

The complaint

Mrs K complains about the service she received from esure Insurance Limited (esure) after she made a claim under her car insurance policy.

esure is the underwriter (insurer) of this policy. Some of this complaint concerns the actions of its appointed agents. As esure is responsible for the claim it's accountable for the actions of its agents. In my decision, any reference to esure should be interpreted as also covering the actions of its appointed agents.

What happened

In September 2022 Mrs K contacted esure to claim for a damaged rear windscreen. esure accepted the claim and replaced it. But Mrs K wasn't happy with the repairs. She said there was additional damage to the electrical element of the rear window and her radio wasn't working. esure inspected Mrs K's car and identified manufacturing issues with the glass it had used to replace Mrs K's rear windscreen. So it attempted two further repairs until it successfully replaced the rear windscreen in December. Mrs K remained unhappy. She said the electrical element hadn't been fixed and there was further damage to the rear parcel boot lugs.

esure apologised for the service it had provided to Mrs K. And it offered to reimburse Mrs K £130 for the cost of repairing the electrical issues and a further £300 in compensation for damaging the rear parcel boot lugs. Mrs K didn't accept esure's offer and referred her complaint to our Service.

Our Investigator upheld the complaint. And recommended esure pay a total amount of £700 compensation that included £130 towards the repairs to Mrs K. esure accepted our Investigator's findings. Mrs K disagreed. She asked for an ombudsman to review the complaint.

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.

I'd like to reassure the parties that although I've only summarised the background to this complaint, so not everything that has happened or been argued is set out above, I've read and considered everything that has been provided.

esure accepts the level of service it provided to Mrs K during the claims process was poor. It acknowledges the repairs took longer than they should have to complete. And that it caused additional damage to Mrs K's car. esure has offered to reimburse Mrs K the cost she paid to repair the electrical element of her rear windscreen and to pay compensation for the trouble and upset caused. I've carefully considered the offer esure has made and I'm satisfied it's fair and reasonable in the circumstances of things.

I sympathise with Mrs K for the way esure handled her claim. What should have been a routine windscreen replacement turned into multiple visits by esure that meant Mrs K had to take time out of her day to arrange. I'm satisfied this would have caused some level of inconvenience and frustration to Mrs K.

I've not seen any evidence that Mrs K was prevented from driving during the period of repairs so I'm satisfied she still had use of her car during this time. But I do acknowledge she had to arrange the repairs to the electrical elements independently. esure has agreed to reimburse Mrs K the costs of these repairs, which I think is fair in the circumstances. That's because it puts Mrs K back in the position she would have been in before the damage occurred. But I do acknowledge Mrs K had to independently arrange these repairs herself, which would have caused further inconvenience.

Mrs K has said she's unable to replace the damaged rear parcel boot lugs. So, she'd like esure to treat her claim as a 'total loss' and pay her the market value of her car. esure refused. I don't consider esure's decision to refuse to retain Mrs K's car and pay her the market value unreasonable. That's because I haven't seen any evidence to say that Mrs K's car is beyond economical repair, which is what I'd expect to see for an insurer to declare a car a 'total loss'. But I do agree, not having full use of the rear parcel boot lugs must be disappointing to Mrs K.

Mrs K's is particularly unhappy about esure's failure to respond to her emails or provide updates on the claim. I haven't detailed everything here – but I've considered everything Mrs K has said about the impact on her. And there's no dispute esure's service fell short of its expected standards. Our Investigator recommended esure pay a total amount of £700 inclusive of the £130 for the cost of the repairs to the electrical elements of the rear windscreen, which esure agreed to do. In the circumstances, I consider esure's offer fairly reflects the trouble and upset caused to Mrs K during the claims process and the inconvenience of not having full use of her rear parcel boot lug. So I make no further award.

My final decision

My final decision is I uphold this complaint. I require esure Insurance Limited to pay Mrs K a total amount of £700 to resolve this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs K to accept or reject my decision before 1 November 2024.

Adam Travers
Ombudsman