

## **The complaint**

Mr K has complained that Skyfire Insurance Company Limited has continued to delay in dealing with his claim under his motor policy.

## **What happened**

This is the second complaint Mr K said he has had to make with ongoing delays by Skyfire in dealing with his claim under his motor policy. Mr K accepted compensation for this first complaint. This second complaint concerns delays from 28 March 2023 onwards. When Mr K complained of the ongoing delays, he was told given backlogs other customers were being dealt with first.

Then there was confusion about the information given to Skyfire's solicitors who are pursuing the other driver and their insurers on Mr K's behalf. His point of contact within Skyfire changed and return calls were delayed.

Then Mr K was eventually told as he had previously complained he couldn't complain again as that first complaint had been settled. So, his complaint was closed and then had to be re-opened again.

So, Mr K was so frustrated he brought his second complaint to us. Skyfire on sending its file to us had considered matters again. It acknowledged Mr K had received further poor service, so it offered Mr K another £250 to resolve this complaint.

Mr K didn't think that amount was enough. So, the investigator examined his case and felt that Skyfire should increase that compensation offer to £350. Skyfire agreed but Mr K didn't think that was sufficient, so his complaint has been passed to me to decide.

## **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'm upholding this complaint along the same lines as that of the investigator. I'll now explain why.

I completely understand and appreciate the extent of Mr K's frustration with all the delays that has gone on with his claim. However, under our rules, I can only deal with the delays since 28 March 2023 up to the time he brought his complaint to us on 21 September 2023 in this decision.

Some of the delays also concern possible issues with the solicitors now instructed on Mr K's behalf by Skyfire to deal with the other driver and their insurers. Solicitors are separately regulated so I can't look at any of the delays with their involvement as that is dealt with by

their regulators and their ombudsman. I can see that the investigator explained this in more depth for Mr K too.

Skyfire has once again acknowledged its service to Mr K is below the standard it would have expected it to be. It initially made an offer once Mr K brought this complaint to this service of £250. Mr K didn't agree this was enough, so the investigator looked at the matter and felt this should be raised to £350. Whilst I can understand the extent of Mr K's frustration, I have no authority to fine or punish businesses for any failings in customer service. I do consider the amount of £350 is appropriate for the issues Mr K has raised from 28 March 2023 up to 21 September 2023 when Mr K brought his complaint to us.

This included but isn't limited to a new file handler failing to update Mr K from 31 March 2023, causing delay; further confusing communications from the solicitors over whether the courtesy car which Mr K was given had any costs, plus Skyfire actually reviewing the matter which in turn caused delay in actually instructing the solicitors to get on with things; telling Mr K his concerns would have to wait given Skyfire were dealing with a backlog of issues; telling Mr K his complaint concerned a previous resolved complaint.

It is a relatively brief time period of time and I understand Mr K has made a further complaint to Skyfire too. However, I'm of the view that if I were to increase this, the outcome would become more like a fine and punishment for Skyfire getting things wrong, which it clearly has.

However, compensation isn't about that, it's about the level of Mr K's frustration and trouble to keep on chasing things. I consider for this period of time and the resultant frustration of Mr K on trying to keep things on track concerning his claim, (not helped by the failure of the other driver and insurers to deal with the matter given the involvement of the solicitors on Skyfire and Mr K's behalf), the amount of £350 compensation is sufficient. It's also in line with our published stance on compensation so I do think it's fair and reasonable.

### **My final decision**

So, for these reasons, it's my final decision that I uphold this complaint.

I now require Skyfire Insurance Company Limited to pay Mr K the sum of £350 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 6 March 2024.

Rona Doyle  
**Ombudsman**