

The complaint

Mr R has complained about the repair Assurant General Insurance Limited carried out under his mobile phone insurance policy.

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.

Our investigator thought Assurant had acted fairly. I agree, and for the same reasons, so I don't think there's a benefit for me to go over everything again in detail. Instead, I'll summarise the main points:

- Mr R made a claim for accidental damage to the screen of his mobile phone. Assurant accepted the claim and arranged to repair the phone.
- When the phone was returned, Mr R noticed the case colour had been changed from blue to black – although the case hadn't been damaged. There was also a fault with the fingerprint sensor, so he sent the phone back again. Assurant repaired the sensor and offered £25 compensation.
- Assurant didn't agree to return the case colour to blue as it said this wasn't covered. It later explained to this Service that, in order to repair the screen damage, it had to replace the screen and the case. And the only case colour available at the time was black. I'm satisfied this explains why the case was replaced, and the colour changed, despite the case being undamaged. But it would have been preferable for Assurant to have told Mr R this at a much earlier stage.
- Mr R notes the policy specifically says replacement phones aren't guaranteed to be the same colour – but it doesn't say the same about repairs or replacement parts. However, nor does it guarantee a repair or replacement part will be of the same colour – it simply says it will repair the mobile phone if possible. The policy also says: *“repairs will be made with readily available parts ... these may contain parts that are of similar or equivalent specification”*. So it doesn't specifically say it will maintain the colour of the phone when carrying out repairs or replacing parts.
- Overall, I don't think the policy says, or indicates, the colour of the phone will be maintained in any circumstances. Its focus is functional rather than aesthetic – it seeks to put the policyholder back in a position of having a working, undamaged phone with an equivalent specification. I don't think there's any doubt Assurant has achieved this. As a result, I'm satisfied Assurant has acted in line with the policy terms and need not return the case colour to blue.
- Mr R said he wasn't informed of the colour change – he just received the phone back with a new colour. If he had been informed sooner, he says he would have cancelled the claim and had it repaired elsewhere. That may be so, but I haven't seen anything

to suggest Mr R has been materially disadvantaged as a result. For example, because he required the phone to be a certain colour and/or lost out financially.

- I think Assurant should have communicated more clearly and promptly with Mr R about this. And Mr R shouldn't have had to send the phone back a second time for a further repair and been without his phone for an avoidable period of time. But I'm satisfied £25 compensation is fair and reasonable in the circumstances, so I won't require Assurant to pay anything further.

My final decision

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 1 October 2024.

James Neville
Ombudsman