

## **complaint**

Mr T complained about the service provided by Zenith Insurance plc when he made a claim under his motorcycle insurance policy.

## **background**

Mr T was in France when he had a motorcycle accident which he said wasn't his fault.

He complained to Zenith that they were taking too long to deal with his claim, and that they didn't inform him about progress, so he had to keep phoning them. He said that they kept asking him for information that he'd already sent. And he was upset that they sent an investigator to interview him about the accident.

Zenith accepted that their customer service hadn't been very good and apologised. They also offered Mr T £50 to compensate him for the costs of his phone calls.

Mr T remained unhappy and so he brought his complaint to us.

The adjudicator recommended that his complaint should be upheld. She thought that Zenith had acted unfairly. She recommended that they pay Mr T an additional £100 compensation for his trouble and upset, making a total of £150.

Zenith agreed to this. However Mr T didn't think that this was enough and so his complaint has been passed to me to decide.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Zenith upheld Mr T's complaint to them. They explained that the claim was taking longer than normal because the accident happened in France with a foreign driver and insurer. This meant that to pursue the other driver's insurer, Zenith had to instruct another company who could communicate in French and understand what procedure had to be followed in France. This company said that in France a person involved in an accident had to complete an agreed statement of facts. So Zenith asked Mr T to complete this, and certain other forms, even though Mr T had already given Zenith the information they asked for.

I accept that the foreign element to his claim was likely to cause delays. However I think that Zenith could have prevented Mr T's frustration if they'd explained to him why this statement and the other forms were necessary.

An additional problem was that Zenith had different departments dealing with different aspects of Mr T's claim. This is not unreasonable. However in this case the different departments did not liaise with one another. This meant that although Mr T gave Zenith information, it didn't get to the right departments so they kept asking for that information. This contributed to Mr T's frustration.

And when Zenith didn't get the completed agreed statement of facts from Mr T they instructed an investigator to interview him. I can see that Mr T was quite upset to be asked what he felt were intrusive questions. Mr T said he felt that he'd been treated like a criminal, and that he felt demoralised and depressed after the interview. I haven't seen the investigator's questions, but it's not unreasonable for an insurer to seek an investigator's report. And I think that if Zenith had explained to Mr T why they wanted it, he may have felt better about it and the questions asked.

Zenith accepted that they hadn't kept him informed and they offered him £50. The adjudicator recommended that they increase this by £100 and Zenith agreed to this. I see that Mr T would like more, but I do think that on balance this amount does reasonably reflect the distress and inconvenience caused to Mr T and so I don't require Zenith to pay any more. However going forward they should keep Mr T informed about the progress of his claim.

### **my final decision**

For the reasons I've given above it's my final decision that I uphold this complaint and I require Zenith Insurance plc to pay Mr T £100, on top of the £50 which they say they have already paid him.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr T to accept or reject my decision before 19 December 2016.

Rosslyn Scott  
**ombudsman**