

## **The complaint**

Mr R has complained about the service he has received from AXA Insurance UK Plc (AXA) in regard to the motor insurance policy he holds with them.

## **What happened**

The details of what happened are well known to both parties, so I will just summarise them here:

- Mr R's car had been involved in an accident, which he says wasn't his fault.
- He contacted AXA in regard to the claims and valuation process. He says he was determining whether to claim through his policy or the third-party insurer (TPI).
- AXA say they couldn't give Mr R valuation information (in part because one of their agents deal with that) and also because Mr R was making a claim through the TPI and not them.
- Mr R subsequently complained. He said that AXA hadn't given him the necessary information, that he hadn't committed to a claim through the TPI and that only their failings caused him to do that. He calculated that he'd suffered a financial loss (through accepting a lower total loss valuation) of approximately £1,800.

AXA responded to Mr R to say the calls hadn't been handled as well as they would have liked and offered him £50 for the inconvenience caused.

Mr R didn't agree, so brought his complaint to our service for an independent review. Our Investigator looked into it but thought the offer AXA had made was enough. She said that whilst the service hadn't met expectations, she didn't believe this had led to Mr R pursuing the claim through the TPI or taking a lower settlement.

As no agreement was reached, the case 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 agree with the outcome reached by the Investigator. I'll explain why.

Whilst I can see there was a service and communication failing, I'm not satisfied this resulted in the loss that Mr R has suggested.

Mr R has confirmed that when he called through to AXA, he made it clear to them he was likely to proceed through the TPI and was not registering a claim through his policy. AXA were therefore not required to provide a valuation or settlement figure. And as they have

explained, this would have been done through their agent (in the process of a claim).

I also don't agree with Mr R that he had no choice but to claim through the TPI, due to the actions of AXA. He himself has confirmed he was likely to claim that way and has said he made the decision quickly due to time constraints (the car's MOT was due to expire and he didn't have off-road parking). Further, Mr R hasn't provided any further evidence to show that the settlement he accepted was less (up to £1,800) than a fair settlement or one he could have received through AXA.

AXA have acknowledged they could have handled the calls better. This caused inconvenience for Mr R, but I believe they have appropriately compensated him for this with their offer of £50 and this fairly recognises the impact these issues had.

In summary, AXA handled Mr R's calls and requests for information poorly (as they have acknowledged). But I don't agree they were obliged to give a valuation or settlement figure over the phone, when he wasn't claiming through his own policy. I also don't agree this caused Mr R to claim through the TPI or that there is enough evidence he did this at a loss.

### **My final decision**

I don't uphold this complaint. I think AXA Insurance UK Plc have already done enough to put things right, in offering Mr R £50. They should pay this to him, if they haven't already done so.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 21 April 2025.

Yoni Smith  
**Ombudsman**