

complaint

Ms B complains about the way Society of Lloyd's (Lloyd's) has handled a claim she made under her legal expenses policy.

All references to Lloyd's include its claims handlers.

background

I issued a provisional decision on this complaint in February this year. An extract from that decision follows:

"Ms B has had an ongoing dispute with her former employers for a number of years. This has led to several claims under her legal expenses policy. She's also had a dispute about building works done to her home which has also led to a number of claims.

Ms B has complained to us previously about these and other issues and there have been a number of decisions issued by our organisation over the past few years.

Ms B wants to claim against our organisation for making negligent decisions and exacerbating her pre-existing injury.

She wants Lloyd's to instruct a barrister from London to advise on her potential claim.

Ms B's complaint has come directly to me for a decision.

my provisional findings

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

Ms B feels that our organisation's previous decisions have been negligent and exacerbated her depression. Lloyd's agreed to look at this potential claim but asked for medical evidence to show that this was the case. Ms B hasn't provided this. I think it was reasonable for Lloyd's to ask for this evidence. So far all we have on file is a GP letter which pre-dates a number of the ombudsman's decisions. So I don't think Ms B has provided this information. Also I don't think Lloyd's has been unreasonable in not progressing this claim.

my provisional decision

For the reasons above, I'm not thinking of upholding Ms B's complaint against Society of Lloyd's."

developments and findings

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

Lloyd's didn't have anything to add further to my provisional decision.

Ms B asked for copies of the documents I considered in reaching my decision. This information was sent to her by special delivery. It couldn't be emailed because it involved a

large number of documents. After delivery was attempted the parcel was left at Ms B's local delivery office for her to collect. We sent an email to Ms B to let her know that the parcel was ready for collection and provided her with the tracking number. Because the item wasn't collected it's been returned to us.

Ms B has had the opportunity to receive the documents that were sent to her. And I haven't relied on anything that Ms B needs to have seen to be able to comment on my provisional decision. As far as I'm aware Ms B hasn't disputed that she hasn't provided the medical evidence Lloyd's has asked for. So given this, it's appropriate for me to proceed to a final decision.

As there have been no new developments since my provisional decision my findings remain as they were in that decision.

my final decision

For the reasons above, I'm not upholding Ms B's complaint against Society of Lloyd's.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms B to accept or reject my decision before 11 April 2016.

Anastasia Serdari
ombudsman