

complaint

Mrs K complains Halifax General Insurance Services Limited (Halifax) didn't return receipts and valuations she gave it to support a theft claim.

background

In 2009 Mrs K made a theft claim on her home insurance. To support this she gave Halifax receipts and valuations. She later asked for these back. Halifax says it sent the originals by recorded delivery. Mrs K says she didn't receive them. Halifax hasn't provided proof of postage. It says the postal company lost them. And it doesn't have copies. Halifax said Mrs K didn't need them as she no longer owned the items. So she wouldn't lose out financially.

Mrs K says if the stolen items are found she will need the receipts to prove she owns them. And some of the receipts also cover items she still has. Mrs K says she will need to get valuations for these items. And valuations aren't provided for free. She says she may be asked to prove she'd spent money on the stolen items and the ones she still has.

Our adjudicator felt the complaint should be upheld in part. She thought Halifax hadn't done enough to try to find the proof of postage. She agreed it should help Mrs K if she ever needs to prove ownership. And she said it should pay Mrs K £50 compensation for the distress and inconvenience it's caused her. Mrs K wasn't happy with this. She doesn't want to rely on Halifax to prove ownership. Halifax offered to increase the compensation to £150. But Mrs K refused this, she wants £500. Halifax didn't agree, so the complaint has been passed to me.

A dispute about the claim was looked at by this service in a different complaint. The ombudsman decided the issue was more suited to a court. This decision doesn't consider the claim. It only looks at Mrs K's complaint about the return of the receipts and valuations.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Having done this, I'm partly upholding it.

will Mrs K lose out financially?

I don't know if the loss of the receipts and valuations was the fault of Halifax or the postal company. This doesn't matter, as I don't think it's likely Mrs K will lose out financially by not having them.

It seems unlikely the stolen items will be recovered after all these years. So I don't think it's likely she will need to prove ownership. Neither is she likely to need to provide a valuation of them. But if they are recovered Halifax says it would help her prove ownership. Mrs K doesn't want to rely on Halifax for this. But I think Halifax could help. And I think it's fair and reasonable of it to offer to do so.

The high value items stolen were mainly bought around 2003. I think it's unlikely Mrs K or anyone else will be asked, more than 10 years later, to prove they spent money on these.

Mrs K says the receipts cover some items she still has. Halifax has offered to support her if she needs to prove ownership of them. Again this is fair and reasonable of Halifax. Mrs K should contact Halifax to discuss how it could help her confirm ownership.

I don't think Halifax needs to pay for valuations for any items Mrs K still has. I accept she no longer has receipts for these. But Halifax's offered to assist her prove ownership. She can also take photos. These are often accepted by insurers as evidence of ownership.

So I don't know who is to blame for the loss of the valuation and receipts. But I don't think Mrs K is likely to lose out financially because of their loss. And Halifax's offer to help her show ownership is fair and reasonable. So I'm not upholding this part of Mrs K's complaint.

should Halifax have looked for the proof of postage?

I think Halifax could have made more effort to look for the proof of postage. Mrs K told it she hadn't received the valuations and receipts in the post. This was only a few months after Halifax says it sent them. So a record might still have been available. Proof of postage wouldn't be the same as finding the receipts and valuations. But it might let Mrs K know whose fault their loss was. Not knowing this may have caused her some distress or inconvenience. After Mrs K complained to this service Halifax offered her £150 compensation for this. I think this is fair and reasonable. I don't think this matter has been so inconvenient and distressing that Halifax should pay her any more.

my final decision

For the reasons given above, I'm upholding Mrs K's complaint in part. I require Halifax General Insurance Services Limited to pay Mrs K £150 compensation for any distress and inconvenience it's caused her.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs K to accept or reject my decision before 9 November 2015.

Daniel Martin
ombudsman