

The complaint

Mr G complains that Aviva Insurance Limited repeatedly and incorrectly told him that the premiums charged for his motor insurance policy were correct. He thought Aviva hadn't responded to his complaint.

What happened

Mr G said he called Aviva several times to tell it that he was being overcharged for his premiums and this was causing him financial hardship. But he said Aviva told him his premiums were correct. Mr G was unhappy that he thought Aviva didn't respond to his complaint. He thought it was discriminating against him because of his disabilities.

Aviva said it had given Mr G correct advice about his premiums when he called as he then had two open claims. When these were closed, it recalculated and refunded his overcharged premiums. It said it didn't have a record of Mr G making a complaint about this matter. Mr G wanted it to keep his complaint open.

Our Investigator didn't recommend that the complaint should be upheld. She thought the open claims would lead to an increase in premiums. And she thought Aviva had refunded the overcharged premiums when the claims were closed. She didn't see evidence that Aviva had received a complaint about this from Mr G until after he brought this to our service. And she thought it had then reasonably responded and closed the complaint as it couldn't keep it open indefinitely.

Mr G replied that he'd made a complaint to Aviva in a call. Mr G asked for an Ombudsman's review, so his complaint has come to me for 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 can understand that Mr G feels frustrated as he thinks his complaints haven't been fully responded to. He said he thinks this may be discriminatory because of his disabilities. It's not for me to consider whether Aviva has broken any laws about discrimination. That's for the courts to decide. But I can consider whether Aviva has responded in an appropriate and supportive manner to Mr G's concerns.

I can see that Mr G made several complaints to Aviva about the pricing of his policies in 2019 and 2020. But Mr G didn't bring to us his complaints about this, or the refund of premiums paid by Aviva within the time allowed by the rules that govern us. And Aviva hasn't given its permission for us to consider these complaints. So I can't consider these here. But what I can consider is Mr G's recent complaint that Aviva failed to respond to his complaints about premium pricing.

From Aviva's file, I can see that it provided responses to Mr G's complaints about the pricing of his policies in 2019 and 2020. It explained that Mr G's premium had been increased whilst claims were being investigated. When the claims were closed as non-fault and his No

Claims Discount (NCD) corrected, the premiums were recalculated, and any overcharged premiums was refunded to Mr G. He didn't complain about the refund amount at the time.

Mr G said he thought that because Aviva had paid him a refund, this meant that it had made a mistake and over-charged him. And he thought this was discriminatory as it had caused him hardship at the time.

I was sorry to hear about Mr G's financial difficulties at that time. But I think Aviva has reasonably explained why his premiums were correct at the time and why they were later recalculated. I think this is in keeping with standard industry practice and his policy's terms and conditions. So I'm satisfied that it hasn't done anything wrong in this or treated Mr G differently to any other customers.

Aviva has provided us with its system notes. I can't see evidence of any complaints made by Mr G about this matter that Aviva hasn't responded to. And Mr G hasn't been able to provide us with any evidence to show that he called Aviva to make a further complaint.

I can see that Mr G wanted his complaints kept open. But Aviva's responses to Mr G's complaints give his referral rights to our service. And so I think it was fair and reasonable for Aviva to close the complaints after it had provided its responses. So I can't say that Aviva has done anything wrong.

My final decision

For the reasons given above, my final decision is 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 5 March 2025.

Phillip Berechree
Ombudsman