

The complaint

Miss O complains that Soteria Insurance Limited (trading as Co-op) gave incorrect information which resulted in her being stopped by the police.

What happened

Miss O's father has a motor insurance policy with Co-op. Miss O is a named driver on the policy. Miss O's father contacted Co-op to tell it that he was changing his car registration number. Co-op's notes of the phone call say he explained that he didn't have the new plates yet, but DVLA's database had been updated. Co-op's adviser said that since DVLA's records had already been updated, the policy needed to be amended straight away to show the new registration number. And it went ahead and made the change. Miss O says Co-op confirmed that they could continue to drive the car in the meantime.

A few days later, Miss O was driving the car when she was stopped by the police. They explained that the car's registration number wasn't showing on their database. The Motor Insurance Bureau contacted Co-op to check whether the car was insured. Co-op confirmed that it was. But it then realised that the registration number on the policy shouldn't have been changed until DVLA had sent out the new log book. And it confirmed it could amend the policy to show the original registration number, pending confirmation from the DVLA that the new logbook had been sent out.

Co-op has listened to a recording of the phone call, and it accepts that it gave incorrect information on the phone. It initially offered Miss O £75 to apologise for the trouble and upset she'd experienced. Miss O wasn't happy with the offer, and said she could have been given points on her driving licence. Co-op increased its offer to £150. But Miss O isn't satisfied with the offer. She says being stopped by the police impacted her anxiety and depression. She'd like formal action to be taken against the adviser who gave the incorrect information. And she'd like £100 additional compensation.

One of our investigators considered Miss O's complaint, but he didn't think it should be upheld. In summary, he said he thought Co-op's offer of £150 was fair. He accepted that Miss O had been an hour late for an appointment as a result of the incident. But she hadn't received any points on her driving licence, and the car hadn't been seized. He explained that we can't recommend that a business takes action against an individual member of staff, and that it's up to a business how it deals with this type of situation.

Miss O wasn't happy with the investigator's view, so the complaint's been passed to me.

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've decided not to uphold the complaint, for much the same reasons as the investigator.

It isn't in dispute that Co-op was mistaken when it told Miss O's father that the car's registration number needed to be changed on the insurance policy straight away, even though the new number plates weren't yet on the car. Co-op accepts that it shouldn't have amended the policy until the DVLA had sent out the new logbook for the car. And it accepts that Miss O experienced some distress and inconvenience as a result. What I need to consider is whether what Co-op has done to resolve the complaint is fair and reasonable.

I don't doubt that being stopped by the police was an upsetting and stressful experience for Miss O, and I sympathise with her. I accept that she was caused inconvenience because Co-op changed the registration number on the policy prematurely and led her to believe that she could continue to drive the car as normal.

Miss O has told us she was an hour late for an appointment as a result of being stopped by the police, and I can see that this would have been inconvenient. But she didn't receive any points on her driving licence as a result of the incident, and the car wasn't impounded. I acknowledge that Miss O has commented that she *could have* been given points. But I need to consider what actually happened, not what could have happened.

This service isn't a regulator, and it isn't our role to punish or fine a business. Taking everything into account, I think that the £150 offered by Co-op is fair to reflect the trouble and upset Miss O experienced. If it hasn't already paid that to Miss O, it should do so. But I can't fairly require it to do any more than that.

My final decision

My decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss O to accept or reject my decision before 16 September 2021.

Juliet Collins
Ombudsman