

## **The complaint**

Mrs H complains Mulsanne Insurance Company Limited (Mulsanne) caused delays after she made a claim on her motor insurance policy.

Mulsanne are the underwriters of this policy i.e. the insurer. Part of this complaint concerns the actions of the intermediary. As Mulsanne have accepted it is accountable for the actions of the intermediary, in my decision, any reference to Mulsanne includes the actions of the intermediary.

There are several parties and representatives of Mulsanne involved throughout the complaint but for the purposes of this complaint I'm only going to refer to Mulsanne.

## **What happened**

Mrs H's car was hit by a third-party whilst it was parked and unattended. She made a claim on her motor insurance policy.

Mrs H said her car was due for an MOT during the time she was waiting for her claim to progress. The car failed the required MOT, so she had to pay for some repairs herself to enable the car to pass and remain on the road.

Mrs H said Mulsanne and its authorised intermediaries did not respond emails she sent nor was she able to contact it by phone as the mailbox was full and her calls were automatically ended.

Mrs H said her claim was delayed and she was not kept informed of any progress on it. She made a complaint to Mulsanne. It didn't respond to her complaint and her claim was still not progressed.

As Mrs H was not happy with Mulsanne, she brought the complaint to our service.

Our investigator upheld the complaint. They looked into the case and said there was evidence of Mrs H constantly contacting Mulsanne for an update on her claim without any reply. They said there was evidence of poor claims handling which would've been frustrating for her so she should be compensated £550 for the distress and inconvenience caused during this time and because her claim remained open affecting her insurance premiums.

As Mulsanne did not respond to our investigator's view the complaint has been brought to me for a final decision to be made.

## **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.

Mrs H's claim was for damage to her car from a driver that failed to stop. I saw she did obtain the details of the car and its registration number. And provided images of the damage to her car.

I saw that after the incident Mrs H continued to drive her car. It was damaged but still driveable.

I saw evidence of numerous attempts by Mrs H to contact Mulsanne to progress the claim both by email and phone. I saw that Mulsanne's authorised representatives did acknowledge her claim and also her complaint but despite this I did not see any evidence of progression of her claim.

I can accept as the incident happened whilst Mrs H's car was parked and unattended that Mulsanne may not be able to progress with her claim on a non-fault basis without admission of liability from the third-party. However it should have still progressed with her claim and kept her updated with progress. I saw no evidence of any investigations being made into her claim.

I saw Mrs H informed Mulsanne that the MOT on the damaged car was due to take place whilst she continued to try and progress her claim. As she did not receive any response or guidance before the due MOT date, I do not think she had any other option than to take the damaged car for the MOT test and then pay for the repairs needed for the car to pass its MOT. This included work related to the incident she had made a claim for.

It is Mulsanne's responsibility to deal with claims on Mrs H's policy even if they have third parties working on their behalf, as in this case. I saw that Mulsanne did not take any responsibility or accountability in progressing her claim from the date she reported the incident in April 2023 for more than two months at which point she made a complaint.

I saw evidence Mrs H's complaint was acknowledged after it was submitted but she did not get a response to it. Neither is there any evidence of Mulsanne progressing the claim after the complaint was made.

Mrs H therefore brought her complaint to our service.

I therefore uphold Mrs H's complaint and require Mulsanne to pay £550 for the distress and inconvenience caused to her because of its poor claims handling and continued delays with her claim. It should also now consider her claim under the terms of her motor insurance policy if not already done .

### **My final decision**

For the reasons I have given I uphold this complaint.

I require Mulsanne Insurance Company Limited to pay Mrs H £550 for the distress and inconvenience caused to her because of its poor claims handling and continued delays with her claim.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 10 January 2024.

Sally-Ann Harding  
**Ombudsman**