

## **The complaint**

Mr O has complained about Building Block Insurance PCC Ltd. He isn't happy about the way it dealt with a claim under his motor breakdown insurance policy and the poor service he received.

## **What happened**

Mr O's car broke down on a very busy motorway and he called Building Block for assistance. As Mr O was in a very vulnerable position with his wife and young child Building Block classed his claim as a priority and reassured Mr O that a recovery agent would be with him soon, certainly within 90 minutes. But they didn't attend for well over three hours, so he complained to Building Block and then this Service.

Building Block said that it was a very busy time when Mr O called up and didn't offer any compensation. But when our investigator looked into things she identified a number of delays that contributed to leaving Mr O and his family in an extremely vulnerable position at the side of the motorway. So, she thought it should pay £300 by way of compensation.

As Building Block didn't agree the matter has been passed to me for review.

## **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.

It isn't disputed that Mr O was left in a very vulnerable position at the side of the motorway with his young family. And so, my focus in this complaint is purely about whether Mr O should be compensated, and if so by how much.

I've listened to the calls and seen the photos that Mr O provided showing that he was stuck in a very vulnerable position at the side of a very busy motorway. And the situation was made more difficult as he had a very young child with him. And I also understand that his wife had been involved in a serious accident on a motorway before, so she found the position extremely worrying.

Building Block has said that the delays Mr O faced were purely down to the amount of call outs that day and the pressure it put on the recovery network - although it hasn't provided any real evidence of this. And while I accept its point it is clear that there were a number of delays and errors that contributed to Mr O's prolonged wait at the side of a very busy motorway in a dangerous position.

For example, Mr O had to wait for nearly half an hour on hold to speak to an operator which clearly impacted recovery time. And the recovery driver was sent to the wrong side of the carriageway, even though Mr O had made it very clear to the call taker which direction he was travelling in, which clearly added a significant time delay. I say this having looked at the attending recovery vehicle's log and the extreme high volume of traffic on the opposite carriageway. Plus, Mr O was told that the recovery agent would have the appropriate safety

fixings for his young child's car seat when it didn't. All this must have been very worrying for Mr O so I agree he should be compensated.

Turning to the level of compensation I have to consider the very vulnerable position Mr O was in at the side of the road. His child was very young, and his wife was even more upset given the added fear she faced from being involved in a serious car accident on a busy motorway before. And Building Block didn't really provide Mr O with meaningful updates about what was happening which must have increased the level of anxiety.

Given all of this, and the fact that Building Block hasn't been able to explain the delay in attending someone in a very vulnerable position when they were supposed to be prioritising them, given their vulnerable roadside position and the fact they had a young child with them, I think the compensation suggested by our investigator feels fair. I say this as the added stress, delay, and lack of information caused Mr O and his family, who were in a vulnerable position and should have been prioritised, a great deal of anxiety, worry and upset. So, I agree that £300 feels fair in the particular circumstances of this case.

### **My final decision**

It follows, for the reasons given above, that I require Building Block Insurance PCC Ltd to pay Mr O £300 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr O to accept or reject my decision before 13 September 2023.

Colin Keegan  
**Ombudsman**