

## **The complaint**

Mrs R complains about the delays caused by Esure Insurance Limited (Esure) following the settlement of her claim under her home insurance policy.

## **What happened**

Mrs R referred a complaint to our service, regarding delays following a claim under her home insurance policy. Our service issued a view on her complaint and made recommendations, that were accepted by both parties. The recommendations were that Mrs R provide two quotes from builders and submit them to Esure. That if there was a difference in cost, then Esure would pay that difference.

Although in the view there was no timeframe mentioned, in the letter that accompanied the view, our investigator recommended that Esure contact Mrs R in the first instance, as soon as possible.

The recommendations were issued in July 2022, with our investigator recommending that Esure contact Mrs R as soon as possible in order to settle the claim. Mrs R raised another complaint with our service, as Esure hadn't contacted her as per the recommendations. Ultimately, the claim hadn't been settled and Mrs R said there had been further delay.

One of our investigators considered this new complaint and thought it should be upheld. He said that Esure may have felt that the onus was on Mrs R to provide it with the quotes. But he would've expected Esure to have contacted Mrs R in the first instance, as recommended, which it didn't do. He also said that Esure told him that it had sent two emails to Mrs R that weren't responded to. But he concluded that Esure ought to have contacted Mrs R via some other means, which it didn't do. So, he recommended that Esure pay Mrs R £150 compensation for the trouble and upset caused. He also asked Esure to contact Mrs R, so that it could settle the claim.

Mrs R accepted the view, Esure did not. It said that Mrs R knew she had to provide it with estimates, which she didn't do. It accepted that there was a recommendation that it contact Mrs R as soon as possible but didn't accept that there had been any specific timeframe. So, it asked for a decision from an ombudsman.

## **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 will uphold this complaint, for much the same reasons as our investigator. And I hope my findings go some way in explaining why I've reached this decision.

I note that both parties accepted our investigator's initial view and therefore accepted the recommendations. I think it's fair to mention that in the view itself, there was no reference to a timeframe at all. But the accompanying closure letter to Esure, from our investigator, stated: *'I've told Mrs R that you'll be in touch as soon as possible and to let me know if there are any problems sorting things out'*.

Consequently, I think Esure was aware that it should've contacted Mrs R within a reasonable time, from the issue of the view.

So, I've had a look into the time frame. The view was issued on 21 July 2022. On 26 September 2022 an email was sent to Esure with the recommendation that Esure contact Mrs R (as soon as possible) to resolve the claim as recommended.

Mrs R contacted our service on 31 October 2022, as she hadn't heard from Esure. By this time, it had been just over a month without Esure having contacted Mrs R. So, our investigator contacted Esure on 2 November 2022, asking it to get in touch with Mrs R to effect settlement.

Esure said that it sent Mrs R an email on 3 November 2022, asking for the quotes. But Mrs R said that she hadn't received this email. Further, despite our investigator asking Esure to contact Mrs R and to respond to him, Esure didn't respond to our investigator until 29 November 2022, saying that the case handler was absent. But that someone would contact Mrs R soon, and in any event by 7 December 2022.

I think, had Mrs R received the email from Esure, then it's likely that she would have responded to Esure. Moreover, had Esure sent the email on 3 November, I would've expected it to have told our investigator on 29 November 2022, that it had contacted Mrs R. But this wasn't done. Instead, it asked for more time to contact Mrs R.

Mrs R then twice contacted our service on 4 December 2022 and 14 January 2023 as she hadn't heard from Esure. Esure said that again it had sent an email on 13 January 2023, to Mrs R, requesting the quotes.

But our investigator wrote to Esure and again rather than confirming with our investigator that it had sent another email to Mrs R requesting the information, it asked for another extension until 31 January 2023, in order to contact Mrs R. Consequently, I'm persuaded that Esure didn't contact Mrs R as soon as possible after the issue of the view, as recommended by our investigator and caused additional delay.

As a result of this delay, Mrs R (who still hadn't heard from Esure by 4 February 2023) raised this new complaint.

In addition, had Esure sent the emails, I would've expected it to have followed up those emails by some alternative means of contact (such as a phone call), when it didn't receive a response from Mrs R. I haven't seen any evidence from Esure that shows that it did this.

Furthermore, I can see that our investigator also had to chase Esure for it to contact Mrs R. And I would've expected it to mention that it hadn't received the quotes from Mrs R, yet this wasn't done either.

Taking all the evidence into consideration, I think that Esure were unreasonable and didn't act fairly. I think that it didn't contact Mrs R as advised and it was responsible for the additional delay and inconvenience that Mrs R suffered as a result.

### **Putting things right**

I think to put matters right, Esure ought to pay Mrs R compensation of £150 for the additional delays. Esure ought to contact Mrs R within 14 days of the date we tell it that Mrs R accepts this decision, to tell her how it wishes to receive the two quotes.

### **My final decision**

For the reasons given, I uphold Mrs R's complaint.

To put matters right, Esure Insurance Limited to:

Pay Mrs R £150 compensation.

Contact Mrs R within 14 days of the date we tell it that Mrs R accepts this decision, to tell her how it wishes to receive the two quotes.

Esure Insurance Limited must pay the above compensation within 28 days of the date on which we tell it Mrs R accepts my final decision. If it pays later than this it must also pay interest from the date of my final decision to the date of payment, at 8% a year simple.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs R to accept or reject my decision before 2 October 2023.

Ayisha Savage  
**Ombudsman**