

The complaint

Mr H has complained that BISL Limited has failed to assist him with a claim he wishes to make against a third party in relation to his car insurance policy.

BISL is the administrator of the policy. Part of this complaint concerns the actions of the agents it uses to deal with its first notification of loss calls. To be clear, when referring to BISL in this decision I am also referring to any other entities acting on its behalf.

What happened

In November 2023, Mr H's vehicle was damaged by a cabinet door of a jet wash that was blown open in heavy wind, hitting his car.

He contacted BISL to register the incident and was told that it wouldn't be possible to claim off another party's insurance. The only option would be to make a claim on his own policy, which Mr H didn't want to do.

Mr H then engaged directly with the garage where the incident had occurred, who ultimately declined to deal with the matter.

Mr H is unhappy that BISL wouldn't provide support to further pursue his claim against the garage.

Our investigator didn't think BISL had done anything wrong. Mr H disagrees and so the complaint has been passed to me for a decision.

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.

As already mentioned, BISL is the policy administrator, rather than the insurer. So, it doesn't assess claims itself. When someone calls up to notify it of an incident, it is only able to advise policyholders of two available options.

The first option, where it is a no-fault claim, is to use the credit hire and repair agreement provided by a separate company. But that option would only be open if a car had been damaged by another vehicle, with the claim therefore being made against another driver's policy. So, clearly that did not fit Mr H's circumstances.

The second and only other option, would be for a claim to be set up against a policyholder's own insurance policy.

Listening to the call Mr H made to BISL in November 2023, I'm satisfied that the adviser correctly set out that it was only the second option that would be available to him. At the time, Mr H seemed reasonably satisfied with what he had been told, although he did say he didn't want to claim against his own policy. He said he was hoping that he'd be able to sort it

out directly with the garage but just wanted it recorded that he had logged the incident with BISL.

Mr H did then contact the garage and made some headway initially as the garage was engaging with him about the issue. However, the garage said that it was difficult to see the extent of the damage from the photos that Mr H had provided. They also said that the quotes provided by Mr H far exceeded the alleged damage that had been done. So, they then refused to accept liability.

At that point, Mr H said he felt fobbed off by everyone, and felt that BISL could have done more. However, BISL had already advised him of the available options.

I understand Mr H's reluctance to claim on his own policy, as the damage was through no fault of his own. Really, he just wanted some backing in trying to resolve the issue himself. But, as the policy administrator, it would not be BISL's role to back him in this scenario. In order to see what more could be done, Mr H would have to agree to discuss the matter with his insurer, which would essentially mean setting up a claim.

Mr H has mentioned that the garage must have public liability insurance and wonders if the insurance company could go down that route for him. It's possible that the insurer might try to recover the costs from the other party, but Mr H would need to contact the insurer about that.

I have sympathy with Mr H's position but, based on the available evidence, I'm unable to conclude that BISL has done anything wrong as it is not responsible for dealing with his claim against the garage.

My final decision

For the reasons set out above, my decision is that I do not uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 18 December 2024.

Carole Clark
Ombudsman