

The complaint

Mr F has complained about the way Telefonica Seguros y Reaseguros Compania Aseguradora S.A.I., trading as Telefonica Insurance UK Branch, ("Telefonica") dealt with a claim he made under his mobile phone insurance policy.

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.

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

- Mr F got in touch with Telefonica following damage to his mobile phone. Telefonica accepted the claim and replaced the phone. When Mr F received the replacement, it was faulty. Telefonica said he would have to send it back for repair – which would mean being without it for around a week.
- Mr F complained about this. He didn't think it was fair that he should be expected to wait this length of time for a working phone after he'd paid to have the replacement provided promptly.
- Telefonica said its process was to arrange to collect and inspect the phone for assessment, before carrying out repairs or providing a replacement. As Mr F hadn't agreed to do that, it had been unable to progress matters.
- Since Mr F referred his complaint to this Service, there's been much discussion about how to resolve it. The final position is as follows:
- Telefonica maintained it was fair to ask Mr F to send back the phone so it could be repaired or replaced, in line with its process. I'm satisfied that was fair in principle. Whilst this will cause Mr F inconvenience, I'm not satisfied the proportionate response to that is for Telefonica to set aside this process and provide him with a replacement phone or the cash equivalent straightaway. It's open to Mr F to get in touch with Telefonica to arrange for the phone to be returned and assessed.
- Telefonica has agreed to pay Mr F £150 compensation for delays, confusion and sending Mr F a faulty replacement phone. That shouldn't have happened, and Telefonica should have done more to recognise the inconvenience caused to Mr F as he would have to be without a phone for longer than he should have been. I'm satisfied £150 is fair and reasonable compensation in the circumstances.

My final decision

I uphold this complaint.

I require Telefonica Seguros y Reaseguros Compania Aseguradora S.A.I. to pay £150 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr F to accept or reject my decision before 5 November 2024.

James Neville
Ombudsman