

The complaint

Mr H complains that Thistle Insurance Services Limited (Thistle) gave incorrect advice prior to making a claim under his contents insurance policy, and this led to his claim being declined.

What happened

In May 2022 Mr H purchased contents insurance via Thistle, acting as a broker. In July 2022 Mr H called Thistle to report a claim for a theft.

The insurer of Mr H's policy later declined his claim.

Mr H was unhappy with the claim decision, he also said Thistle gave incorrect information which led to the insurer declining his claim. As Mr H remained unhappy, he brought complaints about the insurer and Thistle to this service.

Our investigator considered this complaint about Thistle. But she said there was no evidence to support what Mr H alleged about Thistle providing incorrect information prior to making his claim. So, she didn't recommend the complaint be upheld.

Mr H didn't agree and asked for a final decision from an ombudsman.

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've reached the same outcome as our investigator.

I'll also confirm that my consideration here solely relates to Thistle and the alleged incorrect advice they gave, which Mr H said led to the decline of his claim by the insurer. The complaint about the insurer and their claim decision has been considered by my Ombudsman colleague, and a final decision has been issued in relation to that. I therefore won't be considering that again here.

Mr H reported the theft to Thistle on 28 July 2022. The theft occurred around two and a half weeks before this.

Mr H's insurer declined his claim. Part of the reason was because there was a delay in the claim being reported. Mr H says that prior to reporting the claim to Thistle, a family member contacted Thistle for him. He says they were told he had three months to make a claim, and he did so within this timescale, so he doesn't think it's fair his claim was declined by the insurer on the basis of a delay in reporting. So, Mr H holds Thistle responsible for his claim being declined by the insurer on the basis of the advice they gave.

Whilst I note what Mr H has alleged, Thistle doesn't have any records of any calls in which a three-month timescale was outlined. This includes checking all the calls from Mr H's number, the number he provided for his family member he said called them, and all calls from withheld and anonymous numbers in the lead up to him making his claim. So, Thistle has been unable to locate this alleged call.

Despite our investigator asking Mr H for evidence of this call, he hasn't provided anything to support that either. Therefore, in the absence of any records of any calls prior to the claim being made which support this, I'm unable to conclude Thistle has acted unfairly.

Furthermore, whilst my consideration of this complaint only relates to Thistle, I should also point out there were several reasons why Mr H's claim was declined by the insurer. And it wasn't solely on the basis of late notification. So even if there was evidence of this timescale being outlined by Thistle before Mr H reported the claim – which there isn't – there are several other reasons the claim was declined regardless of this.

My final decision

It's my final decision that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 21 September 2023.

Callum Milne
Ombudsman