

## **The complaint**

Mrs T has complained about the service she received from BISL Limited's agent, who I'll refer to as C, when she contact BISL for help with a claim under her car insurance policy. And the impact this has had on her mentally and practically.

## **What happened**

Mrs T's car was damaged when a lorry crashed into it whilst it was parked. She rang BISL to report the incident and for advice on what to do. C took the call on behalf of BISL. Its agent took all the details and ended up referring the claim to another company, who I'll refer to as E, who were to arrange a hire car for Mrs T and claim for this and the damage to her car from the insurer of the lorry.

Mrs T was very unhappy about the way her claim was handled by it and E. She has said at one point she was told that the lorry wasn't insured and had to call the police to make sure it was. She says the process caused her a great deal of stress and anxiety, which had a significant impact on her mental health and led to her losing her job.

Ms T complained to BISL about this and some further problems she had when she raised the matter with it. BISL agreed it could have handled matters better. It apologised and paid Mrs T £100 in compensation for distress and inconvenience.

Mrs T wasn't happy with BISL's response and asked us to consider her complaint. One of our investigators did this. She explained she could only consider Mrs T's complaint about the activities BISL was responsible for. She said Mrs T's complaint should be upheld because C's agent hadn't been clear enough with Mrs T when he referred her to E. She felt that if he had been clearer Mrs T would have decided to claim under her own policy instead of against the insurer of the lorry. And that she experienced distress and inconvenience by ending up in a process she didn't understand or realise she'd be in due to C's agent's failings. The investigator said BISL should pay Mrs T a further £250 in compensation for distress and inconvenience because of this.

BISL agreed to our investigator's recommendation. Mrs T does not agree with it. She has said she made it very clear she wanted to claim on her own insurance and that the investigator therefore mis-interpreted the telephone conversation she had with C's agent. And she seems to be suggesting she is complaining about C messing up her claim.

As Mrs T wasn't happy with our investigator's view on her complaint, it has been passed to me for a final decision.

## **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 have reached the same conclusion as our investigator.

I can only consider what is BISL's responsibility. And what C and E did after C's agent referred Mrs T to E aren't BISL's responsibility. And we can't consider complaints about C or E as the activities they carried out aren't regulated activities. BISL is only responsible for the first telephone call Mrs T made when she reported her claim and what she was told in this by C's agent. I agree that C's agent was not clear enough on the process he was putting Mrs T into. I think this meant she ended up in a process she was not expecting to be in and became very distressed because of it. But I do not consider I can hold BISL responsible for everything that happened to Mrs T as a result of the way her claim was handled by C and E. I can only hold it responsible for the initial call Mrs T made to C and the distress and inconvenience she experienced as a result of finding herself in the wrong process because of this. And I'm satisfied that £250 in compensation is fair for this.

### **Putting things right**

For the reasons set out above, I've decided to uphold Mrs T's complaint and make BISL pay her a further £250 in compensation for distress and inconvenience.

### **My final decision**

I uphold Mrs T's complaint and order BISL Limited to do what I've set out above in the 'Putting things right' section.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs T to accept or reject my decision before 20 December 2023.

Robert Short  
**Ombudsman**