

The complaint

Ms P complains the amount of compensation offered by Aviva Insurance Limited doesn't reasonably reflect the difficulties she experienced whilst making a claim under her home emergency policy.

Any reference to Aviva includes the actions of its agents.

What happened

The circumstances of this complaint aren't in dispute, and as they're well known to both parties, I've summarised what's happened.

- Ms P has a home emergency policy which provides plumbing and drain cover.
- On 8 December 2022, she contacted Aviva to report a leaking tap on her property's standpipe which was flooding a nearby road. Ms P explained the only way she could control the leak was to turn the water supply off at the mains – but doing so left her property without access to water.
- The claim was logged, and Ms P was told she could expect a call back in the next four hours. However, Ms P didn't receive a call back and over the course of three days, she had to contact Aviva numerous times to see when an engineer would be attending her property.
- Ms P has explained she's vulnerable due to her age and so Aviva's suggestion - of her leaving her home to turn the water mains on and off - wasn't a viable interim solution. Ms P said doing so would put her at risk of an injury.
- On day three, an engineer attended Ms P's property and was able to fix the problem.
- Ms P complained to Aviva. Aviva apologised for the service it'd provided – acknowledging it hadn't called Ms P back and that it had given her conflicting information. It offered £300 compensation to recognise this.
- Unhappy with its response, Ms P brought a complaint to this Service. An Investigator considered it and said the compensation offered was fair.
- Because Ms P disagreed, the complaint has been passed to me for an Ombudsman's 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 agree with the outcome our Investigator reached and I won't be asking Aviva to increase its offer of compensation - I'll explain why.

- Aviva has acknowledged its service fell short and has apologised for this - along with making an offer of compensation. And so, the issue to be decided here is not whether Aviva's customer service fell short, but rather whether the compensation it has awarded fairly recognises the difficulties Ms P says she's experienced.
- I've no doubt dealing with the water leak was a stressful event for Ms P and understandably, Aviva's poor handling of her claim during this time compounded what was already a difficult situation.
- From reading her testimony I know Ms P feels strongly that she had no alternative but to turn the water off at the mains – which in turn, left her without access to water. And based on what I've seen, I've no reason to doubt this. Likewise, I take what Ms P has said about how her age combined with the weather conditions at the time, put her at risk of injury if she were to keep returning to the water mains to turn the supply on and off.
- But in determining whether the compensation is fair, I must keep in mind that the inconvenience Ms P experienced was for a three-day period and was therefore, limited to a relatively short period of time.
- Furthermore, with a claim such as this, it's reasonable to expect the policyholder to experience a level of inconvenience. So, whilst Aviva is responsible for the avoidable delays and miscommunication, it wouldn't be fair to attribute *all* the difficulties Ms P experienced because of the leak to Aviva's handling of her claim
- Whilst Ms P concerns about her welfare and that of other road users and pedestrians aren't unreasonable, ultimately, these didn't materialise, and so, I wouldn't award compensation for hypothetical situations.
- So, on balance, I'm satisfied the £300 compensation offered by Aviva reasonably reflects the difficulties Ms P experienced. And as it is in line with awards this Service makes for distress and inconvenience, I won't be asking Aviva to increase it.

My final decision

Aviva Insurance Limited has already made an offer to pay £300 to settle the complaint and I think this offer is fair in all the circumstances. So, my decision is that Aviva Insurance Limited should pay £300.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms P to accept or reject my decision before 3 August 2023.

Nicola Beakhust
Ombudsman