

The complaint

X has complained about esure Insurance Limited. They are not happy about the way it dealt with a claim under their motor insurance policy and the poor service they received.

What happened

I looked at this case and provided my initial thoughts in my provisional decision as follows;

X made a claim under their motor insurance policy after they were involved in a non-fault serious road traffic accident. But when esure dealt with the claim X wasn't happy about the service it provided in responding to their claim. A customer adviser was rude to them and refused to investigate a miscommunication between esure and the hire car company who was providing them with a car while their claim was going through. And the communication around X's retention of the hire car, at a particularly difficult time for X, caused them stress and inconvenience and additional expense.

X complained to esure about this, and it accepted that its staff member was rude and unprofessional. And that it could've handled the claim better and that there was a delay in marking the claim non-fault. And esure offered £200 by way of compensation but as X remained unhappy, they complained to this Service.

Our Investigator looked into things for X and although he accepted that esure had got things wrong and acted poorly he thought esure's offer of £200 compensation in acknowledgement of its poor service and claim handling was fair.

As X didn't agree the matter has been passed to me for review.

What I've provisionally 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.

It isn't disputed that esure dealt with X's claim poorly and it provided poor service including delaying marking the claim as non-fault, being unprofessional and rude on the phone, miscommunicating about the hire car return and how long X could be in hire amongst other things.

I've spoken to X while this matter has been with me for consideration and explained that some of the additional points they have raised haven't been considered by esure and if they want to advance these, they will need to complain to esure in the first instance about these. And I understand that X may be advancing uninsured losses separately, but I will not consider these issues here. The main thing that X wants to be taken into consideration now is the amount of wasted time and energy they faced at a very difficult time following the accident and they feel the level of compensation offered doesn't reflect this.

Given this, I don't propose to go over the finer detail of a lot of the complaint points which are well known to both sides, but I'll comment generally. Following the accident it is accepted

that esure delayed in marking the claim as non-fault; X was placed in hire which was extended over a period of time and X had to push for this and at times they were told incorrectly that the car would be collected; that they were given information at the beginning about how long they could have the hire car for and then told the car was being recalled; and that a call handler was rude.

In considering all this there was miscommunication around the various periods of hire. X was entitled to a hire car for a period of time and esure extended this which seems fair in the circumstances. But the difficulty X faced is the poor service and miscommunication around this at a particularly difficult time for them. X was told they could keep the hire car until a certain date and then told it would be recalled and then they had to spend hours on the phone chasing the parties to keep the car. Indeed, X has shown call logs showing how often they had to contact esure and the car hire company and all this was exacerbated by some poor claims handling and a member of staff being rude and unprofessional. And given this I'm presently minded to increase the level of compensation here.

Given the various failings I think that X should be paid £300 in compensation here as I think this impacted them at a very difficult time when they were having to go in and out of hospital. I know X feels they should be paid a lot more but as I explained when we spoke this Service's awards are generally modest and there is always a fair degree of inconvenience in advancing an insurance claim, especially one following a road traffic accident like X faced. However, I agree that X faced additional stress and inconvenience here given how the claim was advanced; the delay in the claim being marked as non-fault and the lack of clear explanation about this; the rude and unprofessional behaviour of esure's call handler; the poor communication and miscommunication around the hire car and poor service generally.

Replies

Both sides responded to my provisional decision. esure said it was happy to pay the additional compensation to bring matters to a close.

While X said that the current compensation offered doesn't cover the significant amount of time, cost, and impact on their mental health. X said as a business owner their time was valuable, and the compensation offered didn't reflect this. And X said they would send an excel spreadsheet detailing the hours they spent on the phone.

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 remain of the view that the complaint should be partly upheld. I can understand why X wants further compensation, but I think the award is in line with the kind of awards this Service ordinarily makes. And I don't propose to go over the detail again here as both sides haven't raised any further evidence to consider.

X hasn't provided the additional spreadsheet to date but either way I'm satisfied that the compensation level feels fair. I accept that X's time is valuable as a business owner, but I think the additional compensation I've awarded feels fair.

Ultimately, it isn't disputed that esure dealt with X's claim poorly and it provided poor service including delaying marking the claim as non-fault, being unprofessional and rude on the phone, miscommunicating about the hire car return and how long X could be in hire amongst other things. But I feel that £300 compensation feels fair and as I outlined to X some of the

additional points raised haven't been considered by esure and will need to be advanced separately.

My final decision

It follows, for the reasons given above, that I partly uphold this complaint and I require esure Insurance Limited to pay £300 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask X to accept or reject my decision before 24 October 2025.

Colin Keegan
Ombudsman