DRN-5052759

The complaint

Mr N complains about the way U K Insurance Limited (UKI) handled claims under his motor insurance policy.

What happened

Mr N was involved in two accidents, so he contacted UKI to make claims through his insurance policy. There were delays due to liability being disputed, as well as a hire car not being provided and a settlement offer taking longer than Mr N had expected.

Mr N was unhappy with the claim's progress, the claim's liability, and how he said he'd been treated by UKI's staff – so he raised a complaint. UKI initially responded in November 2023 and said they were upholding some parts of the complaint. They said requested call backs hadn't happened as agreed and there had been delays in progressing the claims, as well as some misinformation being provided. UKI said they would pay £250 compensation.

Mr N remained unhappy with the way the claims were progressing and UKI issued another final response in December 2023. They agreed they should have been more proactive in chasing the third-party insurer and said a further requested call backs hadn't happened as agreed. UKI offered £300 compensation in addition to the previous sum already paid to acknowledge the inconvenience caused.

But Mr N remained dissatisfied with UKI's handling of his claims – he said they continued to provide false information and didn't adhere to agreed call backs from managers to discuss his concerns. UKI subsequently issued further final responses to address both the new, and repeated, complaint points in January 2024, March 2024, and May 2024. Within each final response UKI agreed with some aspects of the complaints and increased compensation – eventually totalling £1,075.

Mr W remained unhappy with UKI's responses – he brought the complaint to this Service and said UKI had spoken to him rudely and aggressively on the phone. An Investigator looked at everything that had happened and said, while he agreed there had been failings from UKI, this hadn't impacted the progress of the claims. He said liability had been disputed and UKI accurately informed Mr N how this would affect his policy. He also said, having listened to call recordings, he couldn't identify any instances of UKI shouting or being abusive to Mr N. He felt the compensation offered reflected the impact UKI's actions on Mr N, so he didn't recommend it be increased.

Mr N disagreed with the Investigator – he said the amount of compensation UKI offered didn't reflect the stress and inconvenience UKI had caused. He asked for the matter to be considered by an Ombudsman – so it's 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.

Having done so, I've decided not to uphold the complaint, for the same reasons as the Investigator. I'll explain why.

I want to start by explaining I won't be repeating the entirety of the complaint history here or commenting on every point raised, as the same is already well known to both parties. Instead, I've focussed on what I consider to be the key points I need to think about in order to reach a fair and reasonable conclusion. I don't mean any discourtesy by this; it simply reflects the informal nature of this Service. However, I assure both UKI and Mr N I've read and considered everything provided as part of this complaint.

The crux of this complaint focuses on how UKI have handled Mr N's claims. I note UKI have issued several final responses to Mr N's concerns – and there's a recurring theme of points Mr N raises: incorrect information being provided, requested call backs not being adhered to, and delays in determining the vehicle's total loss status and subsequent payment. Mr N has been compensated by UKI in relation to their failings around these points – but he says the total sum doesn't reflect the stress and inconvenience UKI caused.

As such, I've focused my findings on these points in order to determine whether UKI have done enough to recognise the impact caused. This is because I don't need to make a finding on whether UKI have acted unfairly, because they've already confirmed they made mistakes. Instead, I need to consider what the impact of those mistakes were and what steps UKI have taken to address them.

Mr N was involved in two different road traffic accidents. I can see liability was disputed and the claims were progressing, albeit there were delays at times, as UKI have acknowledged. Having looked at what's happened, I find that while I recognise there had been additional inconvenience to Mr N during the claims' process; the impact wasn't substantial. I say this because UKI's failings didn't cause the claims to stop progressing or alter their outcomes.

Mr N also said UKI's claim's team spoke to him in a rude and derogatory manner – he feels UKI discriminated against him, cut off phone calls, and didn't provide manager call backs like they said they would. I've thought about the experience Mr N had when dealing with these claims. I haven't detailed everything here – but I've considered everything Mr N has said about the impact on him.

There are several call recordings in which Mr N expresses dissatisfaction with the call handers and asks to speak a manager about how his claims are being handled. I haven't found any instances of UKI speaking to Mr N in a rude or discriminatory manner – but I have sympathy for Mr N's complaint about poor communications from UKI. He's particularly unhappy about their failure to provide updates on the claim and provide call backs as they said they would. I acknowledge this would have been frustrating, and the delays would have caused some additional upset and inconvenience for Mr N, over and above what I would expect to see in a normal claim's process.

I can see UKI have already made compensation payments exceeding £1,000. So, I need to think about whether that's enough compensation to reflect the impact on Mr N of the shortcomings in UKI's service. I've weighed up Mr N's testimony, the available evidence, and the duration of the claims process. Overall, I consider this sum to be more than I would have awarded in similar circumstances.

As such, while I appreciate Mr N feels this isn't enough to compensate him – I'm satisfied this level of compensation addresses the impact UKI's actions had. And I find that it produces a fair and reasonable conclusion in this particular case so, I won't be asking UKI to increase this sum.

My final decision

My final decision is that I do not uphold this complaint. As U K Insurance Limited have already paid compensation to Mr N directly, I don't require them to do anything further.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr N to accept or reject my decision before 12 December 2024.

Stephen Howard
Ombudsman