

## **The complaint**

Mr K complains about the service he received from U K Insurance Limited (UKI) after making a claim under his car insurance policy.

## **What happened**

Mr K's car was insured with UKI. In March 2022 Mr K's car was damaged in an accident, so he made a claim to UKI.

Mr K subsequently complained to UKI about the time it was taking for the claim to be settled and delays in his excess being reimbursed. UKI issued a complaint response in September 2022 and offered £100 compensation.

In October 2023 Mr K complained to UKI that he'd been waiting for a call back for a year and they hadn't yet contacted him, and that he was incorrectly told UKI would reimburse the cost of his cherished number plate which was on his car when it was deemed a total loss.

UKI issued a response to the complaint on 14 November 2023. In this they said that they hadn't agreed to call Mr K back. They also recognised Mr K had been given unclear information regarding being able to claim for the cherished number plate, but they didn't agree to meet the cost of this. Instead, they offered £100 compensation for the unclear advice.

As Mr K remained unhappy with UKI he approached the Financial Ombudsman Service.

One of our investigators looked into things. She said that UKI had addressed Mr K's complaint about claim and excess reimbursement delays in September 2022, and he'd brought that complaint to us too late. She considered what Mr K had said about the reasons why there was a delay, but she didn't think these were exceptional circumstances. So, she said we couldn't consider that part of Mr K's complaint further.

For the part she could consider (not receiving a call back and incorrect advice about claiming for the cherished plate), she said UKI hadn't agreed to call Mr K back as he alleged. And for the incorrect advice, she thought the compensation they'd already offered was fair. So, she didn't recommend UKI do anything further.

Mr K didn't agree so the complaints were 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.

This final decision solely relates to Mr K's complaint about UKI allegedly failing to call him back, and the incorrect advice he was given about claiming for his cherished number plate. I've written separately to both parties explaining why I can't consider the other complaint points.

Mr K contacted UKI in October 2023 to complain that they hadn't called him back from the previous year when he'd asked about the cherished plates which were on his car when it was deemed a total loss.

I've listened to that call. There was no agreement between Mr K and UKI that they would be calling him back. Instead, the call was left that Mr K would contact the DVLA to enquire about whether he still owned the cherished number plates, and that Mr K would call UKI back after this depending on what they said. So, having listened to the call, I don't think UKI has failed to call Mr K back as he alleges.

Mr K also complains that UKI told him he could claim for the cost of the cherished number plates, which were disposed of with his car when it was a total loss.

Having listened to the call (the same call referred to above), Mr K contacted UKI in October 2022 to ask about his cherished plates. This was seven months after his car was deemed a total loss, and he'd received the total loss settlement payment in March 2022.

UKI spoke to the salvage agent who confirmed the car had already been cleared/disposed of in March 2022. And they hadn't been advised that the plates were to be retained.

UKI has provided a copy of the total loss settlement letter which was sent to Mr K in March 2022. In this it said that Mr K needed to send the relevant registration documents for the car to the DVLA, but it also said:

*"If you are the owner of a personalised registration number and wish to either transfer or retain the number plate, please refrain from sending the Vehicle Registration Document to the DVLA until the retention or transfer process is complete."*

It was discussed in the call that Mr K hadn't requested to retain the plates, hadn't contacted the DVLA about this, and had also returned his V5 document. As Mr K hadn't made any steps to retain the plate and UKI wasn't aware he wanted to, this is why it was suggested that Mr K should contact the DVLA in the first instance to see if he still owned the registration. I don't think UKI acted unfairly here.

However, UKI accepts that in the call the agent suggested contacting UKI after speaking to the DVLA if he was no longer the owner of the plates, so they could consider whether they could be claimed for. Although the agent didn't say they definitely could be claimed for, they weren't clear that this wasn't something which the policy covered. So, I can see why this may have caused Mr K avoidable confusion.

Having said that though, although there was an error (or lack of clarity) in the advice given, it wouldn't be fair or reasonable for me to direct UKI to honour this solely on that basis. This is because the plates were never something Mr K could have claimed for. So, even if he had been given the correct (or clearer) advice, things wouldn't have been different given the car had already been disposed of (seven months beforehand) by the point Mr K first spoke to UKI about his registration plates.

However, I do appreciate there would have been a loss of expectation for Mr K thinking he could claim for something and later finding out he couldn't. But UKI has already recognised that, which is why they have offered £100 compensation. Having taken everything into account, I think the compensation offered is fair and reasonable in the circumstances, so I'm not going to direct UKI to increase this.

### **My final decision**

U K Insurance Limited has already made an offer to pay £100 to settle the complaint and I think this offer is fair in all the circumstances.

So, my decision is that U K Insurance Limited should pay Mr K the £100 compensation offered, if they haven't already done so.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 21 March 2024.

Callum Milne  
**Ombudsman**