

complaint

Mrs T complains about the repairs that Royal & Sun Alliance Insurance Plc (RSA) made to her car under her motor insurance policy. She wants her car repaired and compensation. Mrs T is represented by her husband.

background

Mrs T's car was damaged and RSA arranged for its approved repairers to fix it. Mrs T had to return the car twice but still the repairs weren't done properly and there was new damage. RSA then agreed for Mrs T to use her own repairers and the rework was completed.

Our adjudicator recommended that the complaint should be upheld. She thought that taking the car back to the approved repairers twice, without the work being completed, had caused Mrs T inconvenience. Mrs T had also to call RSA for updates. She thought RSA should pay her £100 compensation for this. The adjudicator thought the repairers' apology for using strong language was sufficient.

RSA replied that it agreed to pay this. But Mr T said that he thought RSA should pay Mrs T £750 for the stress and anguish she experienced over three months.

my findings

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

I can appreciate that this must have been a frustrating and annoying experience for Mrs T. The repairers didn't do their job properly and it took some pushing for RSA to allow Mrs T to use her own repairers. Mr T thinks Mrs T should receive compensation for the stress and upset caused.

Our approach when an insurer has made a mistake, as it's already agreed RSA has done here, is that it should fairly and reasonably restore the complainant's position.

I don't think RSA's error caused Mrs T any financial loss. This is because Mrs T's car is now repaired and the costs have been covered. As far as I can see she was supplied with a courtesy car whilst hers was being repaired. Mrs T had to make frequent calls to RSA. But she said that she had a contract phone so these probably hadn't cost anything. So I don't think RSA needs to pay her any compensation for being out of pocket.

I can appreciate that Mrs T was upset by this experience. I can see that it took some months to finally get her car repaired. The adjudicator has recommended that RSA should pay her £100 compensation for her upset. I agree that this is fair and reasonable. This is because it's in keeping with the level of award we'd recommend in similar situations. I don't think RSA needs to pay her more compensation.

The repairer has already apologised to Mrs T for the bad language she overheard in one of her calls. I don't think this warrants compensation.

my final decision

My final decision is that I uphold this complaint. I require Royal & Sun Alliance Insurance Plc to pay Mrs T £100 compensation for the stress and inconvenience caused in getting her repairs made satisfactorily, as it's agreed to do.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs T to accept or reject my decision before 8 April 2016.

Phillip Berechree
ombudsman