

The complaint

A limited company, that I will call F, has complained about the service provided in relation to his business insurance policy with AXA Insurance UK Plc.

AXA is the underwriter of this policy, *i.e.* the insurer. Part of this complaint concerns the actions of the agents it uses to deal with claims and complaints on its behalf. As AXA has accepted it is accountable for the actions of the agent, in my decision, any reference to AXA includes the actions of the agents.

Mr L, one of the directors of F, has brought the complaint on its behalf.

What happened

F's policy with AXA includes access to a legal advice helpline.

On 12 December 2024, Mr L called the legal helpline, as he wanted advice on a tax matter. Mr F was told that no tax advisers were available immediately but he would be contacted by a tax adviser. Despite Mr L chasing this up, he didn't receive a call until Monday, 16 December 2024. Mr L was unhappy with this and complained to AXA about the service provided.

AXA said it aims to contact consumers with tax advice queries within two business hours and apologised to Mr L that it did not do so. AXA said, however, that Mr L had been told on 12 and 13 December 2024 that the helpline was particularly busy and that it may take longer than usual and he was provided with advice within two working days.

Mr L was not satisfied with AXA's response to his complaint so referred the matter to us. He says AXA fully upheld his complaint and admitted liability, so should pay compensation for this.

One of our Investigators looked into the matter. She did not recommend that it be upheld, as she was not persuaded that AXA needed to do anything further.

Mr L does not accept the Investigator's assessment, so the matter has been passed to me.

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.

The legal advice helpline is intended to provide general advice on various legal matters. AXA says its service standard is to provide advice on tax issues within two business hours. AXA accepts this was not done and Mr L wasn't provided with the advice until two working days later (and four days after his initial call).

Mr L was told it may take longer than usual for a relevant adviser to be available but I can see this wasn't the service that F was entitled to expect; and Mr L had to make additional

phone calls to chase the response.

I have to therefore consider what, if anything, is required to put this right.

Sometimes things do go wrong. As the investigator has already explained, I have no power to punish or fine a business when they do go wrong (because we do not regulate the financial services industry) but I do have the power to make awards that put things right and to reflect any material inconvenience caused by any such error. However, there is no automatic right to compensation. Sometimes I consider an acknowledgement of failure and/or an apology to be sufficient.

In addition, I can only consider and make an award that recognises the impact of any wrongdoing by a financial business on an eligible complainant. In this instance, the eligible complainant is a limited company, rather than any individual. A limited company cannot suffer distress or frustration. I can however, consider any inconvenience caused to F.

AXA has acknowledged F did not receive the service it was entitled to expect and has apologised for that.

I have seen no evidence that there has been any material impact as a result of this delay on F, other than Mr L having to call back to chase up. I do not think this is enough to warrant compensation. I am satisfied that the acknowledgement of the failure in service and apology is appropriate.

Having considered everything carefully, I am not persuaded that I can reasonably require AXA to take any further action and I do not uphold this complaint.

My final decision

I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask F to accept or reject my decision before 24 October 2025.

Harriet McCarthy
Ombudsman