

The complaint

Mr K complains that Ageas Insurance Limited unfairly turned down a claim on his motor insurance policy. He also says that in the process it breached data protection rules.

Reference to Ageas includes agents who've acted for it.

What happened

Mr K insured his car for an agreed value on a specialist vehicle policy with Ageas. Mr K was in an accident with another driver's car. He claimed on his policy. Ageas appointed an engineer and investigators to look into the claim. Having done so it told Mr K it was refusing to cover the claim.

Mr K complained. Ageas didn't uphold the complaint. Mr K brought it to the Financial Ombudsman Service. One of our Investigators looked into it. He didn't think Ageas needed to take any further action. Mr K didn't agree with our Investigator's complaint assessment so the matter's been passed to me to decide.

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.

While Ageas was looking into Mr K's complaint he raised a number of issues regarding its handling of the matter. I've considered everything on file. But in this decision I don't intend to refer to every point raised. Instead I will focus on what I see as being Mr K's key issues, which primarily centre on Ageas' decision to refuse his claim.

As I've said above Ageas had concerns over Mr K's claim and appointed an engineer and investigators to look into the matter. Having done so Ageas told Mr K that it was "*not satisfied that this incident was genuine and believe that the damages have not happened in the manner described.*" So it said it was unable to provide cover for the claim. In other words it was turning it down.

Mr K's policy says that it will not pay any claim which Mr K knew to be false, fraudulent or exaggerated. I note that Ageas hasn't explicitly accused Mr K of knowing his claim to be false, fraudulent or exaggerated. But, given that it's turned down his claim I think it's reasonable to infer that was its implication when it told him it didn't think his claim was genuine or had happened as Mr K said it did.

It's not my role to determine whether or not Mr K's claim was false, fraudulent or exaggerated. But I do have to decide whether or not I think Ageas decision to decline his claim on the basis that it has was fair and reasonable in all the circumstances.

I acknowledge Ageas' claims handlers and investigators explored many lines of enquiry. Mr K appeared to be frustrated by the relevance of some of those lines of enquiry, for example concerning when and where Mr K bought his car and how he'd repaired it following a previous claim. But I'm aware that it's not unusual for insurers like Ageas to wish to gain a full understanding of the background to a claim before settling it. And, while Mr K might not have grasped the relevance of all of those lines of enquiry I don't find them wholly unreasonable.

In any event what is of particular relevance was the finding of the engineer who examined the damage to both Mr K's car and the third party's car. The engineer concluded that it was his expert opinion that the cars had not come together as Mr K reported. In other words the engineer's conclusion was that the accident didn't happen how Mr K had said it had.

I'm aware that Mr K does not agree with the engineer's findings. But, as far as I'm aware Mr K is not an expert in such matters and he has not provided any evidence from another suitably qualified person that called the engineer's conclusions into question.

In those circumstances I'm satisfied that it's reasonable for Ageas to rely on the engineer's expert opinion that the accident didn't happen as set out in Mr K's claim. So, I think it was reasonable for Ageas to turn down his claim. It follows that I think it was acting in line with Mr K's policy terms when refusing to pay it.

I'll add that I'm aware that there was evidence in the engineer's report that appears to be wrong. Most notably the engineer said that Mr K had told him that his journey involved stopping at a local shop. But the engineer said that shop was very close to Mr K's home and not on the route that Mr K took. In response Mr K has pointed out that his evidence was that he was travelling via an entirely different shop. And he's prepared a video of the journey, which shows that he would have driven through the accident location in order to get to that shop, which was very close to where the accident happened. I accept his evidence on that point. So I agree that the engineer most likely got that point wrong. But, while the engineer might have been mistaken about the name and location of the shop, I don't think that mistake calls into question his expert findings on the damage to the two cars and why he didn't believe the accident happened as Mr K said it did.

Also, when turning down Mr K's claim Ageas said that he had refused to provide requested telephone records. Ageas pointed out that his policy required him to give it all the information and help that it asked for. And as he hadn't done so it would not deal with his claim

In response Mr K's said that the phone records Ageas has asked for are not in fact his. He's shown us evidence that the phone number is registered to a relative. He said he believes Ageas were breaching data protection rules in requesting that evidence.

I'm not an expert in data protection regulations. However, Ageas has a record of Mr K contacting it using the phone number concerned. And, when he gave a signed statement to Ageas' investigators he gave the same phone number as being his own and said he had not had any other mobile phone number in the previous two years. So I don't think Ageas did anything unfair or unreasonable by asking Mr K to disclose phone records from a number he had provided and which Ageas believed could help to decide the claim.

My final decision

For the reasons set out above I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 7 November 2025.

Joe Scott
Ombudsman