

The complaint

Mr W complains that he hasn't been paid out for a claim on his car insurance policy by AXA Insurance UK Plc.

What happened

In July 2013, Mr W took out a car insurance policy with AXA. In December 2013, Mr W's car was damaged in a car park by a falling tree. Mr W says he contacted AXA and was told he'd receive compensation but never has. In 2024, Mr W had remembered about the incident and contacted his broker, followed by his insurer to chase it up. Mr W was unhappy with the responses he was getting and brought the complaint to this service.

Our investigator didn't uphold the complaint. He said there wasn't any evidence to support a claim had been raised with AXA. Mr W appealed. He didn't think it was possible for him to provide any evidence of the claim. He also didn't think a lack of evidence supported no claim was made, rather that AXA had failed to maintain adequate records. As no agreement could be reached, the complaint has been passed to me to make 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.

When considering complaints such as this, I need to consider the relevant law, rules and industry guidelines. The relevant rules, set up by the Financial Conduct Authority, say that an insurer must deal with a claim promptly and fairly. So, I've thought about whether AXA acted in line with these requirements with how they've handled Mr W's enquiry.

Having done so, and whilst I appreciate it'll come as a disappointment to Mr W, I've reached the same outcome as our investigator.

At the outset I acknowledge that I've summarised his complaint in far less detail than Mr W has, and in my own words. I'm not going to respond to every single point made. No discourtesy is intended by this. Instead, I've focussed on what I think are the key issues here. The rules that govern the Financial Ombudsman Service allow me to do this as it's an informal dispute resolution service. If there's something I've not mentioned, it isn't because I've overlooked it. I'm satisfied I don't need to comment on every individual point to be able to reach an outcome in line with my statutory remit.

As set out by our investigator, AXA has provided us with screenshots of their system and Mr W's CUE record. Neither of these indicate a claim was logged with them in 2013.

Mr W has raised that this is more likely due to poor record keeping on AXA's behalf. Firm's are legally only required to retain records for six years. Mr W's car was damaged in late-2013 and he didn't start making his enquiries until late-2024, so 11 years later. I haven't seen any evidence that Mr W did raise a claim or contact AXA in 2013. However, even if Mr W had and AXA had since deleted the records, I wouldn't be able to say AXA had done

anything wrong due to the amount of time that has passed.

Mr W has queried whether the screenshots have met the standard of admissibility in court disclosure. As an alternative to the courts, this isn't something that's relevant to us. I've reviewed the screenshots and am satisfied I can rely on them.

Mr W has said that he was told he'd receive compensation for the damage to his car. The term "compensation" isn't one that I would usually associate with an insurer when dealing with a claim. I think it's more likely that Mr W may have spoken to an accident management company at the time. I wouldn't expect AXA to contact accident management companies to attempt to verify if this was the case.

I'm very sorry that my decision doesn't bring Mr W more welcome news. But in all the circumstances I don't find that AXA has treated Mr W unfairly, unreasonably, or contrary to law in how they've handled his enquiry about his claim.

My final decision

For the reasons I've given above, my final decision is that I don't uphold this complaint. I don't require AXA Insurance UK Plc to do anything further.

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

Anthony Mullins
Ombudsman