

The complaint

Mr S complains that First Central Underwriting Limited ("First Central") scratched his car whilst arranging repairs, under his motor insurance policy.

What happened

The rear of Mr S's car was damaged in an accident in August 2024. He made a claim to First Central which it accepted. When the car was returned to him, he says a new scratch was apparent on the left front wing. Mr S says the photos taken of his car when it was collected for repairs doesn't show the scratch. He believes it was caused when the car was collected or whilst it was being repaired.

In its final complaint response First Central says its appointed repairer shared its check-in sheet and CCTV footage with Mr S. It says this shows the scratch was present when it came on site. It didn't agree to repair the scratch.

Mr S didn't think he'd been treated fairly and referred the matter to our service. Our investigator didn't uphold his complaint. He says there is evidence of a scratch on a photo taken when Mr S's car was collected for the repairs. This scratch was also apparent in the CCTV footage from the car arriving at First Central's garage. He didn't think First Central was responsible for repairing the scratch.

Mr S didn't agree with our investigator. He asked for an ombudsman to consider his complaint.

It 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'm not upholding Mr S's complaint. I'm sorry to disappoint him but I'll explain why I think my decision is fair.

We expect First Central to arrange repairs that are effective and timely. If its repairer causes further damage, we expect it to put this right for its policyholder.

I've looked at a photo Mr S provided that shows his car with no scratch on the passenger side front wing. This photo is time stamped 3 September 2024. So, it's clear this damage wasn't present at this time.

Mr S's car was collected from his home on 30 September 2024. A number of photos are included with the report that was completed. On the passenger side front wing I can see a distinct mark where the scratch is now known to be. The report has been annotated with green or red markings to show damage that is accident related or pre-existing. There's a green mark on this photo indicating this is pre-existing damage. This mark obscures the area

where part of the scratch can now be seen. The image isn't of a good quality and part of where the scratch is now known to be situated is in shadow.

I've also looked at the other photos that highlight additional areas of damage. The accident damage on the rear bumper is marked in red. Having looked at this closely I can't see any damage in the marked area. I think what this shows is that it's difficult to see scratches in these photos.

I've looked carefully at the still image provided from the garage's CCTV footage. The scratch Mr S complained about is clearly visible here. I asked First Central if it could provide a timestamp for this image. It asked its garage but says the footage was deleted after two weeks. It says the only image available is the one it has already provided from when the car arrived at the garage. It doesn't have any more information to provide.

I've thought about Mr S's comments that the collection photo doesn't show the scratch. He suggests the mark that is visible could be a water droplet. I note what he says but there are no other water droplets like this on the car. If this was a water droplet I'd expect to see more evidence of water on the car. It's also apparent that this section of the wing slopes steeply. I think it's probable a water droplet would run off the car at this angle. I accept that a scratch can't be seen in this photo to the extent that it can be seen in the later images that were taken. But there is a mark visible.

Mr S says there's a discrepancy with the time stamp data relating to First Central's collection report. This shows the document was modified around an hour before it was created. Mr S suggests the document could've been changed after the car was received at the garage. He says this means the scratch in the photo could've been marked sometime after the car was collected.

I've considered this information and Mr S's comments. I think the discrepancy is most likely an error given the modified date is set earlier than the document creation date. But regardless of this, a mark is visible on the collection photo. This is in the same place as the scratch Mr S complains about.

Having considered all of this carefully, I'm more persuaded that the scratch on Mr S's car was pre-existing. The mark visible in the collection photos is in the same place as the scratch in question. These images are not good quality, which likely explains why the full scratch can't be seen clearly. Along with the green markings that highlight it, but also obscure parts. The CCTV footage shows the scratch when the car was at the garage. There's no timestamp available for this image. But on balance of the evidence, I think it's more likely than not that the scratch was pre-existing. I'm sorry to disappoint Mr S. But based on this evidence I can't reasonably say that First Central treated him unfairly when it declined to arrange a repair.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 27 May 2025.

Mike Waldron
Ombudsman