

The complaint

Mr B has complained about Royal & Sun Alliance Insurance Limited (RSA). He isn't happy that it turned down a claim under his home insurance policy.

For ease of reading any reference to RSA includes its agents.

What happened

I looked at this case and provided my initial thoughts in my provisional decision as follows;

Mr B made a claim under his home insurance policy after he discovered a burglary at his home address while he was asleep upstairs, and a substantial amount of items and furniture was stolen. RSA looked into the circumstances surrounding the claim and turned it down. It appointed an investigator to interview Mr B, but it had concerns surrounding the claim. As Mr B wasn't happy about this he complained to RSA but as it didn't change its stance he went on to complain to this Service.

Our investigator looked into things for Mr B and upheld his complaint. He highlighted that RSA hadn't said Mr B was acting fraudulently in declining the claim, so he asked it to reconsider the claim and for RSA to pay Mr B £250 compensation.

As RSA didn't agree, maintaining that there were a number of discrepancies with Mr B's claim, the matter has been passed to me for review.

What I've provisionally decided – and why

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 presently minded to form a different view to our investigator and not uphold this complaint. I know this will come as a disappointment to Mr B, but I'll explain why.

Mr B made a high value claim following a burglary at his home address. The claim involved a number of high value electronic items including seven guitars and three televisions alongside some large pieces of furniture. Given the size of the claim RSA appointed an investigator to consider matters and interview Mr B about the circumstances surrounding the claim. And while it was undertaking these enquiries RSA was contacted by the police separately as they also had concerns about the circumstances surrounding the claim when they attended the burglary and noted a few discrepancies.

RSA considered the findings of the investigator, the concerns of the attending police officers and a few discrepancies around the claim and turned it down. I know it hasn't cited fraud, but I think its concerns are reasonable.

I say this as there are a number of concerns and discrepancies surrounding Mr B's claim. There were discrepancies in the initial report of the claim including who was in the house during the burglary, the items reported as stolen; the amount of items stolen (which

escalated from the initial reporting stage from around £12,000 to over double that amount); a previous large claim of a similar nature; the size of items stolen and the physical removal of items without the burglars bringing any attention to the theft.

Plus, Mr B initially claimed for a distinctive microwave before changing his mind. But the attending police officer is confident that he saw the microwave in place in the kitchen when he attended. I know Mr B has since said that his mother gave him the exact same model as she had a spare, but I can understand why RSA has questions about this. And there has been discrepancies in who was in the house at the time of the burglary and Mr B has refused to provide the details of his ex-partner to RSA which is surprising. I say this as there is a general expectancy that he should cooperate with his insurer during a claim.

The police also described the burglary as similar to a 'house clearance' and believed that such a theft would take a sustained period of time to undertake. And yet no one heard anything overnight, heard the brake in or saw a large van or heard anything when the burglary took place even though the items that were stolen were heavy and such a burglary would make a lot of noise. Plus, the police were surprised that there wasn't any damage or mess caused during the burglary which they would ordinarily expect to see.

Overall, there are a number of other concerns in relation to the claim, including how access was gained to the house and similarities to a similar claim a few years before. So, I don't think RSA has acted unfairly in declining the claim.

Replies

RSA didn't respond to my provisional decision while Mr B responded in detail.

In the main Mr B raised issues and provided evidence that had already been provided to this Service in support of his claim and he provided again detail in support of his good character. He highlighted that any issues the police had in relation to his claim were just a case of mistakes and inaccuracies by the police. And that the 'house clearance' comment by the police was unfair and unfounded.

Mr B pointed out that he felt the burglary could've been done relatively quickly by three thieves with a van. And that the majority of the items weren't bulky, although he accepted a few items were quite large, and so the thieves would generally have been quiet in his opinion. He said they didn't need to be messy or ransack his house as he was targeted by the thieves for the high value items (especially his guitars).

Mr B said the claim had doubled in value, from the initial report, simply because he had realised additional items had been taken as time went by. And he has highlighted that there aren't any inconsistencies in his account about who was or wasn't in the property at the time of the burglary.

Plus, Mr B said he didn't change his mind about claiming for the distinctive microwave. He just didn't want to waste the insurers time once he realised he couldn't evidence his purchase or provide any evidence in support of his claim for the microwave. Mr B also said that he didn't provide the details of his ex-partner as she didn't wish to be contacted by him. And as she worked in the same area, and he was of a higher rank, he didn't want to leave himself open to questions from work.

What I've decided – and why

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 remain of the view that the complaint shouldn't be upheld. I can understand the further points Mr B has raised and I do have some sympathy for the position he finds himself in. And I note he has again provided evidence of his general good character.

However, I have to be fair to both sides when I consider complaints and given the questions RSA has about the circumstances surrounding the burglary I can't say it has acted unfairly in turning down the claim. I'm pleased to see it hasn't placed a fraud marker against Mr B in relation to this claim but that doesn't mean its questions around the claim aren't unreasonable.

I know Mr B has said he withdrew the claim for the microwave as he couldn't evidence its purchase and for the ease of RSA. But I'd have expected him to just let the claim run and let RSA make this decision as opposed to withdraw it. And, although I know Mr B questions the attending police officer's recollection, the officer was clear that the microwave was in situ after it was allegedly stolen in the burglary. And I know Mr B has said his mum had an identical one that he could borrow, which broke down a few days later so he threw it out, but I can understand why RSA has questions around this.

Plus, I understand Mr B questions the police officer's account, but he did sign a police statement with what he alleges had inaccuracies in. And I don't think the police burglary unit would've looked to approach RSA about Mr B's claim if they didn't have genuine questions around it.

Mr B has said that most of the items wouldn't have created much noise when they were taken but he has acknowledged some of the furniture was large, heavy and cumbersome – so in effect would have created a lot of noise being removed from the house. Mr B has provided some photographs of his doorway and drive where he feels the thieves must have parked their van. But I think it is clear from the pictures that the large furniture would've been difficult to manoeuvre without making a lot of noise. Again, I can understand why RSA and the police have questions around this aspect of the claim.

Mr B has also said he didn't provide the contact details for his ex-partner as he didn't want to seem overbearing towards her when he tried to contact her through work colleagues. I understand this but given her job role I'm sure she would want to cooperate with the police or insurer's investigator and provide a statement about her involvement. And she could do this without any direct contact with Mr B.

Given all of this, I remain of the view that I don't think RSA have acted unreasonably here. If Mr B has any further evidence in support of his position then I would expect RSA to consider it, but I don't think it has done anything wrong in turning down his claim to date.

My final decision

It follows, for the reasons given above, that I'm not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 13 December 2023.

Colin Keegan
Ombudsman