

## **The complaint**

Mr V complains that Qmetric Group Limited (trading as Policy Expert) unfairly cancelled his motor insurance policy.

Where I refer to Policy Expert, I refer to the above-named company and I include employees and others insofar as I hold Policy Expert responsible for their acts or omissions.

## **What happened**

On 21 October 2021, Mr V went onto a price comparison website. He gave details of a vehicle with a "16" registration number. Mr V got cover for that vehicle, to start from 1 November 2021.

Policy Expert asked Mr V for evidence of his No Claims Bonus ("NCB").

Policy Expert gave Mr V seven days' notice of cancellation of the policy.

Policy Expert cancelled the policy with effect from 8 December 2021 and declined to reinstate it.

Mr V complained to Policy Expert that it should remove all records of the cancellation and compensate him.

By a final response dated late December 2021, Policy Expert turned down the complaint but refunded Mr V the cancellation fee of £60.00.

Mr V brought his complaint to us in mid-January 2022.

Our investigator didn't recommend that the complaint should be upheld. He was satisfied with the actions taken by Policy Expert (who he referred to as "QML"). He didn't think that it cancelled Mr V's policy unfairly or unreasonably. The investigator said that Policy Expert emailed Mr V on 1 December 2021, advising him to send the V5 document for the insured vehicle and that if the V5 wasn't received by 8 December 2021, it would cancel the policy.

Mr V disagreed with the investigator's opinion. He asked for an ombudsman to review the complaint. He says, in summary, that:

- Policy Expert's email dated 1 December 2021 is a fake, without the header. He didn't receive a request to provide a V5 document until after Policy Expert had cancelled his insurance. If Policy Expert had asked for the V5 he would've provided it. He had provided them with everything else they asked for.
- The burden of proof lies with Policy Direct and there is no email, nor any proof they have sent it. He has discussed this with his email provider's technical department, and they also can't find this alleged email. It doesn't exist.

- Policy Direct sent an email dated 1 December 2021 – but it was information about how to make a claim.

### 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.

Policy Expert's policy terms included the following:

***“Our right to cancel your policy***

***We have the right to cancel **your** policy at any time if there is a valid reason for doing so.***

***We will not cancel **your** policy without a valid reason and **we** will tell **you** **our** reason for cancelling the policy.***

***If **we** decide to cancel, **we** will send seven days' notice to **you** at the last email or postal address **we** have on file for **you**...***

***Here are some examples of valid reasons why **we** might cancel this policy...***

***d. **You** fail to co-operate with **us**, or send **us** information or documents, and this significantly reduces **our** ability to process **your** policy ...”***

Policy Expert's welcome letter to Mr V asked him for proof of his NCD. The letter said that the vehicle had to have had continuous insurance unless there had been a SORN (Statutory off-Road Notification) or the vehicle was being sold. It said the document had to show the vehicle registration number.

Mr V sent proof of NCD – but it related to a different vehicle with a “19” registration. The next day he sent proof of NCD relating to yet another vehicle with an “18” registration.

On 17 November 2021, Policy Expert gave Mr V seven days' notice of cancellation of the policy. It told Mr V that the reason was that it hadn't been able to validate his NCB. I'm satisfied that this was a valid reason for cancellation.

I find that Mr V received that notice and replied to it – by re-sending the proof of NCD relating to the vehicle with an “18” registration.

On 24 November 2021, Policy Expert gave Mr V seven days' notice of cancellation of the policy. It told Mr V that the reason was that the insured vehicle had a gap in insurance cover without proof of a SORN. I'm satisfied that this was a valid reason for cancellation.

I find that Mr V received that notice and replied to it – by saying that the insured vehicle had been stored in a garage until 1 November 2021. He said that he had already sent proof of NCB. But Policy Expert wasn't satisfied with the proof of NCD. It noted that Mr V had said he'd had the vehicle since 2016, so it still considered that there was a gap in insurance cover without proof of a SORN.

I've noted what Mr V has said about the email dated 1 December, the lack of a header and what his email provider told him. But I find on the balance of probabilities that Policy Expert did send its email dated 1 December at about 11:00 that day. The content of the email was that Policy Expert asked for the V5 showing when Mr V had acquired the vehicle. It said that if the V5 wasn't received by 8 December it would cancel the policy.

I'm satisfied that Policy Expert had already given Mr V seven days' notice of cancellation of the policy on 17 November and again on 24 November 2021. And I'm satisfied that Policy Expert still had the valid reasons that it hadn't been able to validate his NCB and that the

insured vehicle had a gap in insurance cover without proof of a SORN Statutory off-Road Notification. So Policy Expert had no need to fake an email dated 1 December and I don't find that it did.

Whether or not Policy Expert had sent the email of 1 December, I don't find that Policy Expert treated Mr V unfairly by cancelling his policy.

I would've expected Policy Expert to send a written confirmation that cover had ended at midnight between 8 and 9 December. There's no evidence that it sent such confirmation. But Mr V has shown us evidence that he missed a night shift on 8/9 December. And he contacted Policy Expert on 9 December. So I'm satisfied that he had got the message that the cancellation had taken effect.

Overall I don't find it fair and reasonable to direct Policy Expert to change its record of its cancellation or to pay compensation to Mr V or to do any more in response to this complaint.

### **My final decision**

For the reasons I've explained, my final decision is that I don't uphold this complaint. I don't direct Qmetric Group Limited (trading as Policy Expert) to do any more in response to this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr V to accept or reject my decision before 2 September 2022.

Christopher Gilbert  
**Ombudsman**