

## The complaint

Mr R complains about the way AXA Insurance UK Plc handled a claim under his home emergency policy.

## What happened

The circumstances of this complaint are well known to both parties, so I've summarised what's happened.

- Mr R has a home emergency policy which is underwritten by AXA. In mid-January 2023, he contacted AXA because his boiler had stopped working leaving him without hot water.
- An engineer attended who identified a new part was needed. But the engineer said it couldn't be sourced.
- Mr R subsequently located the part and informed AXA. In mid-March, an engineer attended to fit the new part and the issue was resolved.
- During the claim, Mr R complained to AXA several times about the lack of service he'd received. He said engineers failed to attend on eight occasions, and he'd spent an unreasonable amount of time chasing AXA for updates on his claim. During this time, he was without hot water which he says caused him significant difficulties.
- AXA accepted its service had fallen short and paid Mr R £425 compensation.
- Mr R remained unhappy and so, brought a complaint to this Service. An Investigator considered it and said he thought the amount of compensation AXA had paid was fair.
- Mr R disagreed and so, the complaint was passed to me for an Ombudsman's decision. I issued a provisional decision in which I said:

*"What I've provisionally 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 don't consider the amount of compensation AXA has offered to reasonably reflect the difficulties Mr R experienced and I'll explain why.*

*As an insurer, AXA has a responsibility to progress claims promptly. It's not in dispute that hasn't happened here as AXA has accepted it caused avoidable delays. From what I've seen, this claim took almost two months to resolve, when it seems the problem with the boiler – once a new part had been sourced - was fixed in a matter of hours. Even allowing AXA one week to find and source the part (which I note Mr R helped them find), I'm satisfied Mr R experienced delays of approximately seven weeks. A considerable amount of time to be without hot water which I'm satisfied had a significant impact on his day-to-day life. AXA*

*is also aware Mr R is an older consumer and has vulnerabilities, and so, being without these facilities had a greater impact on him.*

*I've seen Mr R spent time having to chase up what was happening with his claim – both by email and telephone – and that he wasn't provided with helpful updates. To add to this, engineers failed to attend appointments on eight occasions which understandably caused him inconvenience and frustration.*

*So, overall, I'm not satisfied the compensation AXA has already paid reflects the difficulties Mr R experienced and so, I intend to direct it to increase this to £750 in total.*

*My provisional decision*

*My provisional decision is that I intend to uphold this complaint and direct AXA Insurance UK Plc to:*

- *pay Mr R £750 compensation in total. It can deduct from this amount the compensation it has already paid Mr R."*

Both parties replied to my decision. AXA said it had nothing further to add. Mr R replied – in summary he said:

- AXA has only paid £275 compensation.
- AXA's subsequent offer of an additional £150 compensation – which was to resolve all matters concerning the complaint - hasn't been paid.
- AXA should pay an additional £750 compensation to reflect the difficulties he's experienced – bringing the total compensation to £1,025.
- The part required to complete the repair was available from the manufacturer on 20 January 2023, and so the repair could have been completed at an earlier date.

### **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.

I've reviewed Mr R's comments in response to my provisional decision. However, they haven't led me to reach a different outcome - I'll explain why.

I understand Mr R considers AXA to have attributed specific amounts of compensation to certain elements of his complaint (for example, £150 for a missed engineer appointment) and so, considers £750 to insufficiently reflect all the difficulties he experienced.

When this Service considers awards for compensation, our approach is to look at the overall picture – we don't usually make specific awards for someone's time or calculate it using a set amount. We do however, factor in the inconvenience someone may have experienced in spending time dealing with a matter – which is what I've considered when deciding what I consider to be fair compensation in this case.

As I said in my provisional decision, I don't doubt Mr R suffered avoidable distress and inconvenience for a period of approximately two months. But in line with our publicised approach to awards for distress and inconvenience, I remain satisfied that £750 compensation in total fairly reflects the difficulties he experienced during this time.

## **My final decision**

My final decision is that I uphold this complaint and direct *AXA Insurance UK Plc* to:

- pay Mr R £750 compensation in total. It can deduct from this amount any compensation it has already paid Mr R. AXA must pay the compensation within 28 days of the date on which we tell it Mr R 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 Mr R to accept or reject my decision before 19 September 2023.

Nicola Beakhust  
**Ombudsman**