

The complaint

Mr S complains UKI Insurance Limited (UKI) unfairly declined to offer him motor insurance cover.

UKI are the underwriters of the motor insurance policy i.e. the insurer.

What happened

Mr S applied for a car through a mobility scheme.

When his application was submitted and checked by UKI it said it couldn't provide him with motor insurance cover due to his motoring conviction within the last five years. It said it did not offer cover for individuals with the specific motoring conviction he had disclosed.

Mr S said he was only disqualified from driving for 28 days, so motor insurance cover should have been approved and offered.

Because Mr S was not happy with UKI, he brought the complaint to our service.

Our investigator did not uphold the complaint. They looked into the case and said UKI evidenced that it doesn't provide quotes for motor insurance for mobility scheme customers who have a DR code conviction like Mr S has. They said UKI had not made an error in declining to offer motor insurance cover.

As Mr S is unhappy with our investigator's view the complaint has been brought to me for a final decision to be made.

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 should be noted that I am only able to consider Mr S's complaint about motor insurance cover not being offered. I am unable to consider anything else in this complaint.

When considering motor insurance cover, UKI will take numerous different factors into account – these are likely to include, but are not limited to, the age of the drivers, motoring convictions, the number of fault claims and non-fault claims etc.

We cannot tell UKI (or any insurer) that it should use, or discount, specific information. That's because the risk is UKI's to take on so it will decide how to assess it and offer or decline policies accordingly.

Providing they treat people fairly, insurers are entitled to offer or decline policies as they decide. So although I cannot tell UKI to offer Mr S motor insurance cover, I can look at whether it treated his application fairly

Mr S's application for motor insurance cover was submitted in October 2023. In his application he disclosed a DR40 conviction from February 2021. He was given a 28-day driving disqualification for his conviction at this time.

I saw UKI said it was not able to offer cover for Mr S as the DR40 conviction was an unacceptable conviction on its driver acceptance criteria. It said this was for any potential customer on the mobility scheme.

UKI provided evidence by way of its underwriting criteria which showed it would not offer cover to a person with this conviction in the last five years. It said there were no exceptions to this rule.

From the evidence I have seen the DR40 conviction was the only reason for UKI's decision to decline to offer motor insurance cover. And the DR40 conviction was less than three years before his application to UKI for motor insurance cover.

Mr S said cover should have been offered because he was only disqualified from driving for 28 days.

In this case motor insurance cover was declined by UKI because of the reason for his driving conviction. It has not been declined for the length of time of the disqualification as Mr S has implied.

In this case I have not seen any evidence that when applying for cover Mr S was treated any differently by UKI than any other potential customer in the same situation.

I'm therefore satisfied UKI fairly declined to offer motor insurance cover to Mr S.

I understand Mr S will be disappointed with my decision, however I am unable to uphold his complaint and do not require UKI to do anything further in this case.

My final decision

For the reasons I have given I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 14 March 2024.

Sally-Ann Harding
Ombudsman