

The complaint

Mr U complains Aviva Insurance Limited hasn't handled a claim against his motor insurance policy fairly.

What happened

I issued a provisional decision. I said:

"I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Mr U had a motor insurance policy with Aviva. His car was damaged in an incident, so he made a claim. Aviva accepted the claim and repaired his car. Mr U complains Aviva hasn't repaired his front park distance control sensors ("sensors"). He says, in brief, the incident led to a severe dent to the front bumper, and the sensors were working before the incident and not afterwards, so it stands to reason they were damaged in the incident. Aviva responded to Mr U's concerns by appointing an independent engineer. The engineer said:

"I have contacted the repairer and have been informed that they have diagnosed the fault to be the right front outer sensor. As I have been advised that the impact damage was to the centre of the front bumper I'm unable to relate the faulty sensor to the claim on notice."

Aviva rejected Mr U's complaint based on the engineer's findings. I'm not persuaded that was fair as I find the evidence suggests, on the balance of probabilities, it's more likely than not the sensors were damaged in the incident. I say this for the following main reasons:

- Mr U has been consistent and credible in his testimony of when the issue arose, and it would be a significant coincidence for the sensors to fail at the same time as the incident, for unrelated reasons.
- The sensors are at the front of the car, and it's the front of the car which was damaged. While the alleged damaged sensor may not have been near the dent, that doesn't mean it wasn't knocked, or the wiring/circuit board effected.
- The engineer's comments suggest a limited investigation, based primarily on what he was told by the repairers. It doesn't appear a physical inspection was completed, or any diagnostics undertaken, or anything other than locations considered.

As I'm not satisfied Mr U has been treated fairly, I intend to require Aviva to put things right by paying for the sensors to be repaired. I also intend to require Aviva to pay Mr U £100 compensation in recognition of the distress and inconvenience he's been caused.

My provisional decision

I intend to uphold this complaint and require Aviva Insurance Limited to put things right as set out above.”

Mr U accepted my provisional decision. Aviva didn’t provide any further comments or evidence for me to consider.

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, and in the absence of any further comments or evidence, I see no compelling reason to depart from what I set out in my provisional decision.

Putting things right

Aviva should pay for the sensors to be repaired and it should pay Mr U £100 compensation in recognition of the distress and inconvenience he’s been caused.

My final decision

I uphold this complaint and require Aviva Insurance Limited to put things right as set out above.

Under the rules of the Financial Ombudsman Service, I’m required to ask Mr U to accept or reject my decision before 17 March 2025.

James Langford
Ombudsman