

The complaint

Miss W complains about Tesco Underwriting Limited's ("Tesco") handling of her claim including the standard of repairs to repair a damaged fence, under her home buildings insurance policy.

What happened

A third-party drove into a fence that forms the boundary at the front of Miss W's property. She made a claim to Tesco, which it accepted. Miss W says Tesco wanted to repair the metal fence. But she didn't think this would result in a good outcome. Tesco then agreed to replace the fence, but Miss W says it didn't communicate this clearly.

Miss W says that the fence hasn't been installed correctly. In addition, she says the paint used has a high shine finish, which doesn't match the matt finish on the original gate. She also says there are holes in the fence post that weren't present in the original.

In its final complaint response dated 9 February 2024 Tesco says it appointed an experienced contractor to replace the damaged fence. It maintains that the repairs were completed correctly. Tesco says the difference in the paint is because of the contrast with the older existing paint. It explains the holes in the post are expected due to the manufacturing process. But it offered to fill the holes in and repaint.

Miss W didn't think Tesco had treated her fairly and referred the matter to our service. Our investigator didn't uphold her complaint. He says Tesco had offered a repair in line with its policy terms, which was fair. He thought the repairs it carried out were done to a reasonable standard. And that its offer to fill in the post holes and to repaint was also fair. So, he didn't think Tesco needed to do any more.

Miss W didn't agree with our investigator's findings and asked for an ombudsman to consider her complaint.

It 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.

Miss W raised a complaint about an increase in her premium at renewal. Whether this is a complaint we can look at is being considered under a separate reference. I won't comment on that here.

We expect Tesco to treat all customers fairly and in-line with its policy terms. Where this involves repairs, it should ensure these are effective and long lasting. I've considered whether it achieved this in Miss W's claim.

Miss W told Tesco she didn't think the damage to her fence could be repaired. It

subsequently confirmed that its agent would arrange for the damaged fence to be replaced. I note Miss W's comments that this isn't what she was initially told and that she had to find this out herself.

Miss W's policy terms say:

"We will pay for the cost of reinstating, repairing or replacing your buildings and/or contents which are covered by this policy (including any required re-decoration that forms part of a valid claim). We will decide whether to reinstate, repair, replace or pay you the cash value. All replaced items will be on a new for old basis. Where we have offered to repair or replace any item and you instead request us to pay a cash value, we will not pay you more than the amount it would have cost us to repair or replace the item."

Tesco arranged for a section of the fence to be made using the damaged part as a template. This was instead of repairing the damaged section, which would involve bending it back into position. Miss W wasn't comfortable with the repair approach. I think Tesco's offer to arrange a replacement was reasonable in these circumstances. I also note Miss W didn't want to use Tesco's contractors initially. She was offered a settlement payment as an alternative. However, she didn't want to arrange the work herself. So, Tesco arranged for the repairs using its contractor.

I've thought about Miss W's concerns with the fence post. I can see from the photos of the new post in situ that there are holes at the top. Tesco explains that these are "*gassing holes*". The post was galvanized during the manufacturing process and the holes prevent the post from exploding.

The contractor Tesco used explains that the replacement post is the same height as the pre-existing post. It says this is to match the curvature of the connecting gate with the connecting panel slightly curving to match. It also says the use of a spirit level on top of the post isn't the correct way to determine that it's "*plumb*", as Miss W had suggested.

The explanations provided by Tesco's contractor for its approach to the restoration work and the reason for the holes in the post seem reasonable. I haven't seen information that shows otherwise. Tesco has offered to fill the holes in the post and repaint. I think this is a reasonable offer. If Miss W is concerned about the holes she can contact Tesco and ask it to carry out this work.

I note Miss W's comments that the original paint has a matt finish, and the new paint has a high shine finish. Tesco's contractor says the difference is because the replacement fence is newly painted in contrast with the older paint.

I've looked at the photos that show the newly painted replacement fence, and the gate adjacent to it. It's difficult to tell from this if there's a difference in the finish, other than the new section being newly painted.

Based on what I've read I don't think the reinstatement work Tesco arranged has reasonably been shown as substandard. I appreciate Miss W has a different view and has found the claims process upsetting. But having considered all of this I don't think Tesco has treated her unfairly by when relying on its policy terms and carrying out repairs in the way it has. I think its offer to fill the post holes and repaint is reasonable. So, I can't fairly ask it to do anymore.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss W to accept or reject my decision before 30 March 2025.

Mike Waldron
Ombudsman