

complaint

Mr K complains that Advantage Insurance Company Limited voided his car insurance policy and recorded his details on CIFAS, the insurance fraud database. As a result he can't get car insurance.

background

Mr K set up a car insurance policy online in 2014. He said he had a two year no claims discount (NCD). Advantage asked for proof and he provided a letter from another insurer, E. When Advantage checked, it said his details didn't match with any of its former policy holders.

Advantage asked Mr K if he could explain this. He provided a different address. When they went back to E, the details still didn't match up. Advantage decided to void the policy – treat it as if it had never existed. It also recorded the information on CIFAS.

Mr K says he continued to insure his car until December 2017 when the insurer he changed to voided his policy after running a CIFAS check. He says he cannot now get insurance and has no idea how long the information will remain on the CIFAS database. He has told us that the original problem arose because a friend set up the policy for him at a time when his English was not very good.

The adjudicator didn't think Advantage has done anything wrong. He said Mr K hadn't produced any evidence that Advantage had made a mistake. Mr K has now asked for an ombudsman to review his complaint and so it has come to me.

my findings

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

I agree with the adjudicator's findings and for the same reasons. When it became apparent in August 2014 that the letter Mr K had produced was not an accurate record of his insurance history, Advantage wrote to Mr K clearly setting out its position and the reasons for its decision to void the policy. Mr K doesn't suggest he didn't receive this letter. At that stage it would have been open to him to challenge Advantage's findings or provide an explanation as to how the letter came into existence and why he had submitted it as proof of his NCD. He didn't do so.

It may be that Mr K had some help completing the online application. As the adjudicator says, ultimately it was Mr K's responsibility to ensure that the information provided was correct. In this case the inaccurate information was conveyed not by filling in an online form, but by the production of a document which purports to be something it is not. I think Advantage was entitled to conclude that this went beyond a simple mistake or careless oversight. So I can find no reason to ask Advantage to amend the information it passed to CIFAS. If Mr K is unhappy about the way or length of time which CIFAS has recorded the information, he has a separate right of complaint. For the reasons set out above I don't think Advantage has done anything wrong.

my final decision

I do not uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 1 December 2018.

Melanie McDonald
ombudsman