

The complaint

Mr L has complained about the service provided by the National Farmers' Union Mutual Insurance Society Limited ('NFU') in administering and responding about his motor insurance policy.

What happened

Mr L took out a motor insurance cover with the NFU in April 2020. Mr L was stopped by the police in September 2020 and was issued with a note to produce his insurance documents within seven days. His insurance document confirmed that the registration number on his documents was incorrect as two digits had been recorded the wrong way round.

Mr L contacted NFU to confirm the position and it acknowledged the mistake on the policy. NFU agreed to provide Mr L with a cover note confirming the correct details and Mr L sent this to the police.

In the event, Mr L received a court summons for driving without insurance. He contacted NFU at the end of October 2020 to say that the cover note hadn't provided sufficient evidence for the police. Mr L explained to NFU what the police required and NFU sent another email in response, which again wasn't sufficient evidence for the police. Mr L's solicitor then drafted a letter which he considered, if sent by NFU, would satisfy the police and CPS requirements. Mr L forwarded this draft to NFU which then sent a letter in these terms to be passed to the police. The police then withdrew the proceedings following the solicitor's intervention.

Mr L raised a complaint with NFU. NFU Mutual didn't uphold the complaint and said it had acted proactively when required and in a timely manner. Mr L remained unhappy and complained to this service. He felt that he had incurred the solicitor's fees unnecessarily and wanted to be compensated also for his time and trouble in dealing with the matter.

The service's investigator thought that NFU had acted fairly and reasonably. She considered that NFU had issued its initial standard letter to Mr L in a timely manner. Mr L's concerns as to the adequacy of the letter hadn't been raised with NFU until late October 2020. The investigator considered that the second, more detailed letter, was also produced promptly. The investigator concluded that NFU had acted proactively when required.

Mr L remains unhappy with this outcome. His solicitor considers that there have been numerous errors on the part of NFU which have caused Mr L detriment. The matter has therefore been referred to me to consider it afresh in my role as Ombudsman.

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.

It's my role to consider the evidence and timeline of events to decide whether or not the NFU actions in setting up the insurance policy and then in responding to Mr L and his solicitor were fair and reasonable. I've concluded that they were and I'll explain why.

Mr L complained firstly because he considered that NFU had recorded the registration number of the vehicle incorrectly. Secondly, he said that the two initial letters written by NFU provided insufficient proof to the police that the vehicle was insured at the time. He also said that NFU failed to respond to his solicitor's emails and calls

I've looked at the insurance documents issued to Mr L at the inception of his policy. The policy documents make it clear; *'As this is a non advised policy, we haven't provided you with a recommendation, so please read the documents carefully to make sure the details are right and the cover meets your needs.'*

The following statement also appears in the documents under the heading '*Important Information*'; *'Your Car Insurance cover is based on information you have given us, as shown in this Statement of Insurance and your Insurance Schedule. Please check that this information is correct, as failure to disclose accurate information could invalidate your insurance or result in a claim not being paid. If any details are wrong or missing please contact us...within the next seven days.'*

Mr L's solicitor noted NFU's system for insuring a new vehicle. In particular, he noted that if the registration number '*doesn't pull through*' the computer system, then the NFU would ask a customer to double-check details. He considered that the NFU were therefore on notice that the number it had tried to register was incorrect. He said that there was a '*high duty*' on NFU to bring the matter to the immediate attention of Mr L and to ask him to provide details of the correct number and not simply to ask him to check the documents.

NFU confirmed that Mr L had taken out a policy in April 2020 on the basis of a telephone call. It then sent the policy documents to Mr L. Unfortunately, due to the covid pandemic, NFU staff were working from home and I have not therefore had access to the relevant telephone recording.

I have carefully considered the points made by Mr L's solicitor however in relation to the NFU's usual process when a vehicle registration number '*doesn't pull through*'. It will then carry out a manual search and continue with the quote. Despite this account of the usual process, as there is no telephone record, it is not now possible to say with certainty what happened. The evidence which is available doesn't show how or at what stage the error in recording the registration number occurred in.

Mr L has accepted that it isn't possible to say whether the error in relation to the registration number was made by the NFU or by Mr L. I do consider that it was Mr L's responsibility however to check the policy documents when they arrived on the basis of the clear wording in the policy documents. I'm satisfied therefore that Mr L was responsible for ensuring the policy details were correct and up-to-date. I can't say that NFU were responsible for the incorrect vehicle registration number being recorded in the policy. I can't therefore say that NFU has acted unfairly or unreasonably in this respect.

I have also considered whether NFU acted fairly and reasonably in responding to Mr L. I note that it corrected the registration number when it was informed by Mr L of the issue in September 2020. It also provided a cover note to confirm its stance for Mr L to provide to the police and/or CPS. I'm satisfied that it would have had no reason to consider that this was insufficient to prevent a summons from being issued against Mr L. It's at the point of receiving a summons that Mr L instructed his solicitor.

I've reviewed the case notes available for the end of October and beginning of November 2020. From this evidence, I'm satisfied that NFU acted to assist Mr L by providing another letter to be passed on to the police and/or CPS. It had no reason to consider that this was insufficient to halt proceedings.

I consider that NFU also acted promptly and further assisted Mr L when asked to take on board suggestions offered by his solicitor for inclusion in another letter. I'm satisfied therefore that NFU again acted promptly to assist Mr L. I can't say that it acted unfairly or unreasonably in provision of this assistance.

In conclusion, I cannot say that NFU was responsible for any action or omission which led to Mr L being stopped by the police, receiving a summons and then being subject to potential court action. I don't require NFU to do anything else in the circumstances.

My final decision

For the reasons set out above, I don't uphold Mr L's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr L to accept or reject my decision before 25 October 2021.

Claire Jones
Ombudsman