

## **The complaint**

Mr K has complained about the way his motor insurer, Aviva Insurance Limited trading as Quotemehappy.com ('Aviva'), has been progressing a claim he made on his policy after a third party reversed into his vehicle.

## **What happened**

In December 2024, Mr K was involved in an accident which he says wasn't his fault. He said he had pulled over to allow an ambulance vehicle past when the car in front of him reversed onto his vehicle and then fled the scene. Mr K said he reported the matter to the police immediately who gave him a reference number. The police told him that his insurer would have to contact them to obtain further details so that they can pursue the third party.

Mr K reported the matter to Aviva and also made a claim for the damage to his vehicle which was declared a total loss.

Mr K was unhappy with how the matter was progressing and complained. In June 2025, Aviva upheld the complaint and said that it had been informed by Mr K about the police reference at the end of December 2024 but it didn't contact the police until 21 January 2025. It apologised for this initial delay and offered Mr K £125 compensation. It added that obtaining information from the police can be very slow but it would continue to chase for updates.

Aviva issued a further response in July 2025 regarding further delays but it didn't uphold Mr K's complaint. It said it wasn't responsible for the time it will take the police to respond but it was continuing to request updates as often as it is allowed to i.e. every 12 weeks.

Unhappy with Aviva's response, Mr K brought his complaint to our service where it was considered by one of our investigators. Our investigator didn't think Aviva had to take any further action and thought its £125 offer was fair and reasonable. Our investigator also thought it was fair and reasonable for Aviva to treat this as a "fault" claim until it is able to recover its outlay.

Mr K didn't agree and said he didn't think Aviva was making any effort to progress the matter. The matter was then 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.

I'd like to start by saying that I was very sorry to hear about Mr K's accident and also about

the impact it has had on him.

The crux of the complaint is that Mr K is unhappy with the delays in obtaining further details from the police and the impact this is having on his policy. And he is unhappy that he has a fault claim on his policy, due to an incident he wasn't at fault for.

When Mr K reported the matter to Aviva it asked for details of the third party such as their registration, name or any contact details. I think this is reasonable as, having details such as the third party's registration, would have at least enabled it to find out who it is insured by and contact their insurer.

From what I understand Mr K didn't have these details but provided the police reference for Aviva to contact the police for further details. Mr K said the police advised him to do this and said they wouldn't be able to provide those details to him directly.

Aviva began to chase the police for updates and their report in January 2025, a few weeks after Mr K provided the relevant details. Aviva recognises that there was a delay in applying for the police report. It has offered Mr K £125 compensation which I think is fair and reasonable for a few weeks' delay and it is in line with awards we would make in similar circumstances. I also don't think the delay made a material difference in the progress of the matter bearing in mind that the police have yet to provide their report.

Mr K remained unhappy with the progress being made. Aviva has addressed this in a second final response issued in July 2025, so this is the period up to which I am considering its actions. I appreciate Mr K is frustrated with the progress made but Aviva has said that it has continued to chase the police for updates but hasn't been provided with any yet. It said it is only able to chase every 12 weeks and has been doing so since the claim was made. Though very frustrating for Mr K I don't think there is anything further Aviva is able to do other than continue to chase the police until they are ready to provide their report.

I appreciate Mr K is also frustrated by the fact that the claim he made, which has been dealt with by Aviva who settled it as a total loss, has been recorded as a fault claim on his policy. This is even more frustrating because he wasn't the at-fault party and it was another car that reversed into his. As our investigator explained, though Mr K may not be to blame for the accident this doesn't mean that Aviva can treat it as non-fault unless it is able to recover its outlay i.e. the money it paid out to Mr K. So unless and until it is able to find the third party and successfully pursue them for its outlay, it won't be able to mark this as a non-fault claim. This is standard industry practice so I don't think Aviva's actions are unfair or unreasonable in this regard.

I understand that Mr K remains unhappy because the matter is still unresolved, and this has caused him further frustration. I appreciate how difficult it can be to wait for progress when the situation feels outside your control. If Mr K wishes to pursue this further, he can bring a new complaint to our service, and we will consider it separately.

### **My final decision**

For the reasons above I have decided not to 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 27 January 2026.

Anastasia Serdari  
**Ombudsman**