

The complaint

Mr C complains about how esure Insurance Limited trading as esure ("esure") handled a claim under his motor insurance policy.

What happened

Mr C had a motor insurance policy with esure covering his car.

He was involved in a serious collision with a third-party vehicle, which was a lorry registered in a foreign country. Mr C contacted esure and made a claim. He had a partial registration number for the lorry.

esure discussed the claim with him. Mr C said he didn't want to claim until liability for the collision had been decided. esure said it would close his claim as he couldn't provide the full registration number of the third party.

Mr C wasn't happy with how the claim progressed and he complained.

esure didn't respond. So Mr C brought his complaint to this service. esure then responded. It paid Mr C £100 as a gesture of goodwill because it hadn't responded to his complaint. But esure thought it hadn't done anything wrong with his claim. Claims against foreign vehicles can take longer to settle and Mr C had told it he didn't want the claim progressing until liability was settled.

Our investigator looked into it and thought his complaint would be upheld. He thought esure should have done more to deal with Mr C's complaint. He thought esure should pay £100 compensation for his distress and inconvenience. This is separate to the gesture of goodwill mentioned above.

Mr C agreed with the view, but esure didn't. It explained that it wasn't able to progress the claim at all, due to the partial registration number, and because of Mr C's refusal to allow it. Because esure didn't agree, this complaint has been passed to me to make a final 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.

I'm upholding Mr C's complaint and I'll explain why.

It's esure's position that it couldn't progress the claim against the third party because it didn't have the full registration number for the third-party vehicle.

Mr C has pointed out that he provided esure with details of a witness, and the police (and other emergency services) were involved. From the details I have, esure didn't contact either of these to investigate whether more details were available.

What esure did do was seek to close his Mr C's claim and didn't reply to his further

enquiries.

As Mr C says, esure only seemed to respond to him when he started to raise his complaint through this service and in its correspondence with him it then says it would “look to gather the information from the police”. He also pointed out that esure didn’t recover his car after it was taken to a storage area.

From the information I have, I can see that the foreign insurer has now been in contact with esure and I’d expect that his claim will progress and be settled by esure.

I’d also point out to Mr C that the procedures insurers follow for international claims like this one are complex. I know he’s found it suspicious that the other insurer made contact with esure when his complaint was with this service, but these matters do, unfortunately, take time. Mr C’s choice to tell esure to effectively put his claim on hold while liability was decided meant that he didn’t receive a settlement for his claim, or any assistance that may have been available. I can’t fairly say that esure is responsible for most of Mr C’s distress and inconvenience.

That said, I don’t think esure did enough to investigate his claim and seems to have been content to wait until a third party contacted it. And I don’t think that service is good enough.

Mr C has talked about his distress caused solely by esure’s handling of his claim and I think it should pay him £100 compensation for this. I can see Mr C has already agreed with this. For the avoidance of doubt, this amount is in addition to the £100 gesture of goodwill it’s paid him for its handling of his complaint.

My final decision

For the reasons set out above, my final decision is that I uphold this complaint. esure Insurance Limited trading as esure should pay £100 compensation to Mr C for his distress.

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

Under the rules of the Financial Ombudsman Service, I’m required to ask Mr C to accept or reject my decision before 29 December 2023.

Richard Sowden
Ombudsman