

## **The complaint**

Miss C has complained about the way Wakam has dealt with a claim she made on her home insurance policy for subsidence.

## **What happened**

The circumstances of this complaint aren't in dispute, so I'll summarise the main points:

- Miss C got in touch with Wakam in October 2022 to make a claim for subsidence. I understand she complained about a lack of progress in February 2023 and Wakam accepted there had been a delay beginning the claim, paid £200 compensation, and agreed to deal with the claim as a priority.
- A ground investigation was arranged for April, but didn't take place until May. Miss C didn't hear anything further, despite letting Wakam know about worsening damage and chasing for updates, and complained again.
- Wakam didn't respond, so Miss C referred her complaint to this Service. She said it was particularly important for her that the claim progressed promptly, because she needed to sell her home in order to take steps to care for her mother, who was very unwell. Wakam's delays had prevented her from taking these steps.
- Our investigator thought the complaint should be upheld. She said Wakam had caused six months of avoidable delays and communicated poorly between the previous complaint and this one, for which it should compensate Miss C £500.
- Miss C questioned whether £500 was reasonable, noting concerns with the way the claim had been handled since she made the complaint. She said she'd had to throw away clothes and furniture that had become damaged. And she'd incurred costs related to trying to sell her home and to carry out work at her mother's home – which had since become unnecessary as she'd had to move to a care home.
- Our investigator said the scope of the complaint was limited to that which Miss C had referred to this Service – namely delays, poor communication and worsening damage up to September 2023.
- Wakam didn't respond to our investigator.
- An agreement wasn't reached, so the complaint has been passed to me.

## **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.

- This decision is about the complaint Miss C referred to this Service in September 2023. And as she had a response to her previous complaint from February 2023, and didn't refer it to us in time, I won't be able to consider that complaint.
- So the scope of this decision is the way the claim was handled between February and September 2023, including delays, poor communication and worsening damage up to September 2023.
- The policy covers damage caused by subsidence. Wakam seems to have accepted the damage was caused in that way and accepted the claim.
- When handling a claim, regulation requires Wakam to do so promptly and fairly. From the limited information available to me, I'm not satisfied it's fulfilled that requirement.
- During the relevant time, the only notable claim progress seems to have been carrying out a ground investigation. Whilst that was, in itself, a reasonable step in a subsidence claim, it should have been carried out sooner. And Miss C should have heard about the results and the impact on the rest of the claim much sooner. So I agree with our investigator that there was a significant delay.
- I've also seen evidence of poor communication during the relevant time. Miss C was understandably chasing for updates and seeking progress – but received very little in return, even when she shared pictures with Wakam to highlight why she was concerned about damage to her front garden wall worsening. I think this would only have added to the distress of the delay and given her serious cause for concern.
- Delays and poor communication during a claim are frustrating for most people. But for Miss C, they were particularly distressing, as they were having an impact on her ability to take steps to care for her mother.
- Bearing in mind the scope of this decision, the way Wakam handled the claim during the relevant time, and the particular impact on Miss C, I'm satisfied £500 is a reasonable amount of compensation.
- The claim has continued since the complaint was made in September 2023. What's happened since then is outside the scope of this decision, so I can't take it into account or make any findings about it. But if Miss C is unhappy with any aspect of it, she's entitled to make a complaint to Wakam.
- Similarly, the financial losses Miss C outlined in response to our investigator are outside the scope of this decision as they weren't shared with Wakam previously. Again, that means I can't consider or make any findings about them. But Miss C is entitled to make a complaint to Wakam.
- If Wakam doesn't resolve any future complaint Miss C makes to her satisfaction, or it doesn't reply within eight weeks of her making a complaint, she's entitled to refer it to this Service.

## **My final decision**

I uphold this complaint.

I require Wakam to pay £500 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss C to accept or reject my decision before 1 May 2024.

James Neville  
**Ombudsman**