

complaint

Mr B complains about a policy held by his late father. He has said that The Royal London Mutual Insurance Society Limited has failed to pay out following the death of his father.

background

Mr B's late father had a policy arranged for him in 1948. When Mr B attempted to claim on the policy, he was informed that Royal London did not have a record of the policy.

In order to successfully pay out it said it would need further evidence of the policy. However, even after some information was provided, it was not satisfied that the policy was active and therefore it could not pay out.

Mr B complained to Royal London in 2014; however it did not uphold his concerns. It explained that in order to successfully pay out, Mr B would need to provide evidence that the policy had regular contributions paid to it more recently.

Unhappy with the response, Mr B asked this service to review his complaint. The adjudicator who investigated the complaint did not think that the complaint should succeed. He was satisfied that Royal London had conducted a thorough search for the policy and explained that as the policy was arranged some time ago, it was reasonable for it to request additional information in order to decide if there was a valid claim.

Mr B did not agree with that assessment and so the complaint has been passed to me for review.

my findings

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

Royal London has said that it does not hold any record of the policy, having made a search of its systems. There does not appear to be any evidence of contributions being made to the plan or any evidence of its existence, other than the policy document.

It is difficult to arrive at any firm conclusions about what happened to the policy, bearing in mind that it was taken out over 60 years ago. It is quite possible that the plan lapsed because of non-payment of premiums or was cashed in.

The presence of a policy document does not necessarily mean a plan is still in force; if a plan lapses the provider does not automatically require return of the document and it is not always required if a policy is cashed in. All a policy document indicates is that *at some point* such a policy was in existence. So I am afraid it is not good evidence that the policy is still in force or the value still resides with Royal London.

In this case the policy required regular premiums to be paid and there is no evidence that they have been paid for many years. In addition Royal London has clarified that this type of policy has a 5 yearly pay out, if premiums are maintained. There is no evidence I have seen of such payments.

The evidence actually indicates it is more likely that the policy is no longer in existence and hasn't been for some time. I can appreciate why Mr B is concerned that there may be a value left that he should be able to claim, as he has found a policy document. However I hope he will understand that the evidence lends itself to a finding that such a policy is not in existence.

I note that Mr B is unhappy with the time taken by Royal London in responding to his concerns but it does some to me that it responded in a generally reasonable amount of time.

However Mr B in his most recent letter has said that Royal London has not returned the policy document. I will ask the adjudicator to follow this up with Royal London.

my final decision

I do not uphold the complaint or make any award.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 13 November 2015.

David Bird
ombudsman