

## **complaint**

Mr and Mrs W have complained that U K Insurance Limited – trading as Direct Line – removed the wrong car from Mrs W's car insurance policy.

## **background**

Mr and Mrs W both have car insurance policies with Direct Line. To make my decision easier to follow, I'll refer to the car details as follows:

- Mrs W's car insurance policy insured car "L".
- Mr W's policy insured car "K".
- Mrs W called Direct Line to say they were trading in one of these cars for a newer car "S".

Direct Line removed car "K" as the car being traded in. It replaced it with car "S".

A few months later Mr W was stopped by police for driving car "K" uninsured. Mr and Mrs W complained to Direct Line. Mrs W said she told Direct Line they were trading in car "L", not car "K". So car "K" should have remained insured. Instead, car "L" remained insured - when it had been traded in for car "S".

Direct Line listened to the call and didn't uphold their complaint. There had been breaks in the line during the call. But the call handler had changed the policy for the car Mrs W said they were trading in. Mrs W had told them they were trading in car "K".

Mr and Mrs W asked to listen to the call recording. They didn't agree with Direct Line. They said the call handler had spoken over Mrs W and this was the reason why the wrong car was removed from being insured. The handler should have done more at the end of the call to clarify with Mrs W that the newer car was replacing the correct car under their insurance policies. They asked us to look at their complaint.

Our investigator didn't recommend upholding their complaint. He didn't feel there was enough to say Direct Line had been give a clear instruction which it hadn't followed.

Mr and Mrs W didn't agree. Mrs W says the call handler shouldn't have spoken over her and should have summarised the change at the end of the call.

They would like an ombudsman to decide.

## **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 don't intend to uphold it.

I've listened carefully to the call recording. Mrs W explains that they have two cars insured with Direct Line and gives both registration numbers. The call handler clarified that car "K" was in Mrs W's name. She agreed. The handler then asked if this was the vehicle she was changing, and Mrs W replied "yes".

Later in the conversation, the handler asks if this will be the only change to the policy. Mrs W says;

*"Only change to the policy, Yes. Because we are err giving the other one in, L..."*

At this point the phone signal breaks and becomes inaudible. The handler speaks at the same time and says *"You're trading the other one in?"* as Mrs W is saying the final letter of car "L"s registration plate followed by "yeh".

Mrs W says the handler interrupted her and was rude. If he hadn't spoke over her he would have known that it was car "L" that was being traded in, not car "K".

The timing of the break in the line is very unfortunate, but I don't think the handler deliberately spoke over Mrs W. There was a gap in which he spoke, while Mrs W could be heard again.

Direct Line sent amended policy documents to Mrs W. While these didn't show the previous car registration, I think it's reasonable for Mrs W to have checked that the car previously insured under her name was car "K". And it was her policy that had the new car details added to it. The call handler told Mrs W to expect new documents by email and in the post and to check these were correct. If anything wasn't correct, she should contact Direct Line immediately.

This is a finely balanced case. I think Mrs W clearly told Direct Line at the beginning of the call that they were trading in car "K" which wasn't correct. Toward the end of the call I think Mrs W intended for car "L" to be removed. But due to the breaks in the line, the call handler believed the only change was for car "K" to be removed and replaced with the newer car.

So I can't say that Direct Line acted unreasonably. I do sympathise with Mr and Mrs W as I don't think their intention was to drive a car uninsured. But I don't think Direct Line failed to follow clear instructions. And if Mrs W had checked her policy documents, she might have realised that the newer car was added to her policy. So her car "K" was no longer insured.

Taking everything into account, I don't think Direct Line failed to follow Mrs W's instructions. So I'm not upholding the complaint.

### **my final decision**

For the reasons I've given above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs W to accept or reject my decision before 6 October 2017.

Geraldine Newbold  
**ombudsman**