

## **The complaint**

Mr G has complained about repairs carried out to his car when he made a claim under his car insurance policy to U K Insurance Limited (UKI).

## **What happened**

In June 2021 Mr G's car was damaged in an incident and his insurer UKI arranged for his car to be repaired at an approved repairer (AR).

Mr G was unhappy with the repairs and so UKI agreed for his car to be returned to the AR for rectification repairs.

Mr G remained unhappy with the original issues after his car was returned to him a second time. He said he found new damage to his car. He also complained about the service he received and the way some calls were handled.

UKI arranged for an engineer to review photo and video footage provided by Mr G and the AR. The engineer didn't agree the original issues – or the new issues Mr G raised – were caused by the AR.

UKI responded to Mr G's concerns in October and November 2021. It upheld some of Mr G's complaints about the service he received. It didn't agree further repairs were required to Mr G's car. It said the repairs had been carried out effectively and any new issues were already there before the AR took his car.

Mr G remained unhappy and asked us to look at his complaint. He told us he felt UKI had racially discriminated against him and this was why it hadn't upheld all of his complaints.

Our Investigator said he didn't find anything to suggest UKI's actions were motivated by Mr G's race, but he found UKI had been responsible for some poor service.

The Investigator felt that it wasn't in dispute that it was difficult for the engineer and Mr G to evidence the extent of the claimed damage with photos and video footage. He thought a fairer outcome was for UKI to have arranged a physical inspection of Mr G's car.

So he recommended UKI arrange this. And for the distress and inconvenience caused by UKI's decision to have an engineer carry out a desktop review instead – he recommended UKI pay Mr G £100 in addition to the £200 compensation it had already paid for its poor service.

Mr G has acknowledged receipt of the Investigator's view. UKI didn't agree. In summary it says the reason why it didn't arrange a physical inspection of Mr G's car in October 2021 was due to Covid restrictions. It says it asked Mr G to provide evidence to show the damage but he didn't reply to calls and emails. So it doesn't feel it reasonable to arrange a physical inspection when Mr G didn't respond to its requests for information.

So as UKI didn't agree, 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.

I can't comment on whether Mr G was discriminated against as that's outside this service's remit and only a court of law can make a finding like that. However, I can consider whether I think UKI has treated Mr G fairly and reasonably. In this instance, I haven't seen anything to show that UKI's service failings were motivated by racial bias.

Mr G's car suffered damage to the front bumper, wing, and driver side (front and rear). I don't intend to repeat all of the issues Mr G raised in my decision as some were resolved. I've focused on the outstanding issues which Mr G says are unresolved.

On the first return of Mr G's car, he said he found that the petrol cap was misaligned and there was a difference in the roof paintwork where tape had been put to respray the driver side of his car. He said the new paint didn't match the existing paint on his car. The AR agreed to carry out rectification repairs and said they buffered the paintwork.

When Mr G's car was returned to him for second time, he complained that the petrol cap was still misaligned and the roof issue with the paintwork was still visible. He said there was now a scratch on the roof, chips to a pillar and there was a 1cm gap on the windscreen sill. Mr G didn't want his car returned to the AR for a third time.

To resolve Mr G's complaint, UKI arranged for an engineer to carry out a desktop inspection. So the engineer relied on photos and video footage provided by the AR and Mr G.

I've looked at the transcript of the discussion between the engineer and Mr G where the engineer didn't agree the damage had been caused by the AR. Mr G said he felt his evidence made it clear about the damage he was claiming for. The engineer said from the footage, it showed the damage was either there before or there wasn't an issue with the repairs. At one point Mr G said it was obvious from the video footage that there was a difference in colour following the respray of the side of his car. The engineer said he couldn't see a difference from the video evidence but; *"maybe if he came out (to view the car) it would be different."*

Like the Investigator, I cannot tell from the evidence available that the damage as the engineer says was visible before Mr G's car was taken to the AR – or that the rectification repairs have been carried out to a good standard. I can't see that the engineer made any contact with the AR to ask about the scratch Mr G said was on the roof after his car was returned to him a second time.

UKI says the reason why it didn't arrange a physical inspection in October 2021 was due to Covid restrictions at the time. However, there is no reference to this being the reason in UKI's notes. And I think – given the nature of the dispute and that there was some uncertainty around whether the engineer could view some of the alleged damage – I think the next reasonable step to have taken was for a physical inspection of Mr G's car – taking the appropriate safety measures at the time – so that UKI could have properly and fairly investigated Mr G's concerns. I've also kept in mind the fact that UKI upheld Mr G's complaint that rectification repairs were required to the roof and the petrol misalignment from the first set of repairs – before the engineer gave a view that none of the issues Mr G raised were justified.

Mr G has explained that he is a full time carer for his mother and he had to take considerable time discussing his concerns with UKI and providing evidence to support his complaint which remains unresolved. So I think UKI should pay Mr G a further £100 compensation for the distress and inconvenience caused by its decision not to have Mr G's car physically inspected by an engineer. I think UKI should arrange for an engineer to physically inspect Mr G's car and report on the outstanding issues.

Therefore I'm upholding Mr G's complaint and my recommendations are set out below.

### **My final decision**

For the reasons I've given above, my final decision is that I uphold this complaint. I require

U K Insurance Limited to do the following:

- Arrange for an engineer to carry out a physical inspection of Mr G's car and investigate and report on the outstanding issues following repairs and rectification repairs.
- Pay Mr G £100 compensation in addition to the compensation it's already paid for the distress and inconvenience caused.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr G to accept or reject my decision before 5 July 2022.

Geraldine Newbold  
**Ombudsman**