

The complaint

Mr A has complained that esure Insurance Limited hasn't settled a theft claim he made under his car insurance policy.

What happened

Mr A contacted esure in May 2019 to say that his car had been stolen. esure asked Mr A to provide documents in order to validate his claim including a police crime reference number.

It said if Mr A was notified by the police that the car has been recovered, to let it know so it could arrange for the car to be recovered from impound.

In July 2019 esure said it would close its file as it received no documents from Mr A. In response, Mr A provided some documents but not the V5C document (logbook). Mr A said this was in the car when it was stolen. So esure asked Mr A to obtain a copy from the DVLA.

esure didn't receive further documents from Mr A and it checked to find that the police had removed a theft marker against the car on 29 August 2021.

In October 2019 esure contacted Mr A. He said he hadn't heard from the police since the date he first contacted them and as far as he was aware his car was still stolen. esure told Mr A he would need to contact the police to find out why the theft marker had been removed. It reiterated what documents it would need to consider Mr A's claim and asked for all police correspondence.

In October 2019 esure was able to speak to the police and obtain limited information. esure said the police advised that the car was in the process of being recovered and it couldn't provide any further details – but the police said it could provide further information to Mr A.

In November 2019 the police told esure it would need to contact its disclosure department for further information.

There was further back and forth between Mr A and esure where Mr A would contact for an update and esure would reiterate its requirements. Mr A said the police wouldn't tell him where the vehicle was. In May 2021 Mr A raised a complaint.

esure contacted the police again to ask where the car had been recovered to and if there was vehicle damage. It didn't receive a reply.

esure didn't uphold Mr A's complaint. It said it had tried to speak to the police and the finance company to get details of the location of the car but without success. And without the validation documents from Mr A, it couldn't progress his claim.

Mr A asked us to look at his complaint. Our Investigator thought esure's decision not to settle his theft claim was reasonable. But she thought it could have contacted the police's disclosure department as it was signposted to esure in October 2019. For this poor service, the Investigator recommended esure pay Mr A £150.

Mr A accepted the Investigator's findings. esure didn't provide any comments.

So as esure hasn't replied, the case has been passed to me to decide.

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.

An insurer is entitled to ask for reasonable evidence to support a claim. In this case, esure hasn't received all of the validation documents it asked Mr A for. Mr A provided a call log note which shows a police log/crime reference number and a contact at the police at a local station. This isn't a police report as esure explained to Mr A.

So as esure hasn't received enough to validate Mr A's theft claim I don't think it has acted unreasonably.

When esure contacted the police officer whose details were provided by Mr A, esure was referred to the police disclosure's department for the requested information. I think esure should have made contact with this department to see if it could obtain further information about the location of the car. Mr A said the police wouldn't tell him where the car had been recovered to when it was found.

For esure's failure to contact the appropriate police department, I think it should pay Mr A compensation of £150. I think this is a fair sum as although it hadn't received validation documents from Mr A despite several requests, I think esure could have done more to try to progress the claim when provided with an alternative contact for the police.

My final decision

For the reasons I've given above, my final decision is that I uphold this complaint in part. I require esure Insurance Limited to pay Mr A £150 compensation for failing to contact the alternative police department to try and progress the claim.

esure Insurance Limited must pay the compensation within 28 days of the date on which we tell it Mr A accepts my final decision. If it pays later than this it must also pay interest on the compensation from the date of my final decision to the date of payment at a simple rate of 8% a year.

If esure Insurance Limited considers that it's required by HM Revenue & Customs to withhold income tax from that interest, it should tell Mr A how much it's taken off. It should also give Mr A tax deduction certificate if he asks for one, so he can reclaim the tax from HM Revenue & Customs if appropriate.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 6 May 2022.

Geraldine Newbold
Ombudsman