

## **The complaint**

Mr B complains that Business Insurance Solutions Limited (“BISL”) allowed motor insurance policies to be taken out in his name fraudulently and failed to respond to him promptly about this.

## **What happened**

Mr B discovered that two motor insurance policies had been issued to someone using his name and an address where he’d previously lived. The policies were taken out using a finance agreement.

He contacted the finance company and BISL, asking about how this had happened. The finance company sent a response confirming it had cancelled the finance agreements and contacted the credit reference agency to ensure any adverse record was removed.

Mr B didn’t receive a response from BISL, so he complained to our Service.

Having not had a response from BISL to our request for information, our investigator issued a view based on the information Mr B had provided. He upheld the complaint and asked BISL to pay compensation of £100 for the distress and inconvenience caused to him.

Mr B was unhappy that BISL hadn’t provided information about what had happened and said the compensation of £100 didn’t adequately reflect the distress he’d suffered or the fact he’d had to take out fraud protection. He asked for an ombudsman’s decision.

BISL then provided evidence about how the policies had been issued, and that they had been voided once it was discovered the policies had been taken out in Mr B’s name without his knowledge. BISL also said it was happy to pay the compensation.

The investigator said BISL had shown it carried out checks before issuing the policy and wasn’t at fault in the way it dealt with that. But he still thought the compensation, which BISL had now agreed to pay, was fair in view of the time taken to respond to Mr B.

Mr B is still unhappy about the level of compensation. So I need to make a 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.

Mr B is naturally upset and concerned that someone was able to use his details to take out the insurance. From the evidence BISL has now provided I can see it did carry out checks, including checks with credit reference agencies. Based on the information it had I don’t consider it was at fault in relation to that. But it was slow to respond to Mr B when he raised his concerns.

Mr B would like to know who it was that used some of his personal details but BISL doesn’t have that information – the insurance was sold on the basis of someone using his details,

not their own.

Once the issue came to light the insurance was voided, as well as the finance agreements – and the finance company provided details to the credit reference agency to ensure Mr B's credit rating would not be adversely affected.

I have no doubt it was distressing for Mr B to find out what had happened. But where BISL was at fault was in not acting promptly when he raised his concerns. Having considered the impact of that I think a payment of £100 is fair to reflect the distress caused to him.

Mr B says the compensation doesn't cover the cost of the fraud protection he's taken out, or impose any kind of penalty on BISL. We're not the regulator and it's not my role to punish firms for their actions. Where something has gone wrong, I need to consider the impact of that on the individual and how to put things right for them. As I've explained, I think £100 is a fair amount in light of the distress caused to Mr B by the failure to act more quickly.

### **My final decision**

I uphold the complaint and direct Business Insurance Solutions Limited to pay compensation of £100 to Mr B for the distress and inconvenience caused to him.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 28 December 2023.

Peter Whiteley  
**Ombudsman**