

## **The complaint**

Mr G complains about the way AXA Insurance UK Plc (“AXA”) investigated an allegation about a collision.

## **What happened**

Mr G had a car insurance policy with AXA.

In August 2023 Mr G was involved in a collision with a third-party van. The third party reversed into his car. They admitted liability and their insurer repaired Mr G’s car.

Mr G didn’t notify AXA.

About a month after the collision, AXA wrote to Mr G saying it’d been told he’d been in a collision and it was alleged he was at fault. AXA asked him to tell it what had happened. It also sent him a claim form.

Mr G called AXA and was cut off. He emailed and asked AXA for details of the allegation but it didn’t answer his question directly. AXA re-sent him the claim form and told him the same information that a third party had made allegations.

Mr G brought his complaint to this service. He wants to know who made the allegation against him and asks for sight of the correspondence.

Our investigator looked into his complaint and thought it wouldn’t be upheld. She thought AXA had sent Mr G the information it had, and that Mr G should have engaged with AXA if he wanted to know more, even though he’d had some difficulty trying to call it.

Mr G asked that his complaint was reviewed by an ombudsman. So, his complaint has been passed to me 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.

I’m not upholding Mr G’s complaint.

In later correspondence with Mr G he continued to ask for a copy of the correspondence between the third party’s insurer (which had settled his claim for repairs) and AXA. This correspondence was via an industry system which supplies only a very brief amount of information. From the information on file, this information had already been supplied to Mr G when AXA wrote to him in September 2023.

I can see from a photo of Mr G’s car that the damage to it is inconsistent with the description of him reversing into a third party. Mr G sent that photo to this service to demonstrate this. From the file I have, I can’t see that Mr G sent that photo to AXA at an early stage in its enquiries with him.

I think it's fair I say that Mr G should have continued to try and tell AXA what happened, rather than ask questions of it.

He has a clear responsibility under the terms of his insurance policy to tell his insurance company about any incidents like this, regardless of whether he wants to make a claim.

Because he didn't tell AXA about the collision when it happened, when AXA was told by the third-party insurer about the allegations involving Mr G it responded by contacting him about it.

Mr G has complained about the nature of AXA's requests, but as I say above, it's his responsibility to tell it rather than the other way around.

Given the information it had, I think AXA acted fairly and reasonably in asking Mr G for further information. I also think it's fair I say its service could have been better – such as the one time Mr G called it, he was on hold for 15 minutes and was cut off when it was answered.

But any collision like this brings with it some disturbance to normal life, and Mr G could have called AXA back to ensure the correct details were on record and supplied evidence such as the photo which is clearly to hand. And as I mention above, it's Mr G responsibility to do this.

For whatever reason, Mr G didn't do this and I can't say that's the fault of AXA.

So, I don't think AXA acted unfairly and I don't uphold this complaint.

### **My final decision**

It's my final decision that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr G to accept or reject my decision before 9 July 2024.

Richard Sowden  
**Ombudsman**