

## **The complaint**

Miss B is unhappy with the way in which Telefonica Seguros y Reaseguros Compania Aseguradora S.A.U. trading as Telefonica Insurance UK Branch handled a claim made on her gadget insurance policy.

## **What happened**

The details of this complaint are well known to both parties, so I won't repeat them again here. The facts aren't in dispute, so I'll focus on giving the reasons for my 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.

Having done so, I don't uphold it. I'll explain why.

- Telefonica has a regulatory obligation to handle insurance claims fairly and promptly.
- Telefonica accepts that it could've provided Miss B with better service including: providing better updates as to the progress of her claim, the process being followed, the delay to Miss B's claim due to her phone being lost by the delivery provider and with the timescales being extended. It also accepts that, during one call, Miss B's expectations were unfairly raised about the possibility of a different process being followed, which wasn't correct.
- Telefonica has offered Miss B £200 compensation. Miss B says she was without a phone for a number of weeks, she experiences high anxiety, and this impacted her mental health. She also says it affected her day-to-day activities, including her hobbies. Miss B also told Telefonica that she'd recently had a baby and without a phone she was unable to contact people for support.
- I think it was fair and reasonable of Telefonica to investigate whether the replacement mobile phone had been delivered, particularly as it had received information showing that the delivery provider had been to her address. So, Miss B would've been without her phone whilst those investigations were completed. However, Telefonica accepts that there were delays so she was without her phone for longer than she reasonably ought to have been.
- Taking everything into account, I think £200 fair and reasonably reflects the distress and inconvenience Miss B experienced up until the date Telefonica issued its final response to Miss B's complaint in early February 2023.
- Telefonica has provided evidence to show that payment of the £200 was made to Miss B towards the end of May 2023. Miss B doesn't recall this. I've asked her to provide a bank statement from the time showing payments going into her account for this period. She hasn't done so. Based on what I've seen, I'm satisfied that payment was most likely made to her. And I don't think Telefonica needs to do anything more in this case. However, Miss B is free to forward any documentary evidence directly to

Telefonica showing she didn't receive payment into her account for it to consider.

**My final decision**

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss B to accept or reject my decision before 14 September 2023.

David Curtis-Johnson  
**Ombudsman**