

## **complaint**

Mr H has complained about Be Wiser Insurance Services Ltd's service when he wanted to update his motor insurance policy.

Be Wiser is a broker who arranges insurance for its customers with insurers who underwrite the policies. In this decision I am only looking at Be Wiser's actions as Mr H's broker and haven't looked at the actions of the underwriters.

## **background**

In June 2016 Mr H phoned Be Wiser to change the car on his policy. Be Wiser did update his policy but the underwriters didn't update the change of car for a couple of days. In the meantime Mr H had an accident. Be Wiser said that Mr H wasn't covered because his new car hadn't been added to his policy at the time of his accident.

Mr H wasn't happy and brought his complaint to us. The adjudicator didn't think Be Wiser had dealt with Mr H fairly. He said that it should 'indemnify' Mr H for his accident. And in recognition of the distress and inconvenience it had caused him, it should waive his policy excess. Be Wiser didn't agree and asked for an ombudsman's decision.

## **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 so, I'm going to uphold it.

I've listened to the call where Mr H asks to change the details of the car on his policy. Be Wiser was clearly treating this as routine. But it said it had run into a problem with its system and would have to refer the case to the underwriters to sort it out. It said it would treat this as high priority and should take no more than an hour or two. It didn't give any indication it wouldn't be able to change his insurance that day.

At the very end of the call Be Wiser said it would ring Mr H back in an hour or so to confirm it had updated his insurance. But it didn't ring him back. Mr H taxed his car and thought that Be Wiser had just hadn't rung him back after updating his insurance. Having listened to the call I can understand why he thought that was the case. Be Wiser gave him the impression that updating his insurance wouldn't be a problem and that the snag at its end should be cleared quickly.

So I can understand why Mr H felt that Be Wiser had sorted out its problem and updated his insurance. Also I think that if it was having problems it should have rung him back to let him know.

So, in those circumstances, I think it's fair for Be Wiser to step into the shoes of Mr H's insurers and cover him for any claim arising from his accident in June 2016. And, given that's its service has been the source of considerable worry for him, I think it should waive the policy excess in order to address his distress and inconvenience.

## **my final decision**

For the reasons set out above I uphold this complaint. I require Be Wiser Insurance Services Ltd to step into the shoes of Mr H's insurer and indemnify him for his accident in June 2016.

In order to address Mr H's distress and inconvenience it should waive his policy excess when considering his claim.

Under the rules of the Financial Ombudsman Service, I'm required to ask Be Wiser to accept or reject my decision before 20 January 2017.

Joe Scott  
**ombudsman**