

The complaint

Mr C complains that AXA Insurance UK Plc unfairly rejected a claim he made under his own plant tools and equipment section of a business insurance policy. Mr C is a sole trader.

What happened

Mr C made a claim for the theft of tools from his commercial vehicle to his insurer, AXA.

AXA rejected the claim as it applied an exclusion where theft claims required evidence of forced or violent entry.

One of our Investigators thought AXA hadn't acted reasonably. He recommended AXA meet Mr C's claim under the remaining conditions of the policy.

AXA didn't agree and wanted an ombudsman to decide. In summary it said it had correctly when it applied the exclusion as there was no evidence of forced or violent entry to support Mr C's claim.

I issued a provisional decision on 27 August 2025. I thought AXA had reasonably declined Mr C's claim. So I didn't intend to uphold his complaint.

I haven't received a reply from either party to my provisional decision. So I am issuing a final decision on the same lines.

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.

AXA, like other insurers, provides cover for specified insured events. It isn't unusual for an insurer to attach exclusions for such events, where cover will not be provided.

Mr C's policy with AXA says;

"Theft from unattended vehicle exclusion

We will not cover you for theft or attempted theft of own plant tools and equipment while contained in an unattended vehicle or trailer, unless there is evidence of forcible and violent entry to the vehicle or trailer."

AXA asked Mr C to provide evidence to support his claim. Mr C provided photos of his van, which didn't show signs of forced or violent entry. There was no CCTV evidence or other available information.

Mr C is unhappy that AXA referred to previous theft claims and asked him if he had taken any steps to increase the security of his van.

While I can see AXA made reference to this, I think the policy wording is clear as to when

the above exclusion applies. And as the evidence provided doesn't show signs of forced or violent entry, I can't say AXA unreasonably declined the claim. So even if AXA hadn't made any reference to previous claims, or asked Mr C if he had undertaken additional security measures, it doesn't change the outcome.

Mr C has provided CCTV footage of a separate incident where he says an attempt to break into his van was recorded. Mr C says he has had a similar claim accepted.

My decision is about the claim Mr C made in September 2024, which he complained about, and AXA replied to in November 2024. Based on the information provided by both parties in relation to this claim, I think AXA acted reasonably and in line with the policy.

My final decision

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 C to accept or reject my decision before 10 October 2025.

Geraldine Newbold
Ombudsman