

## **The complaint**

Mr C and Ms M complain about Tesco Personal Finance PLC's (Tesco) poor handling and delay of her claim, under her home insurance policy.

## **What happened**

Mr C and Ms M had a theft of items from their home. They made a claim. Tesco instructed loss adjusters to act on its behalf and it instructed a specialist valuer. In February 2023, the valuer attended and wrote a report.

Tesco said that further enquiries were needed to validate the claim, one of which was to obtain a police report. Mr C and Ms M said there have been avoidable delays in Tesco progressing the claim. Especially in it obtaining the police report. Tesco said that it explained to Mr C and Ms M, that for it to obtain the police report, this could take several months. It also said that it told them that they were able to obtain the police report much quicker to progress the claim, but they declined to do so.

Unhappy with the progress of the claim and because Ms M had personal vulnerabilities, Mr C and Ms M logged a complaint in July 2023, with the loss adjuster that Tesco had appointed to deal with the claim. They said that the loss adjuster failed to pass the complaint on to Tesco. And this resulted in the claim not being progressed.

In September 2023, Mr C and Ms M referred their complaint directly to Tesco, who they said confirmed that it hadn't received a complaint in July 2023. So, Mr C and Ms M also complained about this.

In its final response, it said that the reason for the delay in the progress of their claim, was because it was waiting for the police report. It said that it had asked Mr C and Ms M to obtain the report, but they had refused to. As the claim needed to be validated, the police report was required. It said that it had told Mr C and Ms M that this was likely to cause a delay. And as it was information that it required from a third party, there was nothing it could do further to progress the claim.

As Ms M and Mr C had been given their referral rights, they referred a complaint to our service. One of our investigators considered the complaint and thought it shouldn't be upheld. She said that we would expect a business to validate a claim and in the circumstances of this theft, a police report was required. Which wasn't unusual. She explained that Tesco wouldn't be able to do anything about the speed of obtaining the report. She said that from the claim notes Tesco (including the loss adjuster it used) progressed the claim. So, there was nothing further she could reasonably ask Tesco to do.

Tesco accepted the view, Mr C and Ms M did not. They said that both the loss adjuster and Tesco failed to keep them informed about the claim. They highlighted what they felt were avoidable delays and they confirmed that they had given Tesco ample time to get the police report. So, they asked for a 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 won't uphold this complaint, for much the same reasons as our investigator. I understand that this might be a disappointment to Mr C and Ms M, but I hope my findings go some way in explaining why I've reached this decision.

I've considered all the evidence and comments made by both parties. And having done so, I think the main issue of this complaint relates to the delay in Tesco obtaining a third-party report. So, I've concentrated my findings on this issue.

Mr C and Ms M reported theft of several items of jewellery from their home. They made a claim for the loss and Tesco appointed a loss adjuster to assist in validating the claim. From the evidence that I've read, Tesco has obtained nearly all the information it required to validate the claim. The outstanding piece of information relates to the police report.

I should say at the outset, that it is usual practice for any insurer to validate a claim. And the claim's validation can take many forms, one of which is to obtain reports from third parties where necessary. Tesco said that the police report is a necessary requirement in the circumstances of this claim. And to date, the report is the only piece of information that Tesco requires, that is still outstanding.

I understand that Tesco asked Mr C and Ms M to obtain the police report as this would have speeded up the resolution of their claim. It also informed Mr C and Ms M that if they requested the report from the police, this would be given to them much quicker. However, Mr C and Ms M have chosen to refuse to assist Tesco with obtaining the form.

As insurers regularly ask for police reports from the police, this means that there is a backlog in insurers receiving this information. And as it is a third-party Tesco will have no control over when it receives the information. Our service, therefore, is unable to direct Tesco to progress the claim any quicker, as the delay is due to the police report. But, If Mr C and Ms M wish to now obtain the report and provide that to Tesco, then this will assist with a quicker resolution of their claim.

I've next looked at whether there were any other delays, during the claims journey. I can see that at the beginning of the claim, there was a minor delay due to the incorrect completion of a form. But having reviewed the evidence, I can't agree that Tesco or its agents haven't done all that it could to progress the claim, to the stage that it is currently at.

Tesco has confirmed that the claim remains open and that the outstanding police report is the only piece of information it requires to validate the claim.

I acknowledge Mr C and Ms M's strength of feeling about this complaint. And I understand that making a claim can be stressful, with Ms M's personal circumstances. But I haven't seen enough evidence to show that Tesco delayed the progress of their claim. So, I'm unable to reasonably ask it to do anything further here.

## **My final decision**

For the reasons given, I won't uphold Mr C and Ms M's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C and Ms M to accept or reject my decision before 15 February 2024.

Ayisha Savage  
**Ombudsman**