

The complaint

Mrs P complains that AXA Insurance UK Plc didn't repair all of her car's damage after she made a claim on her motor insurance policy. She wants it to pay for all the car's repairs.

What happened

Mrs P was involved in a collision with another car at a roundabout. She initially thought the damage was minor but then the car's head unit failed, and she thought this had been caused by the impact. AXA's repairer repaired the car's bodywork, carried out a diagnostic report and reset the head unit, which removed the error codes, but the problem remained.

Mrs P obtained a report from her own garage which she said told her the reset meant that the error data couldn't now be retrieved. When Mrs P complained, AXA said the head unit problem was coincidental and unrelated to the collision. But it reimbursed the cost of Mrs P's engineer's report and paid her £200 compensation for its poor communication.

But Mrs P remained unhappy as she thought AXA had deprived her of evidence that the head unit had been damaged in the accident.

Our Investigator didn't recommend that the complaint should be upheld. AXA provided the diagnostic report from the approved garage, and he compared this to the report the garage had sent to Mrs P. He thought these showed that there was a fault with the head unit before it was reset. But the date the fault occurred wasn't recorded by the diagnostic, just the date the test was carried out. So he thought AXA had fairly declined to repair the head unit based on its engineers' opinions that its failure was coincidental.

Mrs P replied that the garage that had carried out the diagnostic hadn't retrieved the dates of the onset of the errors. This was now lost, and she thought AXA hadn't shown that the head unit hadn't been damaged in the accident.

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 understand that Mrs P wants her car fully repaired following the accident. And I can understand that she feels frustrated that AXA has declined responsibility for repairs to the car's head unit. But I think it's for Mrs P to show she has a valid claim and that the head unit's failure was due to the accident.

We're not engineers. We don't assess whether or how damage to a vehicle would be caused as this is a matter for the experts in these situations, the insurance companies and engineers. Our role in these complaints is to determine whether an insurance company has considered all the available evidence and whether it can justify its decision to not pay for additional repairs.

Mrs P explained that the car's head unit had worked fine before the accident, and I have no reason to doubt this. She said the approved garage had told her that the diagnostic for the head unit would provide the dates and times of any error codes so she could see if they were likely to be related to the accident.

But I can't see that this was the case. Mrs P said the garage told her it would retrieve the dates and times the error codes occurred. So it would have understood the importance of this. The garage provided the codes to Mrs P a week after the diagnostic and it stated: *"You will see the faults on the head unit, the only thing it doesn't show is the time the head unit actually failed."*

AXA also provided the same diagnostic report made before the reset of the head unit and it doesn't show the date that faults first occurred. But I can't see evidence to show that the diagnostic's failure to show the date the faults occurred was due to the garage's error.

Mrs P said a dealer's garage had told her the diagnostic would show the timings. But I can't see that she has provided evidence to support this. Mrs P provided the report from this garage, and it states that there is a fault, but: *"First entry of fault no time stamp to indicate if fault happening after a bump."* This could have been because of the reset, or because no time stamp was recorded.

In any case, there's no question that the head unit had faults which were present after the accident. As there are no dates on the diagnostic, I can't say the faults were pre-existing and Mrs P has consistently stated that they weren't. But what is in question is whether the accident caused these faults or whether it was just coincidental as AXA thought.

The evidence that AXA relied on was the opinion of its repairing garage and its in-house engineers. AXA noted that the impact had been minor, that there was no sign of the transfer of kinetic force from the point of impact to the head unit, there was no other damage noted to other components, and the head unit was positioned some distance from the point of impact. I can see that AXA's engineers concluded that the faults were internal to the head unit.

Mrs P had a dealer's garage run a diagnostic. She has provided its report which says the head unit has an internal fault. I can't see that the garage linked this to the accident or physical impact of any sort. I can't see that Mrs P has provided any further evidence that shows this causation.

AXA concluded that the faults with the head unit were unrelated to the accident or the physical damage to the car. I think it came to this decision after reviewing the evidence available. And so I think it justified its decision that it wasn't responsible for the repair of the head unit as this wasn't claim-related.

But AXA did agree that its level of service had been wanting. This had caused Mrs P to obtain her own engineer's report, costing £120. It reimbursed this and paid her £200 compensation for the trouble and upset caused by its lack of updates and poor communication. I think that's fair and reasonable as it reflects the inconvenience and frustration caused to Mrs P by its level of service. I don't require AXA to do anything further.

My final decision

For the reasons given above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs P to accept or reject my decision before 13 May 2024.

Phillip Berechree
Ombudsman