

## **The complaint**

Mr A is unhappy with his commercial vehicle insurer Haven Insurance Company Limited because it logged a claim against him even though he told it he was not involved.

## **What happened**

Mr A received contact from Haven in January 2024 asking him for details about an accident in December 2023 which it had been notified about by an insurer acting for a driver of another car. Mr A said he was not involved.

Haven was aware the other party's costs were increasing. So it made a without prejudice payment to limit its outlay. In May 2024, following requests and chasers from Haven, CCTV images of the accident were presented by the other insurer. The images showed that the car involved was not Mr A's. Haven told Mr A it had notified the other insurer and it would be up to it to close the claim.

Mr A wasn't happy. He said this had caused him a lot of stress and worry. He said he'd spoken to multiple insurers and finding cover was difficult. He said it wasn't right that he'd been unfairly accused. He said he wanted £10,000 compensation.

Our Investigator felt Haven could have done more to ask for evidence earlier. She said it should pay Mr A £500 compensation, amend the external database and write to Mr A confirming that he was not involved in the accident, that it had removed his name from any record of the accident on the external database.

Haven agreed. It sent proof showing it had asked the controller of the database to amend the record.

Mr A said he had been blamed for no reason. He said he'd set out what he wanted to resolve this – £10,000 – as such £500 was not sufficient.

The complaint was referred for an Ombudsman's 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 realise Mr A is aggrieved that he was accused of something he did not do. I understand that would be upsetting for him – not least because, he says, being accused of being involved in this incident has affected his ability to get cover. However, I think it's important to emphasize here that it was not Haven who accused Mr A of being involved, nor was it Haven which had recorded the number plate of the car, which was involved, incorrectly, such that Mr A was mistakenly identified and blamed for the incident. It was the other driver/their insurer which made those mistakes, which caused Mr A to be wrongly accused.

Haven did not know, when notification of the incident was received, that an error had been made. Haven had a duty to respond to the allegation it received. It was not unreasonable of it to get in touch with Mr A, ask him questions and undertake enquiries – such as having an engineer inspect his vehicle. Whilst I appreciate that upset Mr A, that was all part of Haven acting as a prudent insurer.

However, Haven's error came in that it did not challenge the other party enough. It did not, for example, pursue the other insurer for proof of Mr A's involvement. Not, that is, until several months after the claim was logged and a number of chases had been made by Mr A. That evidence was duly provided and it vindicated Mr A. Had Haven insisted on seeing this earlier, the claim could have moved on and been closed, or at least the external database updated much sooner. Because that did not happen, Mr A has continued to feel wrongly accused and has also had difficulty and stress associated with trying to find cover, for several months longer than he should have.

To be clear, it is not Haven's fault that Mr A was accused of being involved in this accident. It was reasonable, given the allegation made, that Haven undertook enquiries. But it was unreasonable that Haven failed to take action which could reasonably have shortened the whole process and provided vindication at least a few months earlier. For the upset caused by that failure, I'm satisfied that £500 is fair and reasonable compensation.

I know Mr A wants £10,000. But that is not the level of award usually made by this Service. We might award £5,000 where failures have caused a lasting impact on someone's health. But that is not what happened here. Mr A has mentioned that part of the upset caused to him is financial worry because he was unable to get insurance. However, he has not shown any evidence regarding this. I accept getting insurance can be difficult with an open claim on a record – and I've taken that into account with my compensation award – but it isn't usually impossible. Sometimes it will cause prospective insurers to charge a higher premium, but Mr A hasn't presented any evidence showing this, that he paid an extra premium or that he had any other kind of loss as a result. In the circumstances, I remain satisfied that £500 is fair and reasonable compensation.

I can see that Haven has applied to amend the external database. Haven is not in control of the database, so it won't be able to influence when the change occurs. It can provide a letter to Mr A though. This can confirm that any reference to Mr A having been involved in this accident which may show on the database is incorrect, that it is only there pending removal because a mistake over a registration number caused Mr A to be incorrectly accused. Mr A can then share this letter with any prospective insurers should they have any concerns about anything they might see regarding this incident and Mr A on the database.

### **Putting things right**

I require Haven to pay Mr A £500 compensation.

I also require Haven to continue to act to ensure the detail on the external database is updated to reflect that Mr A was not involved in this incident. In the meantime, it should provide him a letter which explains that he was not involved, that he was incorrectly accused due to a mistake over registration numbers and that any record of his involvement on the external database is only there pending removal.

### **My final decision**

I uphold this complaint. I require Haven Insurance Company Limited to provide the redress set out above at "Putting things right".

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 9 June 2025.

Fiona Robinson  
**Ombudsman**