

The complaint

Mr A and Miss B are unhappy with Ageas Insurance Limited's (Ageas) delays in settling a claim made under their home insurance policy.

What happened

In December 2021 Mr A and Miss B were the victims of a burglary at their home. Their property was damaged and a number of contents items, including jewellery, were stolen. So, Mr A and Miss B made a claim to Ageas, their home insurance provider.

Ageas appointed agents to validate the claim on their behalf. Ultimately the property damage part of the claim was settled. However, the contents part of the claim still hasn't been settled. As Mr A and Miss B were unhappy with the delays, they approached this service.

One of our investigators looked into things and upheld the complaint. She noted that receipts for all the items being claimed for hadn't been provided, but she thought Mr A and Miss B had provided sufficient information in support of their claim which included confirmation of purchase of the jewellery from the jeweller itself. So, she recommended Ageas should settle Mr A and Miss B's contents claim in line with the remaining terms and conditions of the policy. She also said Ageas should pay £300 compensation for the delays.

Both parties agreed with the investigator's findings and recommendations. However, several weeks after the investigator confirmed to Ageas that they could go ahead and settle the complaint in line with the recommendations, Mr A and Miss B hadn't heard from Ageas.

The investigator contacted Ageas to chase this. But Mr A and Miss B said that as a final decision hadn't been given on their case, and instead only a recommendation, they were concerned that Ageas wasn't obligated to do anything further or comply with the recommendations. So, they asked for a final decision from an ombudsman on their case.

The case was then passed to me for a final 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.

Firstly, I should note that it is disappointing to see that Ageas didn't contact Mr A and Miss B in a timely manner after the investigator let Ageas know on 3 November that they could go ahead and settle the complaint in the way both parties agreed to.

Due to Ageas' lack of contact with Mr A and Miss B in over a month from the investigator letting them know, Mr A and Miss B have been back in contact with this service to raise their concerns about the case being resolved at the investigator stage without a final decision. This is because they say there is no obligation for Ageas to comply or do anything further as it was an investigator's recommendation rather than an ombudsman's legally binding decision and direction. As a result of their concerns, due to the lack of contact from Ageas,

Mr A and Miss B have asked for a final decision from an ombudsman, to give them reassurance.

I understand from Ageas though that they have very recently been in contact with Mr A and Miss B, but this was around seven weeks after our investigator contacted them to let them know the case can be settled. Given the request for a final decision by Mr A and Miss B to give them reassurance, even though they've now been contacted by Ageas, I'm still going to issue a final decision here as requested by Mr A and Miss B, which will be binding on all parties if they accept it.

I also won't comment here on everything that occurred in relation to the claim itself, as both parties agreed with the investigator findings and assessment and it doesn't appear that any of those points, events that occurred, or findings are still in dispute. But to confirm to both parties, I have looked at everything again, independently and afresh, in order to decide if I'm in agreement with the investigator findings and recommendations, including the appropriate level of compensation.

Having done so, I agree with what our investigator said and recommended (and both parties agreed to previously). That is, that Mr A and Miss B have provided sufficient evidence to support proof of ownership of the jewellery items, therefore I'll be directing Ageas to settle the contents claim in line with the remaining terms and conditions of the policy.

It's also clear that this claim has taken a long time, and there were extended periods where there were unexplained lengthy delays by Ageas' agents. I also agree with our investigator that £300 compensation is a fair and reasonable amount of compensation in the circumstances for this, so that's what I'll also be directing Ageas to pay Mr A and Miss B.

My final decision

It's my final decision that I uphold this complaint and direct Ageas Insurance Limited to:

- Settle the contents claim in line with the remaining policy terms and conditions
- Pay Mr A and Miss B £300 compensation

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A and Miss B to accept or reject my decision before 6 February 2024.

Callum Milne
Ombudsman