then complained about further delays making the arrangements. In its response to the complaint, issued in March 2023, Aviva accepted there had been some delays and its repairers had not completed the work appropriately. Aviva confirmed it had authorised the further repairs and offered compensation of £300 for the distress and inconvenience caused to Mrs N, but she didn't accept this offer.

When Mrs N referred her complaint to this service, our investigator thought the amount offered by Aviva wasn't enough. She asked it to increase the compensation to £400.

Mrs N wasn't happy with this and asked for an ombudsman's decision. She says £400 doesn't adequately reflect the amount of distress caused to her or the amount of trouble she was put to in getting things sorted out.

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.

The relevant industry rules and guidance say insurers must deal with claims promptly and fairly; provide reasonable guidance to help a policyholder make a claim and appropriate information on its progress; and not unreasonably reject a claim. They should settle claims promptly once settlement terms are agreed. Where repairs need to be done, I'd expect the repairs to be lasting and effective.

Aviva accepted that the initial repairs were not adequate and agreed to further work being done. So that's not in dispute; the issue is how long it took to deal with this, and the trouble Mrs N was put to as a result.

Aviva didn't send the instruction for an independent engineer to inspect the car until 13 January 2023. This delay was frustrating for Mrs N. Aviva initially offered to repair the car at its approved repairer, but Mrs N wanted the work done by her own repairer. I can understand why she would want that, given the problems with the repairs that had been done. Aviva

agreed to this and offered to pay for the repairs. But the repairs were not arranged until March 2023. In the meantime Mrs N was left with a car that wasn't in good condition and had incorrect 'VIN plates'. She was worried about using the car as she was afraid it would be illegal.

Mrs N also says she had to keep chasing Aviva to get things done. When someone makes a complaint it's inevitable they will have to engage in some correspondence or phone calls. But Mrs N had to do more than she should have to chase Aviva for replies.

Taking into account the amount of distress caused and the delay between December 2022 and March 2023, I agree compensation of £400 is a fair reflection of the impact on Mrs N. I appreciate she has requested a higher amount. The figures she has suggested would be appropriate where the incident has had a severe and lasting impact over a long period. I don't think that's the case here. She has referred to other effects, including on her husband's health. While the poor claims handling by Aviva may have made things worse, much of the impact relates to the consequences of the accident itself.

Mrs N has also referred to further delays getting the repairs done after Aviva sent its response to this complaint. I can only consider events up to March 2023 in this complaint. If Mrs N has concerns about what happened after that she would need to put those to Aviva first and, if she's unhappy with the response, we could potentially consider a fresh complaint about that.

My final decision

I uphold the complaint and direct Aviva Insurance Limited to pay compensation of £400 to Mrs N.

Aviva Insurance Limited must pay the compensation within 28 days of the date on which we tell it Mrs N accepts my final 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 payment at 8% a year simple.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs N to accept or reject my decision before 25 August 2023.

Peter Whiteley
Ombudsman