

## **complaint**

Miss H has complained about esure Insurance Limited. She isn't happy with the way her black box motor insurance policy was managed.

## **background**

Miss H purchased her car insurance policy with esure. The policy involved attaching a black box to her car in order that her driving style could be monitored. Her premium was based on her driving scores.

Miss H used the online data available to her to assess her own driving. This was in order to ensure her premium didn't increase. But, her premium increased by £500 when her driving was reviewed after 90 days.

Miss H complained as she had checked her driving throughout this period and found that her driving had only dipped below a good driving score on one occasion. esure simply responded to say that the scores had been assessed correctly.

Our adjudicator upheld her complaint. This was because he believed that the data available to Miss H suggested that she had some control over her premium. Furthermore, he didn't think it was fair that the data available to Miss H was different to that provided by esure.

Although esure agreed that the information was misleading, and offered Miss H £100 compensation, it didn't believe that it should refund the additional premium Miss H was charged. And so the matter has been passed to me for a final 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.

I agree that Miss H would have had a reasonable expectation that she could manage the cost of her premium if she watched her driving style. She did this by checking the data provided by esure. Indeed, it appears that she managed to get a reduction in her premium in the following 90 day period because of her greater understanding of esure's procedures – following this complaint.

Although I can see that esure believes its data is commercially sensitive I would expect Miss H to be able to rely on the data she was provided with on a daily basis. If Miss H couldn't rely on the data then I don't see the point in providing it. I say this as it has actually mis-led her into believing that her score was good.

As esure has acknowledged that its communication could have been clearer and offered £100 compensation I think it should waive any increase in premium Miss H has incurred. She was only trying to act as a reasonably competent driver and keep her premiums down. As such, I think it is only fair and reasonable that the additional premium should be returned and Miss H should only be charged the original premium for this policy period.

I agree with esure and the adjudicator that she should also be paid £100 compensation in recognition of the confusion caused by the mis-leading information.

**my final decision**

If follows, for the reasons given above, that I uphold this complaint. I require esure Insurance Limited to refund the additional premium and to pay Miss H £100 compensation. It should only charge the original premium.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss H to accept or reject my decision before 30 October 2015

Colin Keegan  
**ombudsman**